**94-649**

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES**

2020-2021 Regulatory Agenda

as amended on June 25, 2021

agency umbrella-unit number: **94-649**

agency name: **maine Commission on Indigent Legal Services**

**CONTACT PERSON:** Justin Andrus, Esq., (Interim) Executive Director, 154 State House Station, Augusta, Maine 04333-0154. Telephone: (207) 287-3254; Justin.Andrus@Maine.gov .

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** none

**EXPECTED 2020-2021 RULEMAKING ACTIVITY:**

**AMENDMENT - CHAPTER 2:** Standards for Qualifications of Assigned Counsel

STATUTORY AUTHORITY: 4 M.R.S.A. §§ 1804(2)(B), (2)(G), (3)(E) and (4)(D)

PURPOSE: To provide the Commission with a basis for determining which attorneys are qualified to be assigned to represent indigent people.

ANTICIPATED SCHEDULE: Prior to June 1, 2021 for final adoption of this major substantive rule.

AFFECTED PARTIES: Attorneys rostered by the Commission to receive assignments in indigent cases and licensed attorneys who apply to become eligible to receive assignments in indigent cases.

**AMENDMENT - CHAPTER 3:** Eligibility Requirements for Specialized Case Types

STATUTORY AUTHORITY: 4 M.R.S.A. §§ 1804(2)(B), (2)(G), (3)(E) and (4)(D)

PURPOSE: To provide the Commission with a basis for determining which attorneys are qualified to be assigned to represent indigent people in specialized case types.

ANTICIPATED SCHEDULE: Prior to June 1, 2021 for final adoption of this major substantive rule.

AFFECTED PARTIES: Attorneys rostered by the Commission to receive assignments in indigent cases and licensed attorneys who apply to become eligible to receive assignments in specialized case types.

**CHAPTER 501**: Standards and Procedures for Evaluating Assigned and Contract Counsel

STATUTORY AUTHORITY: §§ 1804(2)(D) and (4)(D)

PURPOSE: To establish standards and procedures for evaluating assigned and contract counsel.

ANTICIPATED SCHEDULE: Prior to June 1, 2021.

AFFECTED PARTIES: Attorneys rostered by the Commission to receive assignments in indigent cases and attorneys who represent indigent people under contract with the Commission.

**AMENDMENT - CHAPTER 301:** Fee Schedule for Rostered Attorneys

STATUTORY AUTHORITY: 4 M.R.S.A. §§ 1804(2)(F), (3)(B), (3)(F) and (4)(D)

PURPOSE: To amend established standards for compensation of counsel and the reimbursement of counsel expenses for rostered attorneys.

ANTICIPATED SCHEDULE: Prior to June 1, 2021.

AFFECTED PARTIES: Attorneys rostered by the Commission to receive assignments in indigent cases.

**AMENDMENT - CHAPTER 302:** Procedures Regarding Funds for Experts and Investigators

STATUTORY AUTHORITY: 4 M.R.S.A. § 1804(3)(L) and (4)(D)

PURPOSE: To amend how request for funds for non-counsel services must be filed with the Commission.

ANTICIPATED SCHEDULE: Prior to August 1, 2021.

AFFECTED PARTIES: Attorneys rostered by the Commission to receive assignments in indigent cases.

**AMENDMENT - CHAPTER 101:** Juvenile Practice Standards

STATUTORY AUTHORITY: 4 M.R.S.A. §§ 1804(2)(C), (2)(D), 2(G), (3)(D) and (4)(D)

PURPOSE: To amend performance standards for rostered attorneys and to provide the Commission with a basis for evaluating rostered attorneys to ensure an adequate representation in juvenile cases.

ANTICIPATION SCHEDULE: Prior to June 1, 2021.

AFFECTED PARTIES: Attorneys rostered by the Commission to receive assignments in indigent cases.

**AMENDMENT - CHAPTER 102:** Adult Criminal Practice Standards

STATUTORY AUTHORITY: 4 M.R.S.A. §§ 1804(2)(C), (2)(D), 2(G), (3)(D) and (4)(D)

PURPOSE: To amend performance standards for rostered attorneys and to provide the Commission with a basis for evaluating rostered attorneys to ensure an adequate representation in criminal cases.

ANTICIPATION SCHEDULE: Prior to June 1, 2021.

AFFECTED PARTIES: Attorneys rostered by the Commission to receive assignments in indigent cases.

**AMENDMENT - CHAPTER 103:** Child Protective Practice Standards

STATUTORY AUTHORITY: 4 M.R.S.A. §§ 1804(2)(C), (2)(D), 2(G), (3)(D) and (4)(D)

PURPOSE: To amend performance standards for rostered attorneys and to provide the Commission with a basis for evaluating rostered attorneys to ensure an adequate representation in child protective cases.

ANTICIPATION SCHEDULE: Prior to June 1, 2021.

AFFECTED PARTIES: Attorneys rostered by the Commission to receive assignments in indigent cases.

**CHAPTER 104:** Involuntary Commitment Practice Standards

STATUTORY AUTHORITY: 4 M.R.S.A. §§ 1804(2)(C), (2)(D), 2(G), (3)(D) and (4)(D)

PURPOSE: To amend performance standards for rostered attorneys and to provide the Commission with a basis for evaluating rostered attorneys to ensure an adequate representation in involuntary commitment cases.

ANTICIPATION SCHEDULE: Prior to June 1, 2021.

AFFECTED PARTIES: Attorneys rostered by the Commission to receive assignments in indigent cases.