

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 968

H.P. 717 House of Representatives, March 26, 1987  
Reference to the Committee on Appropriations and  
Financial Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative NADEAU of Lewiston.

Cosponsored by Senator PERKINS of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 **AN ACT Relating to Court Appointed Attorneys.**  
2

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

5 **Appropriation.** The following funds are appropri-  
6 ated from the General Fund to carry out the purposes  
7 of this Act.

8 1987-88 1988-89

9 JUDICIAL DEPARTMENT

10 All Other \$4,915,000 \$5,402,000



1 precariously dependent on the willingness of the few  
2 available attorneys to continue accepting those  
3 cases.

4 This appropriation makes it possible for the  
5 court to revise its fee schedule to provide compensa-  
6 tion in the range of \$40 per hour within appropriate  
7 guidelines to be drafted by the court. Such a rate  
8 of compensation is necessary in order to ensure the  
9 continued availability of legal services to meet the  
10 State's constitutional obligations and vital pro-  
11 grams. The State cannot reasonably expect the pri-  
12 vate bar to carry the burden of an expanding caseload  
13 indefinitely, being paid at rates less than their of-  
14 fice overhead.

15 This appropriation includes \$35,000 during 1988  
16 and \$36,750 during 1989 to pay for the cost of hiring  
17 a person to enter data relating to availability, cost  
18 and quality of assigned counsel services into a com-  
19 puter data base. Readily available information is  
20 essential to effective legislative and judicial over-  
21 sight of programs that involve assigned counsel.

22 The following table is a summary of projected ex-  
23 penditures, assuming an annual 10% increase in costs  
24 for fiscal years 1986 to 1989. These projections as-  
25 sume that the average District Court case requires 6  
26 hours and the average Superior Court case requires 19  
27 hours at an average rate of \$40 per hour.

28 JUDICIAL DEPARTMENT

29 1986 and Projected 1988 and 1989 Indigent Defense Costs  
30 Fiscal Year 1987 Not Available

	<u>FISCAL YEAR</u>	<u>FISCAL YEAR</u>	<u>FISCAL YEAR</u>
	<u>1986</u>	<u>1988</u>	<u>1989</u>
31 Superior Court	\$1,005,564	\$2,457,840	\$2,703,624
32 District Court	918,984	1,947,792	2,142,571
33 Law Court	38,146	76,292	83,921
34 Subtotal	<u>\$1,962,694</u>	<u>\$4,481,924</u>	<u>\$4,930,116</u>

1	Other Indigent			
2	Defense			
3	Costs, Medi-			
4	cal, Ex-			
5	perts, etc.	328,489	361,338	397,472
6	Data Collection			
7	Costs	0	35,000	36,750
8				
9	TOTAL	<u>\$2,291,183</u>	<u>\$4,878,262</u>	<u>\$5,364,338</u>

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