

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

H.P. 418 - L.D. 574

An Act To Clarify That Petitions for Certiorari to the Supreme Court of the United States Are Included within the Definition of Indigent Legal Services

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

Sec. 1. 4 MRSA §1802, sub-§4, ¶¶B and C, as enacted by PL 2009, c. 419, §2, are amended to read:

B. An indigent party in a civil case in which the United States Constitution or the Constitution of Maine or federal or state law requires that the State provide representation; ~~and~~

C. Juvenile defendants; ~~and~~

Sec. 2. 4 MRSA §1802, sub-§4, ¶D is enacted to read:

D. An indigent defendant or party or a juvenile for the purpose of filing, on behalf of that indigent defendant or party or juvenile, a petition for certiorari to the Supreme Court of the United States from an adverse decision of the Law Court on a case for which services were previously provided to that defendant or party or juvenile pursuant to paragraph A, B or C.

Sec. 3. 4 MRSA §1804, sub-§3, ¶¶L and M, as enacted by PL 2017, c. 284, Pt. UUUU, §7, are amended to read:

L. Establish processes and procedures to acquire investigative and expert services that may be necessary for a case, including contracting for such services; ~~and~~

M. Establish procedures for handling complaints about the performance of counsel providing indigent legal services; ~~and~~

Sec. 4. 4 MRSA §1804, sub-§3, ¶N is enacted to read:

N. Develop a procedure for approving requests by counsel for authorization to file a petition as described in section 1802, subsection 4, paragraph D.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

Maine Commission on Indigent Legal Services Z112

Initiative: Provides funds for the commission to prepare and file petitions for certiorari to the Supreme Court on behalf of indigent parties or juveniles.

| GENERAL FUND | 2019-20 | 2020-21 |
|---------------------------|----------------|-----------------|
| All Other | \$9,000 | \$12,000 |
| GENERAL FUND TOTAL | <u>\$9,000</u> | <u>\$12,000</u> |