

MAINE STATE LEGISLATURE

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L.D. 1659

Date: 3-20-12

(Filing No. S-455)

JUDICIARY

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STATE OF MAINE

SENATE

125TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 558, L.D. 1659, Bill, "An Act To Facilitate Recovery of Debts Owed to the State for Indigent Legal Services"

Amend the bill by inserting before section 1 the following:

Sec. 1. 4 MRSA §1806, sub-§1, ¶D is enacted to read:

D. "Case information" means:

(1) The court in which a case is brought;

(2) Any criminal charges or juvenile crime charges and the type, but not the contents, of any petition giving rise to a case;

(3) The docket number;

(4) The identity of assigned counsel and the date of assignment;

(5) The withdrawal of assigned counsel and the date of withdrawal; and

(6) Any order for reimbursement of assigned counsel fees.

Sec. 2. 4 MRSA §1806, sub-§3 is enacted to read:

3. Confidential information disclosed by the Judicial Department. The Judicial Department may disclose to the commission confidential information necessary for the commission to carry out its functions, including the collection of amounts owed to reimburse the State for the cost of assigned counsel, as follows:

A. Case information and individual client information with respect to court proceedings that are confidential by statute or court rule in which one or more parties are represented by assigned counsel; and

B. The name, address, date of birth and social security number of any person ordered by the court to reimburse the State for some or all of the cost of assigned counsel.

This information remains confidential in the possession of the commission and is not open to public inspection, except that the names of criminal defendants and the names of

1 juvenile defendants charged with offenses that if committed by an adult would constitute
2 murder or a Class A, Class B or Class C crime are not confidential.'

3 Amend the bill in section 1 in subsection 8 in the last line (page 1, line 14 in L.D.) by
4 inserting after the following: "owed." the following: 'A person who has access to or
5 receives social security numbers or other financial information under this subsection shall
6 maintain the confidentiality of the information and use it only for the purposes for which
7 it was disclosed and may not further disclose it.'

8 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
9 section number to read consecutively.

10 SUMMARY

11 This amendment amends the laws governing the Maine Commission on Indigent
12 Legal Services to define "case information" and to provide for the sharing of information
13 by the Judicial Department with the commission. The information to be shared is
14 necessary for the commission to keep track of the assignment of attorneys to indigent
15 defendants and to collect reimbursement when the court orders the defendant to
16 reimburse some or all of the cost of the representation. The information shared with the
17 commission remains confidential, except that the names of criminal defendants and
18 juvenile crime defendants charged with offenses that if committed by an adult would
19 constitute murder or a Class A, Class B or Class C crime are not confidential.

20 The amendment provides that if a person receives social security numbers or other
21 financial information for the purpose of collecting amounts owed to the State or any
22 agency or department of the State, that person must keep the information confidential and
23 use it only for the purposes for which it was disclosed and not further disclose it.

FISCAL NOTE REQUIRED
(See attached)



Approved: 03/05/12 *MAC*

125th MAINE LEGISLATURE

LD 1659

LR 2425(02)

An Act To Facilitate Recovery of Debts Owed to the State for Indigent Legal Services

Fiscal Note for Bill as Amended by Committee Amendment "A" S-455

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Minor revenue increase - Other Special Revenue Funds

Fiscal Detail and Notes

This bill may result in a minor increase in Other Special Revenue Funds revenue collected by the Maine Commission on Indigent Legal Services.