



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 348

H.P. 246

House of Representatives, February 8, 2021

**An Act To Give Oversight Powers to the Maine Commission on
Indigent Legal Services**

Received by the Clerk of the House on February 4, 2021. Referred to the Committee on
Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative EVANGELOS of Friendship.

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

2 **Sec. 1. 4 MRSA §1804, sub-§4, ¶D**, as amended by PL 2013, c. 368, Pt. RRR, §1
3 and affected by §4, is further amended to read:

4 D. Adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this
5 paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A,
6 except that rules adopted to establish standards under subsection 2, paragraph B and
7 rates of compensation for assigned counsel and contract counsel under subsection 2,
8 paragraph F are major substantive rules as defined in Title 5, chapter 375, subchapter
9 2-A; ~~and~~

10 **Sec. 2. 4 MRSA §1804, sub-§4, ¶E**, as enacted by PL 2009, c. 419, §2, is amended
11 to read:

12 E. Appear in court and before other administrative bodies represented by its own
13 attorneys; ~~and~~

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

15 F. Remove an attorney from a roster when the commission determines, after notice
16 and hearing, that the attorney has violated the law or a standard adopted by the
17 commission.

18 **SUMMARY**

19 Currently there is no process for the Maine Commission on Indigent Legal Services to
20 remove an attorney from the roster of attorneys qualified to provide legal services. This
21 bill authorizes the commission to remove an attorney from a roster when the commission
22 determines, after notice and hearing, that the attorney violated the law or a standard adopted
23 by the commission.