

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 377

H.P. 297

House of Representatives, January 30, 2003

An Act To Responsibly Allocate Costs in Child Protection Proceedings

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SMITH of Van Buren.
Cosponsored by Senator MARTIN of Aroostook and
Representatives: BLANCHETTE of Bangor, HUTTON of Bowdoinham, JACKSON of Fort
Kent, LAVERRIERE-BOUCHER of Biddeford, MARRACHÉ of Waterville, PARADIS of
Frenchville.

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

2

Sec. 1. 22 MRSA §4005, sub-§2, as amended by PL 1983, c. 783,
4 §2, is further amended to read:

6 **2. Parents.** Parents and custodians are entitled to legal
counsel in child protection proceedings, except a request for a
8 preliminary protection order under section 4034 or a petition for
a medical treatment order under section 4071, but including
10 hearings on those orders. They may request the court to appoint
legal counsel for them. The court, if it finds them indigent,
12 shall appoint ~~and pay the reasonable costs and expenses of their~~
legal counsel whose reasonable costs and expenses, as determined
14 by the court, must be paid by the department.

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SUMMARY

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This bill provides that reasonable costs and expenses, as
20 determined by a court, for legal counsel for an indigent parent
or custodian in a child protection proceeding must be paid by the
22 Department of Human Services.