

MCILS

**January 13, 2015
Commissioner's Meeting
Packet**

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

**JANUARY 13, 2015
COMMISSION MEETING
ROOM 110, 19 UNION STREET AUGUSTA
AGENDA**

- 1) Approval of December 29, 2014 Commission Meeting Minutes
- 2) Operations Reports Review
- 3) Budget Update
- 4) Legislative Update
- 5) Presentation Re: Contract Proposal for Kennebec County
Kevin P. Sullivan, Esq.
- 6) Public Comment
- 7) Set Date, Time and Location of Next Regular Meeting of the Commission
- 8) Executive Session, if needed (Closed to Public)

(1.)
December 29, 2014
Commission Meeting
Minutes

**Maine Commission on Indigent Legal Services – Commissioners Meeting
December 29, 2014**

Minutes

Commissioners Present: Steven Carey, Marvin Glazier, William Logan, Susan Roy

MCILS Staff Present: John Pelletier, Ellie Brogan

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
Approval of the November 18, 2014 Commission Meeting Minutes	Copy of minutes received by all Commissioners.	Commissioner Glazier moved for the approval of the minutes. Commissioner Logan seconded. All voted in favor. Approved.
Operations Reports Review	Director Pelletier presented the <u>November 2014 Operations Reports</u> . The number of new cases opened in DefenderData totaled 1,976 – a 92 case decrease from October. 2,826 vouchers were submitted, totaling \$1,377,122. This was a 45 voucher increase and \$96,000 increase from October. In November, the Commission paid 2,626 vouchers, totaling \$1,166,030, a 399 voucher and \$274,000 increase from October. The average price per voucher in November was \$444.03, a decrease of \$31.76 per voucher from October. Appeal and Post-Conviction Review cases were the highest average vouchers. Three vouchers exceeding \$5,000 were paid in November. The November transfer of counsel fees, which reflected October’s collections, totaled \$66,316, up \$4,400 from the previous month.	
Budget Update	Director Pelletier gave an update on the status of the current quarter budget shortfall. On November 19, an email was sent to rostered attorneys alerting them about the Commission’s expected shortfall and resulting delay in the normal payment schedule for vouchers submitted after December 1. Despite the flood of voucher submissions that followed this email, the Commission was able to pay vouchers submitted through November 30 and a portion of December 1 vouchers. Director Pelletier reported that so far in December, vouchers have been submitted at a lower rate than during October and November, which were both high voucher submission months, and that the estimated end of quarter shortfall would be \$400,000, similar to last year’s shortfall amount. Director Pelletier indicated that the Commission will need supplemental funding in addition to the	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	<p>supplemental budget request submitted in September. He will have a definite number in January once all the second quarter vouchers are submitted. Director Pelletier noted that historically the second quarter was the lowest quarter. This year, however, it acted more like the third and fourth quarters. Director Pelletier was unsure whether this quarter was an anomaly or whether this will become the new normal.</p>	
<p>Consideration of Proposed Rules in order for Provisional Adoption</p>	<p>Director Pelletier reviewed the proposed rule changes to Chapter 2, standards for qualifications of assigned counsel. The Commission only received one public comment for this proposed rule change. The comment focused on the new malpractice insurance requirement and suggested the Commission consider adding a maximum deductible amount. The proposed Commission response stated that the Commission's decision to add a malpractice insurance requirement was to add a level of protection for indigent clients without the need to micromanage the details of such policies. A discussion ensued about the addition of the requirement that attorneys maintain malpractice insurance. The Commissioners all expressed concern about this provision, noting that it would be a significant financial burden on our already underpaid attorneys and that the Board of Bar Overseers has not made this a requirement for attorneys and the Law Court has not made this a requirement for its guardians <i>ad litem</i>. The Commissioners agreed to remove the provision requiring malpractice insurance. Due to this change, the Commissioners asked the staff to revise the proposed response to the public comment to reflect the removal of the malpractice insurance requirement. Otherwise, the Commissioners adopted the draft response.</p> <p>Another proposed change to Chapter 2 was briefly discussed. Commissioner Glazier questioned whether the use of the word "promptly" instead of the current 30 day requirement to report a criminal charge would give attorneys the ability to delay reporting that information to the Commission. Director Pelletier explained that the proposed change from 30 days to promptly was made with the expectation that attorneys will notify the Commission of criminal charges well before 30 days is up. He believes the flexibility of the word promptly will give the Executive Director more authority to get information from an attorney, especially in a high profile case, much more quickly. Director Pelletier noted that under the current rule, an attorney can wait until the 30th day to notify the Commission about a criminal charge.</p>	<p>Commissioner Logan moved to approve the proposed rule with one amendment, Section 2(2)(3) is removed entirely. Commissioner Glazier seconded. All voted in favor. Proposed Rule changes approved.</p>

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	<p>Director Pelletier reviewed the proposed rule changes to Chapter 3, eligibility requirements for specialized case types. The Commission received two public comments for this proposed rule change. One comment was a letter from five attorneys. In the group's letter, the attorneys asked that the rule be rejected because: (1) it fails to accurately identify the skills necessary for quality appellate and post-conviction advocacy; (2) does not have a CLE requirement directed at substantive appellate and post-conviction law, including federal habeas law; (3) the appellate rule's trial practice requirement could preclude new lawyers seeking to become appellate specialists from breaking into the practice; (4) the Commission, not the Law Court, should assign appellate counsel; and (5) Commission staff and a panel of experienced appellate and post-conviction practitioners should work in a collaborative process to think creatively about ways to improve appellate practice in Maine. A second public comment suggested that an attorney different from trial counsel should always be assigned to handle an appeal and that a writing sample requirement should be added to the post-conviction review panel.</p> <p>Director Pelletier reviewed the proposed response and a discussion ensued about the public comment received from the group of five attorneys. In the response, it was noted that: (1) the three writing sample submission requirement will allow Commission staff to assess an applicant's appellate advocacy skills and the requirement that an applicant detail their criminal law experience will allow staff to assess an attorney's insight into the unique issues involved in post-conviction review practice and the attorney's ability to express themselves in a clear, logical, and persuasive manner; (2) a CLE requirement is not practical at this time in light of the lack of appellate and post-conviction training currently available in Maine; (3) trial-court level experience develops knowledge and insight that are important for effective appellate advocacy, and a waiver could be granted for a new attorney in a formal mentoring relationship with experienced appellate counsel; (4) the Law Court will be required to select an attorney from the Commission roster; and (5) a collaborative process to identify ways to improve appellate and post-conviction practice is not foreclosed by the passage of the proposed rule. The Commissioners agreed with the second public comment about adding a writing sample requirement to the post-conviction review panel. It was decided that the writing sample would only be required upon request by the Executive Director. Due to this change, the Commissioners asked the</p>	<p>Commissioner Logan moved to approve the proposed rule with one amendment to add a writing sample requirement upon request by the Executive Director. Commissioner Glazier seconded. All voted in favor. Proposed Rule changes approved.</p>

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
	<p>staff to revise the proposed response to the public comment to reflect the addition of a requirement that a writing sample be provided upon request in the post-conviction review panel. Otherwise, the Commissioners adopted the draft response.</p>	
<p>Meeting with Judicial Branch re: Counsel Fees</p>	<p>Director Pelletier met with the Judicial Branch Trial Chiefs and Court Administrator to address the process for enforcing orders to pay counsel fees. Director Pelletier had requested this meeting after questions had arisen from financial screeners and some judges regarding the appropriate process for enforcing those orders (i.e. proper form of notice to appear, statutory authority to penalize individuals who fail to pay). As a result of this meeting, a task force has been set up to recommend a uniform set of forms and procedures for enforcement hearings. The task force will consist of Director Pelletier and judges and clerks from courts in different parts of the state. Director Pelletier hopes the group will recommend a uniform process that can be adopted by the Trial Chiefs and that having a uniform process in place will lead courts not currently enforcing its orders to implement regular enforcement proceedings.</p> <p>Director Pelletier relayed a request from the Trial Chiefs that the Commissioners consider shortening the time for submitting vouchers to 45 days after the date of disposition rather than the current 90 days. The Chiefs expressed some concern about holding a defendant's bail for such a substantial period of time. After a short discussion, the Commissioners agreed that Commission staff should send out notice to attorneys asking that they submit their vouchers within 45 instead of 90 days going forward. Since the 90 day requirement is part of a rule and any changes to that rule would require formal rulemaking, attorneys would be informed that the 45 day is not a formal requirement but that compliance would be appreciated.</p>	
<p>Potential Contract Proposal for Kennebec County</p>	<p>Director Pelletier notified the Commissioners that a lawyer in Kennebec County had contacted him about the possibility of starting a contract for indigent legal services in Kennebec County. The attorney has asked Commission staff for data and is in the process of putting together a proposal. Director Pelletier suggested that the attorney attend a Commission meeting to describe his proposal and the Commissioners could decide whether to issue an RFP. The Commissioners agreed and the topic will be put on the January agenda.</p>	

Agenda Item	Discussion	Outcome/Action Item/Responsible Party
New Business	<p>Chair Carey asked Commission staff to consider its training priorities going forward, particularly whether the current twice a year offering of the minimum standards training should be cut back to once a year. He noted that this might free up staff resources to provide other types of training, including appellate training.</p> <p>Director Pelletier gave the Commissioners a staffing update: the Androscoggin County screener is leaving in January, and the central office screener position will be posted in January.</p>	
Public Comment	None	
Executive Session	None	
Adjournment of meeting	The Commission then voted to adjourn with the next meeting to be on January 13, 2015 at 9:30 am in Room 110 at 19 Union Street, Augusta.	Commissioner Glazier made a motion to adjourn. Commissioner Logan seconded. All present voted in favor.

(2.)
Operations Reports
Review

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

TO: MCILS COMMISSIONERS
FROM: JOHN D. PELLETIER, EXECUTIVE DIRECTOR
SUBJECT: DECEMBER 2014 OPERATIONS REPORTS
DATE: JANUARY 7, 2015

Attached you will find the December, 2014 Operations Reports for your review and our discussion at the upcoming Commission meeting on January 13, 2015. A summary of the operations reports follows:

- 1,999 new cases were opened in the DefenderData system in December. This was a 23 case increase over November.
- The number of vouchers submitted electronically in December was 2,355, a decrease of 471 vouchers from November, totaling \$1,069,392.17, a decrease of \$308,000 from November. In December, we paid 1,370 electronic vouchers totaling \$673,674.85. This was a 1,256 voucher and \$492,000 decrease from November.
- There were no paper vouchers submitted in December.
- The average price per voucher in December was \$491.73, up \$47.70 per voucher over November. The average price per voucher for the first half of the current fiscal year equaled \$469.14, a 10.4% increase over the average price at the same point last year.
- Appeal and Post-Conviction Review cases had the highest average vouchers in December. There were 2 vouchers exceeding \$5,000 paid in December. These cases involved: 1) a four-day jury trial in a sex offense case, and 2) a one-day jury trial in an aggravated trafficking case that also involved litigated motions to suppress and for new trial. The defendants were found guilty in both cases.

In our All Other Account, the total expenses for the month of December were \$557,133.57. Of the amount, \$8,732.75 was devoted to the Commission's operating expenses.

In the Personal Services Account, we had \$70,109.34 in expenses for the month of December, a month with paychecks covering 3 pay periods.

In the Revenue Account, our monthly transfer from the Judicial Branch for counsel fees for the month of December, which reflects November's collections, totaled \$47,640.77, down \$18,600 from the previous month, but still close to the budgeted average monthly collection. We made \$190,337.31 in voucher payments from this account in December.

In our Conference Account, we paid the bulk of expenses for the advanced criminal training presented in October, leaving the account balance at \$16,684.

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

Activity Report by Case Type

12/31/2014

DefenderData Case Type	Dec-14						Fiscal Year 2015			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
Appeal	14	11	\$ 12,305.36	12	\$ 17,879.78	\$ 1,489.98	61	70	\$ 97,177.27	\$ 1,388.25
Child Protection Petition	134	339	\$ 166,328.33	185	\$ 100,328.36	\$ 542.32	955	1,938	\$ 1,037,256.60	\$ 535.22
Drug Court	1	1	\$ 176.00	6	\$ 2,552.00	\$ 425.33	3	35	\$ 15,600.50	\$ 445.73
Emancipation	11	17	\$ 5,017.59	3	\$ 572.00	\$ 190.67	68	46	\$ 13,842.93	\$ 300.93
Felony	524	561	\$ 402,903.08	313	\$ 226,883.81	\$ 724.87	3,141	3,127	\$ 2,309,254.52	\$ 738.49
Involuntary Civil Commitment	58	45	\$ 9,926.06	29	\$ 5,796.16	\$ 199.87	429	393	\$ 84,055.35	\$ 213.88
Juvenile	98	59	\$ 19,223.90	32	\$ 14,359.47	\$ 448.73	581	664	\$ 231,678.08	\$ 348.91
Lawyer of the Day - Custody	213	201	\$ 42,988.94	104	\$ 23,027.53	\$ 221.42	1,279	1,122	\$ 235,701.97	\$ 210.07
Lawyer of the Day - Juvenile	47	44	\$ 7,406.30	22	\$ 4,405.94	\$ 200.27	256	235	\$ 44,276.79	\$ 188.41
Lawyer of the Day - Walk-in	113	115	\$ 24,823.57	56	\$ 12,576.92	\$ 224.59	700	576	\$ 120,702.15	\$ 209.55
Misdemeanor	583	624	\$ 229,639.40	371	\$ 145,761.31	\$ 392.89	3,807	3,583	\$ 1,323,198.58	\$ 369.30
Petition, Modified Release Treatment	4	3	\$ 1,273.57	0			9	31	\$ 9,638.76	\$ 310.93
Petition, Release or Discharge	0	1	\$ 165.00	0			0	3	\$ 3,867.88	\$ 1,289.29
Petition, Termination of Parental Rights	10	34	\$ 26,066.05	31	\$ 19,148.31	\$ 617.69	95	281	\$ 189,014.46	\$ 672.65
Post Conviction Review	5	7	\$ 5,575.26	12	\$ 11,342.71	\$ 945.23	27	38	\$ 40,791.49	\$ 1,073.46
Probation Violation	160	141	\$ 45,771.97	85	\$ 32,389.04	\$ 381.05	959	875	\$ 320,585.55	\$ 366.38
Represent Witness on 5th Amendment	2	1	\$ 425.00	2	\$ 341.50	\$ 170.75	9	8	\$ 1,163.00	\$ 145.38
Review of Child Protection Order	21	149	\$ 68,758.31	106	\$ 55,372.31	\$ 522.38	191	957	\$ 483,181.44	\$ 504.89
Revocation of Administrative Release	1	2	\$ 618.48	1	\$ 937.70	\$ 937.70	13	16	\$ 6,031.70	\$ 376.98
DefenderData Sub-Total	1,999	2,355	\$ 1,069,392.17	1,370	\$ 673,674.85	\$ 491.73	12,583	13,998	\$6,567,019.02	\$ 469.14
Paper Voucher Sub-Total	0	0	\$ -	0	\$ -	#DIV/0!	3	3	\$ 512.12	\$ 170.71
TOTAL	1,999	2,355	\$1,069,392.17	1,370	\$673,674.85	\$ 491.73	12,586	14,001	\$ 6,567,531.14	\$ 469.08

MAINE COMMISSION ON INDIGENT LEGAL SERVICES
FY15 FUND ACCOUNTING
AS OF 12/31/2014

Account 010 95F Z112 01 (All Other)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY15 Total
FY15 Professional Services Allotment		\$ 3,668,113.00		\$ 3,314,658.00		\$ 3,737,544.00		\$ 3,228,737.00	
FY15 General Operations Allotment		\$ -		\$ -		\$ -		\$ -	
Financial Order Adjustment		\$ -		\$ -		\$ -		\$ -	
Financial Order Adjustment		\$ -		\$ -		\$ -		\$ -	
Financial Order Adjustment		\$ -		\$ -		\$ -		\$ -	
Financial Order Adjustment		\$ -		\$ -		\$ -		\$ -	
Financial Order Adjustment		\$ -		\$ -		\$ -		\$ -	
Total Budget Allotments		\$ 3,668,113.00		\$ 3,314,658.00		\$ 3,737,544.00		\$ 3,228,737.00	\$ 13,949,052.00
Total Expenses	1	\$ (1,141,359.56)	4	\$ (1,567,153.86)	7	\$ -	10	\$ -	\$ (2,708,513.42)
	2	\$ (1,199,265.91)	5	\$ (1,261,558.07)	8	\$ -	11	\$ -	\$ (2,460,823.98)
	3	\$ (1,114,175.03)	6	\$ (557,133.57)	9	\$ -	12	\$ -	\$ (1,671,308.60)
Encumbrances		\$ (213,312.50)		\$ 71,187.50		\$ -		\$ -	\$ (142,125.00)
TOTAL REMAINING		\$ -		\$ (0.00)		\$ 3,737,544.00		\$ 3,228,737.00	\$ 6,966,281.00

Q2 Month 6 (as of 12/31/14)	
INDIGENT LEGAL SERVICES	
Counsel Payments	\$ (483,337.54)
Somerset County	\$ (22,687.50)
Subpoena Witness Fees	\$ (63.68)
Private Investigators	\$ (13,626.47)
Mental Health Expert	\$ (7,074.00)
Transcripts	\$ (10,663.04)
Other Expert	\$ (10,113.50)
Expert Witness Lodging	\$ -
Process Servers	\$ (571.89)
Interpreters	\$ (263.20)
Misc Prof Fees & Serv	\$ -
SUB-TOTAL ILS	\$ (548,400.82)
OPERATING EXPENSES	
Service Center	\$ (794.50)
DefenderData	\$ (4,395.00)
Risk Management	\$ -
Mileage/Tolls/Parking	\$ (1,082.85)
Mailing/Postage/Freight	\$ (435.42)
Legal Ads	\$ -
Maine State Bar Dues	\$ -
Office Supplies/Equip.	\$ (161.16)
Cellular Phones	\$ (77.33)
VDT reimbursements	\$ -
Office Equipment Rental	\$ (134.08)
OIT/TELCO	\$ (1,652.41)
SUB-TOTAL OE	\$ (8,732.75)
TOTAL	\$ (557,133.57)

INDIGENT LEGAL SERVICES	
Q2 Allotment	\$ 3,314,658.00
Q2 Encumbrance Expenditures	\$ 71,187.50
Q2 Expenses as of 12/31/14	\$ (3,385,845.50)
Remaining Q2 Allotment as of 12/31/14	\$ -

MAINE COMMISSION ON INDIGENT LEGAL SERVICES
FY15 FUND ACCOUNTING
As of 12/31/14

Account 014 95F Z112 01 (Revenue)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY14 Total
Total Budget Allotments		\$ 149,124.00		\$ 149,124.00		\$ 149,124.00		\$ 149,125.00	\$ 596,497.00
Financial Order Adjustment	1	\$ -	4	\$ -	7	\$ -	10	\$ -	
Financial Order Adjustment	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
Budget Order Adjustment	3	\$ -	6	\$ -	9	\$ -	12	\$ -	
Financial Order Adjustment		\$ 970.00		\$ 50,000.00		\$ 35,000.00		\$ 35,000.00	
Total Budget Allotments		\$ 150,094.00		\$ 199,124.00		\$ 184,124.00		\$ 184,124.00	\$ 717,466.00
Collected Revenue from JB	1	\$ 51,555.85	4	\$ 61,901.40	7	\$ -	10	\$ -	
Promissory Note Payments		\$ 200.00		\$ -		\$ -		\$ -	
Collected Revenue from JB	2	\$ 68,324.36	5	\$ 66,316.39	8	\$ -	11	\$ -	
Promissory Note Payments		\$ 200.00		\$ -		\$ -		\$ -	
Donation		\$ 1,500.00		\$ -		\$ -		\$ -	
Collected Revenue from JB	3	\$ 47,842.05	6	\$ 47,640.77	9	\$ -	12	\$ -	
Promissory Note Payments				\$ 50.00		\$ -		\$ -	
Returned Check		\$ 45.00		\$ 60.00		\$ -		\$ -	
TOTAL REVENUE COLLECTED		\$ 169,667.26		\$ 175,968.56		\$ -		\$ -	\$ 345,635.82
Counsel Payments	1	\$ -	4	\$ -	7	\$ -	10	\$ -	
	2	\$ -	5	\$ -	8	\$ -	11	\$ -	
	3	\$ (149,124.00)	6	\$ (190,337.31)	9	\$ -	12	\$ -	
REMAINING ALLOTMENT		\$ 970.00		\$ 8,786.69		\$ 184,124.00		\$ 184,124.00	\$ 378,004.69
Total Expenses	1	\$ -	4	\$ (2,119.11)	7	\$ -	10	\$ -	
	2	\$ (1,344.65)	5	\$ (415.75)	8	\$ -	11	\$ -	
	3	\$ (495.00)	6	\$ (558.00)	9	\$ -	12	\$ -	
REMAINING CASH		\$ 18,703.61		\$ (17,461.61)		\$ -		\$ -	\$ 1,242.00

Q2 Month 6 (as of 12/31/14)	
DEFENDER DATA COUNSEL PAYMENTS	
	\$ -
SUB-TOTAL ILS	
OVERPAYMENT REIMBURSEMENTS	\$ (558.00)
State Cap Expense Q1	\$ -
Somerset County CDs	\$ -
Private Investigators	\$ -
Mental Health Expert	\$ -
Transcripts	\$ -
Other Expert	\$ -
Process Servers	\$ -
SUB-TOTAL OE	\$ (558.00)
TOTAL	\$ (558.00)

INDIGENT LEGAL SERVICES	
FY15 Allotment	\$ 717,466.00
YTD Collected Revenue	\$ 345,635.82
YTD Expenses	\$ (4,932.51)
YTD Counsel Payments	\$ (339,461.31)
Q2 Remaining Unexpended Cash	\$ 1,242.00

MAINE COMMISSION ON INDIGENT LEGAL SERVICES
FY15 FUND ACCOUNTING
AS OF 12/31/2014

Account 010 95F Z112 01 (Personal Services)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY15 Total
FY15 Allotment		\$ 186,226.00		\$ 181,742.00		\$ 169,447.00		\$ 139,222.00	\$ 676,637.00
Financial Order Adjustments		\$ -		\$ -		\$ -		\$ -	
Financial Order Adjustments		\$ -		\$ -		\$ -		\$ -	
Budget Order Adjustments				\$ -		\$ -		\$ -	
Total Budget Allotments		\$ 186,226.00		\$ 181,742.00		\$ 169,447.00		\$ 139,222.00	\$ 676,637.00
Total Expenses	1	\$ (66,591.80)	4	\$ (49,740.31)	7	\$ -	10	\$ -	
	2	\$ (49,475.54)	5	\$ (50,117.29)	8	\$ -	11	\$ -	
	3	\$ (50,108.08)	6	\$ (70,109.34)	9	\$ -	12	\$ -	
TOTAL REMAINING		\$ 20,050.58		\$ 11,775.06		\$ 169,447.00		\$ 139,222.00	\$ 340,494.64

Q2 Month 6 (as of 12/31/14)	
Per Diem Payments	\$ (220.00)
Salary	\$ (34,680.10)
Vacation Pay	\$ (1,069.79)
Holiday Pay	\$ (4,433.76)
Sick Pay	\$ (1,449.66)
Premium Overtime Pay	\$ (18.78)
Health Insurance	\$ (9,666.20)
Dental Insurance	\$ (249.48)
Employer Retiree Health	\$ (5,681.57)
Employer Retirement	\$ (2,314.35)
Employer Group Life	\$ (301.89)
Employer Medicare	\$ (603.36)
Retiree Unfunded Liability	\$ (6,684.78)
Retro Pymt	\$ -
Perm Part Time Full Ben	\$ (2,735.62)
TOTAL	\$ (70,109.34)

MAINE COMMISSION ON INDIGENT LEGAL SERVICES
FY15 FUND ACCOUNTING
As of 12/31/14

Account 014 95F Z112 02 (Conference Account)	Mo.	Q1	Mo.	Q2	Mo.	Q3	Mo.	Q4	FY14 Total
FY14 Carry Over		\$ 20,144.41							\$ -
Total Budget Allotments		\$ 4,000.00	\$	20,000.00	\$	4,000.00	\$	4,000.00	\$ 32,000.00
Budget Order Adjustment									
Total Budget Allotments		\$ 4,000.00	\$	20,000.00	\$	4,000.00	\$	4,000.00	\$ 32,000.00
Total Revenue	1	\$ 1,850.00	4	\$ 8,000.00	7	\$ -	10	\$ -	
Billed Earned Revenue	1	\$ (150.00)		\$ -	8	\$ -	11	\$ -	
	2	\$ 975.00	5	\$ 2,700.00	9	\$ -	12	\$ -	
	3	\$ 7,575.00	6	\$ -	9	\$ -	12	\$ -	
ACTUAL CASH BALANCE		\$ 30,394.41	\$	41,094.41	\$	-	\$	-	\$ 41,094.41
Total Expenses	1	\$ (76.04)	4	\$ (3,116.49)	7	\$ -	10	\$ -	
	2	\$ (3,293.26)	5	\$ (1,866.51)	8	\$ -	11	\$ -	
	3	\$ (402.99)	6	\$ (15,805.12)	9	\$ -	12	\$ -	
TOTAL REMAINING		\$ 26,772.12	\$	20,306.29	\$	4,000.00	\$	4,000.00	\$ 16,534.00

Q2 Month 6 (as of 12/31/14)	
Collected Revenue	\$ -
State Cap Cost Allocation	\$ (6.87)
Training Manuals Printing	\$ (249.25)
Refreshments/Meals/Room	\$ (10,500.00)
Films/Materials	\$ (4,990.00)
Supplies	\$ (9.00)
Refund for non-attendance	\$ (50.00)
Board of Overseers Trainer Fees	\$ -
TOTAL EXPENSES	\$ (15,805.12)

FY15 Allotment	\$ 32,000.00
FY14 Carry Over	\$ 20,144.41
FY15 Collected Revenue	\$ 21,050.00
FY15 Expenses	\$ (24,510.41)
Unexpended Cash	\$ 16,684.00

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

Activity Report by Court

12/31/2014

Court	Dec-14						Fiscal Year 2014			
	New Cases	Vouchers Submitted	Submitted Amount	Vouchers Paid	Approved Amount	Average Amount	Cases Opened	Vouchers Paid	Amount Paid	Average Amount
ALFSC	126	210	\$ 120,488.31	112	\$ 78,836.07	\$ 703.89	825	1,064	\$ 674,095.88	\$ 633.55
AUBSC	114	60	\$ 68,275.62	52	\$ 28,436.21	\$ 546.85	573	597	\$ 364,573.10	\$ 610.68
AUGDC	54	68	\$ 30,472.70	52	\$ 23,123.68	\$ 444.69	438	518	\$ 200,191.10	\$ 386.47
AUGSC	117	125	\$ 83,948.98	40	\$ 26,394.39	\$ 659.86	592	567	\$ 361,250.55	\$ 637.13
BANDC	56	92	\$ 34,606.17	77	\$ 24,260.64	\$ 315.07	407	627	\$ 221,764.47	\$ 353.69
BANSC	2	2	\$ 1,275.50	2	\$ 258.50	\$ 129.25	16	19	\$ 8,330.50	\$ 438.45
BATSC	3	5	\$ 3,750.35	4	\$ 2,476.24	\$ 619.06	25	34	\$ 20,530.88	\$ 603.85
BELDC	35	31	\$ 11,329.58	18	\$ 11,990.26	\$ 666.13	179	208	\$ 90,908.42	\$ 437.06
BELSC	21	27	\$ 14,396.48	9	\$ 8,309.38	\$ 923.26	121	111	\$ 72,182.19	\$ 650.29
BIDDC	86	112	\$ 51,427.96	49	\$ 22,712.86	\$ 463.53	527	612	\$ 262,053.51	\$ 428.19
BRIDC	15	11	\$ 5,590.75	7	\$ 6,469.04	\$ 924.15	73	133	\$ 63,059.19	\$ 474.13
CALDC	12	15	\$ 8,213.97	4	\$ 1,121.25	\$ 280.31	87	115	\$ 47,398.25	\$ 412.16
CARDC	11	39	\$ 20,052.72	11	\$ 6,829.20	\$ 620.84	90	149	\$ 69,903.27	\$ 469.15
CARSC	26	43	\$ 24,067.23	15	\$ 8,872.96	\$ 591.53	201	180	\$ 92,616.26	\$ 514.53
DOVDC	4	32	\$ 8,083.68	13	\$ 4,407.28	\$ 339.02	44	87	\$ 25,782.25	\$ 296.35
DOVSC	0	2	\$ 404.50	1	\$ 300.00	\$ 300.00	3	4	\$ 580.50	\$ 145.13
ELLDC	8	24	\$ 12,625.25	13	\$ 3,828.00	\$ 294.46	98	217	\$ 115,509.24	\$ 532.30
ELLSC	5	7	\$ 4,291.85	7	\$ 1,735.00	\$ 247.86	17	33	\$ 17,563.00	\$ 532.21
FARDC	3	8	\$ 4,098.68	10	\$ 3,514.60	\$ 351.46	33	84	\$ 40,192.35	\$ 478.48
FARSC	2	4	\$ 1,584.50	3	\$ 452.06	\$ 150.69	10	24	\$ 10,288.35	\$ 428.68
FORDC	8	9	\$ 3,720.80	1	\$ 313.50	\$ 313.50	45	45	\$ 20,940.47	\$ 465.34
HOUDC	37	40	\$ 16,529.35	25	\$ 7,021.92	\$ 280.88	219	263	\$ 82,525.91	\$ 313.79
HOUSC	11	20	\$ 11,172.49	7	\$ 3,881.69	\$ 554.53	76	86	\$ 58,518.47	\$ 680.45
LEWDC	128	116	\$ 38,125.21	79	\$ 35,430.94	\$ 448.49	830	868	\$ 335,542.60	\$ 386.57
LINDC	19	19	\$ 8,495.48	8	\$ 2,764.85	\$ 345.61	95	91	\$ 28,884.14	\$ 317.41
MACDC	27	26	\$ 6,394.90	11	\$ 3,321.76	\$ 301.98	155	169	\$ 62,121.09	\$ 367.58
MACSC	14	20	\$ 7,308.05	7	\$ 4,044.25	\$ 577.75	75	74	\$ 27,039.74	\$ 365.40
MADDC	1	1	\$ 272.36	0			6	7	\$ 3,584.44	\$ 512.06
MILDC	0	1	\$ 513.92	0			8	15	\$ 3,508.40	\$ 233.89
NEWDC	23	32	\$ 8,449.59	10	\$ 4,285.22	\$ 428.52	152	163	\$ 51,939.98	\$ 318.65
PORDC	86	108	\$ 44,666.96	54	\$ 30,278.35	\$ 560.71	525	747	\$ 332,512.21	\$ 445.13
PORSC	0	3	\$ 1,653.25	1	\$ 500.50	\$ 500.50	19	23	\$ 22,905.18	\$ 995.88
PREDC	22	51	\$ 17,988.24	24	\$ 11,983.54	\$ 499.31	165	229	\$ 81,169.39	\$ 354.45
RODC	46	37	\$ 8,740.14	42	\$ 16,837.20	\$ 400.89	298	310	\$ 116,969.81	\$ 377.32
ROSC	34	20	\$ 7,601.02	16	\$ 8,852.42	\$ 553.28	166	159	\$ 93,576.57	\$ 588.53
RUMDC	12	7	\$ 4,014.59	18	\$ 8,824.45	\$ 490.25	82	100	\$ 51,165.56	\$ 511.66
SKODC	11	30	\$ 11,668.41	25	\$ 9,923.28	\$ 396.93	72	226	\$ 98,809.20	\$ 437.21
SKOSC	1	0		0			3	6	\$ 2,499.70	\$ 416.62
SODC	21	19	\$ 4,108.25	8	\$ 4,526.86	\$ 565.86	157	200	\$ 70,878.59	\$ 354.39
SOUSC	20	10	\$ 5,336.99	43	\$ 20,154.94	\$ 468.72	229	262	\$ 127,307.48	\$ 485.91
SPRDC	53	66	\$ 27,825.77	39	\$ 15,945.94	\$ 408.87	331	382	\$ 166,223.96	\$ 435.14
Law Ct	14	7	\$ 10,015.55	12	\$ 18,544.03	\$ 1,545.34	47	49	\$ 67,035.50	\$ 1,368.07
PENCD	149	168	\$ 59,785.10	79	\$ 34,999.20	\$ 443.03	1,013	1,041	\$ 526,078.46	\$ 505.36
SAGCD	29	19	\$ 8,384.62	20	\$ 14,639.27	\$ 731.96	150	132	\$ 77,268.91	\$ 585.37
PISCD	13	21	\$ 5,266.50	1	\$ 894.00	\$ 894.00	89	65	\$ 12,305.50	\$ 189.32
HANCD	66	60	\$ 22,439.25	14	\$ 6,829.88	\$ 487.85	222	154	\$ 61,433.41	\$ 398.92
FRACD	43	43	\$ 20,530.90	44	\$ 10,140.80	\$ 230.47	329	254	\$ 83,848.11	\$ 330.11
CUMCD	274	284	\$ 141,334.88	201	\$ 106,311.48	\$ 528.91	1,797	1,636	\$ 833,870.16	\$ 509.70
SOMCD	0	1	\$ 220.00	0			2	4	\$ 4,908.30	\$ 1,227.08
WATDC	51	71	\$ 22,182.27	29	\$ 9,277.10	\$ 319.90	279	308	\$ 103,214.59	\$ 335.11
WESDC	17	54	\$ 13,319.10	19	\$ 6,208.37	\$ 326.76	170	172	\$ 57,608.12	\$ 334.93
WISDC	31	34	\$ 7,405.24	10	\$ 3,968.80	\$ 396.88	172	149	\$ 43,846.58	\$ 294.27
WISSC	26	22	\$ 7,415.77	11	\$ 4,892.69	\$ 444.79	145	115	\$ 56,661.03	\$ 492.70
YORDC	12	19	\$ 7,522.44	13	\$ 3,750.00	\$ 288.46	101	111	\$ 41,544.20	\$ 374.27
TOTAL	1,999	2,355	\$1,069,392.17	1,370	\$ 673,674.85	\$491.73	12,583	13,998	\$6,567,019.02	\$469.14

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

Number of Attorneys Rostered by Court

11/30/2014

Court	Rostered Attorneys
Alfred Superior Court	117
Auburn Superior Court	117
Augusta District Court	95
Augusta Superior Court	93
Bangor District Court	61
Belfast District Court	52
Belfast Superior Court	49
Biddeford District Court	43
Bridgton District Court	140
Calais District Court	104
Caribou District Court	12
Caribou Superior Court	16
Dover-Foxcroft District Court	20
Ellsworth District Court	28
Farmington District Court	46
Fort Kent District Court	29
Houlton District Court	8
Houlton Superior Court	17
Lewiston District Court	19
Lincoln District Court	145
Machias District Court	32
Machias Superior Court	18
Madawaska District Court	13

Court	Rostered Attorneys
Millinocket District Court	24
Newport District Court	43
Portland District Court	156
Presque Isle District Court	14
Rockland District Court	49
Rockland Superior Court	42
Rumford District Court	29
Skowhegan District Court	32
South Paris District Court	71
South Paris Superior Court	67
Springvale District Court	126
Unified Criminal Docket Bangor	62
Unified Criminal Docket Bath	86
Unified Criminal Docket Dover Foxcroft	26
Unified Criminal Docket Ellsworth	39
Unified Criminal Docket Farmington	30
Unified Criminal Docket Portland	151
Unified Criminal Docket Skowhegan	21
Waterville District Court	58
West Bath District Court	110
Wiscasset District Court	75
Wiscasset Superior Court	69
York District Court	116

(3.)
Budget Update

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

TO: MCILS COMMISSIONERS
FROM: JOHN D. PELLETIER, EXECUTIVE DIRECTOR
CC: ELLIE BROGAN, DEPUTY EXECUTIVE DIRECTOR
SUBJECT: BUDGET MEMO
DATE: JANUARY 7, 2015

All-Other Shortfall

The preliminary estimate for our shortfall at the end of the quarter is \$433,900, about the same amount as last year at the same point. Because the total budget for the first half of the fiscal year is substantially greater than last year, in percentage terms, this year's shortfall is slightly smaller than last year. We will, however, need supplemental funding in addition to the supplemental budget request we submitted in September and should discuss the process for requesting this additional funding.

Financial Orders

In November and December, the Commission submitted 3 Financial Order requests to the budget office.

The first sought to raise the allotment in our Revenue Account so that we have the ability to spend collections that have exceeded budget projections so far this year. This Financial Order was approved by the Governor in November and became effective December 17, 2014. A copy of the approved Financial Order is attached.

We also submitted two Financial Order requests with respect to our conference account. One sought to pull allotment into the third quarter from the fourth quarter so that we have sufficient third quarter allotment to cover remaining expenses related to the October advanced criminal training. This Financial Order was approved by the Governor and was effective January 2, 2015.

The other conference account Financial Order sought to distribute the "unencumbered balance forward," essentially the balance that we carried from FY14 into FY15, as additional allotment for the third and fourth quarters so that we have sufficient allotment to cover our training activities for the balance of the fiscal year. Earlier this week, I responded to requests from the budget office for additional information regarding this Financial Order, and I am uncertain whether it has been approved by the Governor as of this date. Copies of the two conference account Financial Orders that we submitted are attached.

State of Maine
Executive Department
FINANCIAL ORDER

APPROVED

NOV 17 2014

COPY

02741F15

BY GOVERNOR

ORDERED,

That the State Controller increase the allotment in account 014-95F-Z112-01, Maine Commission - Indigent Legal Services by \$120,970 in the All Other line category for the purpose of allotting additional revenue; and,

Be it further ordered,

that the State Controller authorize the expenditure in accordance with the attached "Revision of the Work Program for Fiscal Year ending June 30, 2015", for which this shall be our sufficient warrant.

RECEIVED

DEC 22 2014

MCILS

Statement of Fact

This financial order will allot funds to pay for indigent legal services. The Commission receives revenue from people who are ordered to reimburse the state for some or all of the cost of indigent legal services provided to them, and these reimbursements flow into account 014-95F-Z112-01, Maine Commission - Indigent Legal Services. Reimbursement revenue collected to date and projected to be collected for the balance of the fiscal year exceeds the amount currently allotted for this account. This financial order is necessary to allow the Commission to use all collected revenue to pay for indigent legal services. In addition, \$970 is added to remedy a negative allotment balance in the 1st quarter of fiscal year 2014-2015.



Signature of Department Head

John Pelletier, Executive Director

Name and Title

FOR BUREAU OF THE BUDGET USE ONLY



Signature of State Budget Officer

Policy Area: 06 - Justice and Protection

Umbrella: IND00 - MAINE COMMISSION ON INDIGENT LEGAL SERVICES

Agency Contact: John Pelletier

Agency Phone: (207) 287-3254

IND00-0002

30 DAY W/INT
11/6/2014
mad

**State of Maine
Budget & Financial Management System**

Department and Agency Financial Order Report
Agency Ref IND00-0002

COPY

Account: 01495FZ11201 ✓

MAINE.COMMISISON - INDIGENT LEGAL SVCS ✓

		Object	Month	2015 1st Quarter	2015 2nd Quarter	2015 3rd Quarter	2015 4th Quarter	2015 Annual Total
All Other								
	COURT APPOINTED ATTORNEYS	404000	1	970	50,000	35,000	35,000	120,970
	Subtotal All Other		1	970	50,000	35,000	35,000	120,970
	Total All Other			970	50,000	35,000	35,000	120,970
	Total			970	50,000	35,000	35,000	120,970 ✓

02741F15

State of Maine
Budget & Financial Management System

Department and Agency Financial Order Report
 Agency Ref IND00-0002

COPY

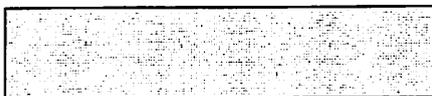
Account: 01495FZ11201

MAINE COMMISSON - INDIGENT LEGAL SVCS

	Object	Month	2015	2015	2015	2015	2015
			1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Annual Total
COUNSEL REIMBURSEMENTS	202400	1			12,000	12,000	
		2		25,000	12,000	12,000	
		3	970	25,000	11,000	11,000	120,970
Subtotal		1			12,000	12,000	
		2		25,000	12,000	12,000	
		3	970	25,000	11,000	11,000	120,970
Total			970	50,000	35,000	35,000	120,970
Total			970	50,000	35,000	35,000	120,970 ✓

02741F15

State of Maine
Executive Department
FINANCIAL ORDER



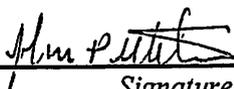
ORDERED,

That the State Controller revise the allotment in account 014-95F-Z112-02, Indigent Legal Services - Conference by increasing the third quarter allotment by \$3,000 in the All Other line category and by decreasing the fourth quarter allotment by \$3,000 in the All Other line category for the purpose of providing funds to cover the cost of training assigned counsel in the third quarter and,

Be it further ordered,
that the State Controller authorize the expenditure in accordance with the attached "Revision of the Work Program for Fiscal Year ending June 30, 2015", for which this shall be our sufficient warrant.

Statement of Fact

This Financial Order will allot funds to pay expenses associated with training assigned counsel in the third quarter. The Commission on Indigent Legal Services is required by statute and Commission rule to provide training to assigned counsel. The cost of training is funded by registration fees paid by assigned counsel, and the revision in allotment will allow the Commission to expend registration fees to pay expenses associated with training assigned counsel. The revision is necessary because of greater than anticipated attendance at Commission-sponsored training during fiscal year 2014-15.



Signature of Department Head

John Pelletier, Executive Director

Name and Title

FOR BUREAU OF THE BUDGET USE ONLY

Signature of State Budget Officer

Policy Area: 06 - Justice and Protection

Umbrella: IND00 - MAINE COMMISSION ON INDIGENT LEGAL SERVICES

Agency Contact: John Pelletier

Agency Phone: (207) 287-3254

IND00-0003

Expenditures

Level: Account Summary

State of Maine
Budget & Financial Management System

Report Id: ANN - 0006

Page 1 of 1

Department and Agency Financial Order Report
 Agency Ref IND00-0003

Account: 01495FZ11202

INDIGENT LEGAL SERVICES CONFERENCE

		Object	Month	2015 1st Quarter	2015 2nd Quarter	2015 3rd Quarter	2015 4th Quarter	2015 Annual Total
All Other								
	TRAINING BY STATE AGENCIES	417300	1			3,000	(3,000)	
	Subtotal All Other					3,000	(3,000)	
	Total All Other					3,000	(3,000)	
	Total					3,000	(3,000)	

Dedicated Revenues
 Level: Account Summary

State of Maine
Budget & Financial Management System

Report Id: ANN - 0006
 Page 1 of 1

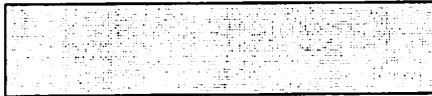
Department and Agency Financial Order Report
 Agency Ref IND00-0003

Account: 01495FZ11202

INDIGENT LEGAL SERVICES CONFERENCE

	Object	Month	2015 1st Quarter	2015 2nd Quarter	2015 3rd Quarter	2015 4th Quarter	2015 Annual Total
REGISTRATION FEES	263100	2			1,000	(2,000)	
		3			2,000	(1,000)	
Subtotal		2			1,000	(2,000)	
		3			2,000	(1,000)	
Total					3,000	(3,000)	
Total					3,000	(3,000)	

State of Maine
Executive Department
FINANCIAL ORDER



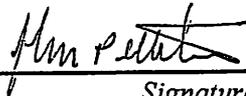
ORDERED,

That the State Controller increase allotment in account 014-95F-Z112-02, Indigent Legal Services - Conference by \$20,144 in the All Other line category for the purpose of allotting the unencumbered balance forward to pay expenses associated with training assigned counsel and,

Be it further ordered,
that the State Controller authorize the expenditure in accordance with the attached "Revision of the Work Program for Fiscal Year ending June 30, 2013", for which this shall be our sufficient warrant.

Statement of Fact

This financial order will allot the unencumbered balance forward to pay training expenses incurred in fiscal year 2014-2015. The Commission on Indigent Legal Services is required by statute and Commission rule to provide training to assigned counsel. The cost of training is funded by registration fees collected from assigned counsel. The unencumbered balance reflects revenue collected in fiscal year 2013-2014 for this purpose.



Signature of Department Head

John Pelletier, Executive Director

Name and Title

FOR BUREAU OF THE BUDGET USE ONLY

Signature of State Budget Officer

Policy Area: 06 - Justice and Protection

Umbrella: IND00 - MAINE COMMISSION ON INDIGENT LEGAL SERVICES

Agency Contact: John Pelletier

Agency Phone: (207) 287-3254

IND00-0004

Expenditures

Level: Account Summary

**State of Maine
Budget & Financial Management System**

Department and Agency Financial Order Report
Agency Ref IND00-0004

Account: 01495FZ11202

INDIGENT LEGAL SERVICES CONFERENCE

		Object	Month	2015 1st Quarter	2015 2nd Quarter	2015 3rd Quarter	2015 4th Quarter	2015 Annual Total
All Other						5,000	15,144	20,144
TRAINING BY STATE AGENCIES		417300	1			5,000	15,144	20,144
Subtotal	All Other		1					
Total	All Other					5,000	15,144	20,144
Total						5,000	15,144	20,144

THE MAINE COMMISSION ON INDIGENT LEGAL SERVICES

VOUCHER TRENDS - FIRST HALF OF FY'15

	7/1/2013 – 12/31/2013	7/1/2014 – 12/31/2014	Change
General			
Vouchers Submitted	13,573	15,264	+12.5
Cost per Voucher	\$424.97	\$469.14	+10.4%
Felony vouchers	2,964	3,494	+17.9%
Misdemeanor Vouchers	3,535	3,945	+11.6%
Child Protective Vouchers	2,969	3,375	+13.7%
Juvenile Vouchers	611	678	+10.5%
Specific Crimes			
Murder	31	32	+3.2%
Robbery	101	155	+53.5%
Gross Sexual Assault	121	138	+14.0%
Aggravated Assault	191	196	+2.6%
Burglary	795	625	-21.4%
Aggravated Trafficking	133	152	+14.3%
Trafficking	272	311	+14.3%

(4.)
Legislative Update

MAINE COMMISSION ON INDIGENT LEGAL SERVICES

TO: MCILS COMMISSIONERS
FROM: JOHN D. PELLETIER, EXECUTIVE DIRECTOR
CC: ELLIE BROGAN, DEPUTY EXECUTIVE DIRECTOR
SUBJECT: LEGISLATIVE UPDATE
DATE: JANUARY 7, 2015

Review of Fee Schedule Rule

As you know, our rule amendment seeking to raise the hourly rate paid to assigned counsel requires review by the Legislature. A resolve related to this review has been designated L.D. 8 and has been proposed for referral to the Judiciary Committee. The item reproduced below appeared on the House Calendar for January 7th.

Pursuant to Statute

Maine Commission on Indigent Legal Services

(3-7) Representative HOBBS for the **Maine Commission on Indigent Legal Services** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 301: Fee Schedule and Administrative Procedures for Payment of Commission Assigned Counsel, a Major Substantive Rule of the Maine Commission on Indigent Legal Services (EMERGENCY) (H.P. 11) (L.D. 8)

Be **REFERRED** to the Committee on **JUDICIARY** and printed pursuant to Joint Rule 218.

Statute Amendment related to Chapter 2 Rulemaking

During deliberations on the proposal to expand the authority of the Executive Director to remove or suspend attorneys from the roster, Commissioner Glazier pointed out that a change might be needed to our confidentiality statute to cover materials gathered during an investigation by the Executive Director. The Commission requested that such an amendment be drafted and submitted to the Legislature. Representative Sherman of Houlton, a member of the Judiciary Committee, agreed to sponsor the measure, and it was submitted to the Revisor's Office before cloture. Hopefully, the proposal will be referred to the Judiciary Committee and will be considered in conjunction with the committee's review of the proposed changes to Chapter 2: Standards for Qualification of Assigned Counsel. A copy of the draft bill is attached.

**An Act to Clarify that Information Gathered During Investigations of
Attorneys by the Maine Commission On Indigent Legal Services is
Confidential**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 4MRSA §1806, sub-§2, ¶F, as enacted by PL 2011, c. 260, §1, is amended to read:

F. Any information obtained or gathered by the commission when performing an evaluation or an investigation of an attorney is confidential, except that it may be disclosed to the attorney being evaluated or investigated.

SUMMARY

The Commission on Indigent Legal Services has promulgated a rule requiring attorneys assigned to provide indigent legal services to comply with commission performance evaluations and investigations of complaints. This bill clarifies that information obtained or gathered when the commission is performing either an evaluation or an investigation is confidential.