



# *Administrative Office of the Courts*

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To: Lauren Metayer, Office of Fiscal and Program Review  
Peggy Reinsch, Judiciary Committee  
From: Julie Finn, Legislative Analyst  
Re: Fiscal statement, LD 182 as amended, An Act to Amend the Maine Bail Code Regarding the Financial Capacity of a Defendant to Post Bond  
Date: July 20, 2020

LD 182, as amended, moves the financial screeners responsible for determining a defendant's ability to pay for counsel from the Maine Commission on Indigent Legal Services (MCILS) to the Judicial Branch (JB).

The amended bill adds duties to jobs currently being performed at MCILS. In addition to screening individuals for their ability to pay counsel, at the JB the screeners would also screen for ability to pay filing fees and perform some collections work. In the course of assessing a person's ability to pay court fines, the screeners would occasionally visit the county jails to meet with defendants there.

In order to accomplish the goals of the bill, all 9 of the current positions would be moved to the JB. They would be placed on the JB grade and step most similar to their current step. The fiscal note adds one supervisory position, the Managing Staff Accountant, and adds one extra screener. The geographical distribution would be as follows: one screener per judicial region with one additional position to cover busy courts in southern Maine and one additional to cover busy courts in the northern part of the state. The Judicial Branch has eight regions to cover the entire state. Cumberland, York, and Aroostook are their own regions due to population or distance. All other counties are combined with at least one other county. Each screener would have to cover multiple courthouses.

The Managing Staff Accountant would hire, train, supervise, and evaluate all ten screeners. This position would require extensive travel to the different courts. It would also be responsible for creating consistent statewide standards for the program.

The detail of the cost of moving and supplementing the MCILS financial screening program is contained in the attached spreadsheet. The total fiscal impact for FY '21 would be reduced by a fairly late effective date for non-emergency new laws.

Please don't hesitate to contact us with any questions.

FY '21:

Personal services: \$153,205 (assumes a start date of 1/1/21)

All other:                    55,300

TOTAL:                         \$208,505

FY '22 and ongoing:

Personal services: \$306,410

All other:                    30,800

TOTAL:                         \$337,210