

MAINE STATE LEGISLATURE

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Date: 4-10-2023

Majority

L.D. 113
(Filing No. H- 26)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 81, L.D. 113, "An Act to Provide Funding for Guardians Ad Litem"

Amend the bill by striking out the title and substituting the following:

'An Act to Provide Funding for Children's Guardians Ad Litem'

Amend the bill by inserting before section 1 the following:

Sec. 1. Funding priorities. In expending funds appropriated under section 3, the judicial branch shall prioritize payment of children's guardian ad litem fees in family matters cases in which at least one party is unrepresented by counsel and in which the financial resources of the parties are within indigency guidelines established by the judicial branch.

Sec. 2. Report. The judicial branch shall submit a report to the joint standing committee of the Legislature having jurisdiction over judiciary matters by January 1, 2025 regarding the use of the funds appropriated under section 3. The report must include, at a minimum, an itemization of the number and types of family matters cases in which funds were used to pay all or a portion of the fees of a children's guardian ad litem during the first 12 months after the effective date of this Act; an itemization of the total amount of funds spent on recruitment, training and fees for children's guardians ad litem during the first 12 months after the effective date of this Act; and an estimate of the amount of funding per year that would be required for the judicial branch to pay for children's guardians ad litem in all family matters cases in state courts in which the court has a special concern for the welfare of the child, as described in the Maine Revised Statutes, Title 4, section 1555, subsection 1, but in which the financial resources of the parties are insufficient to absorb the costs of the guardian ad litem. The joint standing committee of the Legislature having jurisdiction over judiciary matters may report out legislation related to the report to the 132nd Legislature in 2025.'

Amend the bill in section 1 in the initiative (page 1, line 6 in L.D.) by inserting after the following: "for" the following: 'children's'

COMMITTEE AMENDMENT

ROS

COMMITTEE AMENDMENT "A" to H.P. 81, L.D. 113

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

3

SUMMARY

4 This amendment, which is the majority report of the committee, clarifies that the
5 ongoing funding provided to the judicial branch under the bill must be expended for
6 children's guardian ad litem services and requires the judicial branch to prioritize payment
7 of children's guardian ad litem fees in family matters cases in which at least one party is
8 unrepresented by counsel and the family meets indigency guidelines established by the
9 judicial branch. The amendment also requires the judicial branch to submit a report to the
10 joint standing committee of the Legislature having jurisdiction over judiciary matters by
11 January 1, 2025 regarding the use of these funds during the first full year after the effective
12 date of this legislation. The committee may report out legislation related to the report to
13 the 132nd Legislature in 2025.

14

FISCAL NOTE REQUIRED

15

(See attached)



131st MAINE LEGISLATURE

LD 113

LR 356(02)

An Act to Provide Funding for Guardians Ad Litem

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-26)

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Appropriations/Allocations				
General Fund	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000

Fiscal Detail and Notes

This bill includes ongoing General Fund appropriations to the Judicial Department of \$1,000,000 beginning in fiscal year 2023-24 for guardian ad litem services for children in family matters cases. Additional costs to the Judicial Department to administer the funds, including the funding priorities provided in the bill, and to submit a report by January 1, 2025 regarding the use of the funds to the joint standing committee of the Legislature having jurisdiction over judiciary matters are expected to be minor and can be absorbed within existing budgeted resources.