

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1238

6
7 H.P. 881

House of Representatives, April 9, 1985

8 Reference to the Committee on Judiciary suggested and ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative Warren of Scarborough.

Cosponsored by Representative Stevens of Bangor, Senator Gauvreau of Androscoggin and Senator Carpenter of Aroostook.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT Concerning Appointment of Counsel for
18 Indigent Criminal Defendants.
19

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

22 15 MRSA §810-A is enacted to read:

23 §810-A. Appointment of counsel; findings; affidavit

24 Prior to the appointment of any counsel pursuant
25 to section 810, the court shall make inquiries as to
26 the financial means of the accused to retain counsel.
27 If the court finds that the accused does not have
28 sufficient means, the court shall indicate in writing
29 that the inquiry was made and shall set out the find-
30 ings of the court as to the accused's financial
31 means. If the court finds that the accused has insuf-
32 ficient means, it shall require at the time of ap-
33 pointment that the accused file with the court an af-
34 fidavit setting forth the accused's current financial
35 means. The court shall order the accused to inform

1 the court if his financial status should change, from
2 that set forth in the affidavit, at any time prior to
3 final disposition of the case.

4 STATEMENT OF FACT

5 The purpose of this bill is to require that a
6 court make specific findings prior to appointing
7 counsel in criminal cases. It also requires that the
8 defendant file an affidavit setting forth his finan-
9 cial means and requires the defendant to inform the
10 court if his financial status changes.

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