

# MAINE STATE LEGISLATURE

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220

July 5, 1955

To Charles O. Spear, Jr., Chairman, Board of County Commissioners,  
Cumberland County

We have your inquiry regarding the payment of interpreter's fees in interviewing one Kenneth Morrison, committed to the Augusta State Hospital for observation on order of the Superior Court under provisions of Section 118 of Chapter 27, R. S. 1954.

It appears that Morrison was a deafmute and that interpreters were necessary in order to assist the doctors in arriving at their conclusions as to his mental condition at the time of the commission of the crime. The case is an unusual one and therefore the expense is unusual. Question is whether it shall be borne by the State Hospital or by the County.

There is no statute covering this situation. Certain observations may be drawn, however, from past experience in the operations of Section 118. The first is that no charge is made to the County for board, room or medical services to any person committed to a State Hospital for observation. The legislative purpose, as we see it, was to provide to the Court, the prosecution and the respondent, free of charge, the facilities and the experts retained by the State in their normal course of conduct in caring for the mentally ill. The facilities and services thus made available are those that are normally available for the diagnosis and treatment of mental illness. We do not feel that extra charges for professional services in unusual cases were to be borne by the State Hospital. We feel that this is too much to ask where, in the enforcement of the criminal law, the trial of criminal cases and other incidentals thereto the County is charged with the duty of paying the expenses. Nor is the burden of unusual expense too heavy to cast upon the County. In this case the fees seem more than reasonable: - thirteen hours of interpretation for \$65.00 and travel expenses of \$9.10, making the total \$74.10. The treasurer of the Augusta State Hospital tells me that this is the first time in his 23 years of experience in that institution that such a service has been necessary and such a charge made. Under all the circumstances, we feel that the County should pay.

Roger A. Putnam  
Assistant Attorney General

rap/8