

# MAINE STATE LEGISLATURE

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STATE OF MAINE

SENATE

132ND LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 896, L.D. 2195, "An Act to Prohibit the Appointment or Assignment of a Private Attorney to Provide Indigent Legal Services Without That Attorney's Consent "

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

'An Act to Prohibit the Appointment or Assignment of an Attorney to Provide Indigent Legal Services Without That Attorney's Consent'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 4 MRSA §1802-A, as repealed and replaced by PL 2025, c. 511, §2, is amended by amending the section headnote to read:

§1802-A. Employed counsel and public defender; ~~direct assignment prohibited court appointment and assignment of counsel~~

Sec. 2. 4 MRSA §1802-A, sub-§3 is enacted to read:

3. Compensation of attorneys appointed or assigned by court to provide indigent legal services. The commission is not required to reimburse the expenses of or to compensate an attorney appointed or assigned by a court to provide indigent legal services unless the attorney is an assigned counsel; the commission has determined that the attorney is eligible for appointment or assignment in the type of court proceeding to which the attorney has been appointed or assigned; and the attorney consents in advance to the appointment or assignment.'

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

SUMMARY

This amendment replaces the bill and changes the title. Under the amendment, the Maine Commission on Public Defense Services is not required to reimburse the expenses of or to compensate an attorney appointed or assigned by a court to provide indigent legal

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to S.P. 896, L.D. 2195 (S539)

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services unless the attorney is an assigned counsel; the commission has determined that the attorney is eligible for appointment or assignment in the type of court proceeding to which the attorney has been appointed or assigned; and the attorney consents in advance to the appointment or assignment.

**COMMITTEE AMENDMENT**