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STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON JUDICIARY

March 17, 2022

TO: Senator Catherine E. Breen, Senate Chair  
Representative Teresa S. Pierce, House Chair  
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Anne M. Carney, Senate Chair  
Representative Thom Harnett, House Chair  
Joint Standing Committee on Judiciary

Re: Judiciary Committee report on LD 1995, Supplemental Budget

The Judiciary Committee respectfully submits its report on LD 1995, the Supplement Budget. Please see the attached report-back template.

We would like to note that the majority of the committee supports two additional initiatives for the Maine Human Rights Commission. See attachment.

- Funding to establish and fill a new Accounting Technician position within Salary table 4, Grade 16. The need for this was discussed in detail in MHRC's March 4th testimony. The General Fund cost to support this would be \$22,111 for FY2022 and \$74,468 for FY2023.
- Permanently reorganize the Management Analyst II ("MAII") intake position into a full-time Investigator position by:
  - (a) Explicitly providing for the reorganization of the MAII position in the Biennial Budget as permanent; and
  - (b) Shift federal funds for the Investigator position (newly-created from that MAII position) from 37.5 to 40 hours/week. There is no impact on the General Fund, and we understand that the Bureau of Human Resources agrees that MHRC has sufficient permanent federal funds to sustain this action.

We respectfully request additional time to submit recommendations that address the State's obligation under the Sixth Amendment to provide counsel to indigent defendants. We have been exploring options with the Maine Commission on Indigent Legal Services and Executive Director Andrus, and we are developing recommendations. We are also keeping in mind LD 1686, An Act To Implement a Geographically Limited Public Defender Office, that is still tabled on the Special Appropriations Table.

Please let us know if you have any questions. Thank you for your consideration.

Attachments

- Report-back template
- MHRC additional initiatives

**Sec. A-3. Appropriations and allocations.** The following appropriations and allocations are made.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

**Administration - Attorney General 0310**

Initiative: Continues and makes permanent one Assistant Attorney General position dedicated to the litigation division and provides funding for related All Other costs. This position was continued by Financial Order 001649 F2.

Ref. #: 211 Committee Vote: 8-4 AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$116,224
All Other	\$0	\$0	\$6,363
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$122,587</b>

**Justification:**

This initiative continues and makes permanent one Assistant Attorney General position dedicated to the Litigation Division that was continued by Financial Order 001649 F2. This position will be assigned to the Litigation Division. Funding for this position is from the Department of Corrections. This position will provide legal services including litigation, settlement review and negotiation, rulemaking assistance and review, and other consultation as needed.

**Administration - Attorney General 0310**

Initiative: Continues and makes permanent one Assistant Attorney General position dedicated to the natural resources division and provides funding for related All Other costs. This position established by Financial Order 001836 F2.

Ref. #: 213 Committee Vote: 7-4 AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$128,405
All Other	\$0	\$0	\$6,003
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$134,408</b>

**Justification:**

This initiative continues and makes permanent one Assistant Attorney General position dedicated to the Natural Resources Division established by Financial Order 001836 F2. Funding for this position is split between the Department of Marine Resources, Department of Inland Fisheries and Wildlife and Department of Agriculture, Conservation, and Forestry. This position will provide legal services to natural resources agencies including litigation, settlement review and negotiation, rulemaking assistance and review, and other consultation as needed.

**Administration - Attorney General 0310**

Initiative: Provides funding for the approved reorganization of one Secretary Associate position to a Secretary Associate Legal position dedicated to the investigations division.

Ref. #: 218 Committee Vote: 7-4 AFA Vote: \_\_\_\_\_

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	\$0	\$798	\$3,198
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$798</b>	<b>\$3,198</b>

**Justification:**

This initiative provides funding for the approved reorganization of one Secretary Associate position to a Secretary Associate Legal position dedicated to the Investigations division and all related all other costs.

**Administration - Attorney General 0310**

Initiative: Provides funding for the approved reclassification of one Research Assistant MSEA-B position from range 19 to range 23 dedicated to the administrative services division, including retroactive pay.

Ref. #: 219 Committee Vote: 10-0 AFA Vote: \_\_\_\_\_

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	\$0	\$6,646	\$5,285
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$6,646</b>	<b>\$5,285</b>

Ref. #: 221 Committee Vote: 10-0 AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
Personal Services	\$0	\$5,418	\$4,318
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$5,418</b>	<b>\$4,318</b>

**Justification:**

This initiative provides funding for the approved reclassification of one Research Assistant MSEA-B (Information System Support Specialist) position to a Research Assistant MSEA-B (Information System Support Specialist II) position dedicated to the Administrative Services division, including retro-active pay and all related all other costs.

**Administration - Attorney General 0310**

Initiative: Provides funding for the approved reorganization of one Research Assistant position from range 17 to range 21 dedicated to the administrative services division.

Ref. #: 223 Committee Vote: 7-4 AFA Vote: \_\_\_\_\_

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	\$0	\$783	\$2,964
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$783</b>	<b>\$2,964</b>

Ref. #: 225 Committee Vote: 7-4 AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2020-21	2021-22	2022-23
Personal Services	\$0	\$641	\$2,423
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$641</b>	<b>\$2,423</b>

**Justification:**

This initiative provides funding for the approved reorganization of one Research Assistant (Human Resources Payroll Assistant) position to a Research Assistant (Human Resources Specialist) position dedicated to the Administrative Services division and all related all other costs.

**Administration - Attorney General 0310**

Initiative: Establishes one Assistant Attorney General position dedicated to the professional and financial regulation division and provides funding for related All Other Costs.

Ref. #: 229                                      Committee Vote: 7-4                                      AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$129,484
All Other	\$0	\$0	\$6,004
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$135,488</b>

**Justification:**

This initiative establishes one Assistant Attorney General position dedicated to the Professional and Financial Regulations division. This position will provide legal services including litigation, settlement review and negotiation, rulemaking assistance and review, and other consultation as needed.

**Human Services Division 0696**

Initiative: Continues and makes permanent one Research Assistant MSEA-B position working 40 hours biweekly dedicated to the child support division. This position was continued by Public Law 2021, chapter 29.

Ref. #: 235                                      Committee Vote: 7-4                                      AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.500	0.500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Justification:**

This initiative continues and makes permanent one Research Assistant MSEA-B position working 40 hours biweekly assigned to the Human Services Division. The position was originally established by Financial Order 000836 F0 and continued by Public Law 2021, chapter 29. The part-time position will be assigned to the Child Protective Division, with funding from the Department of Health and Human Services (DHHS). Increases in child protective cases filed in court has led to additional need for Assistant Attorneys Generals' time and related support staff to effectively address the child welfare backlog and support the increased filings. As a result, a Research Assistant MSEA-B position previously funded

equally by DHHS Child Protective Services and DHHS Child Support has been transferred to 100% Child Protective Services. DHHS has agreed to this additional funding, but this leaves a need for a part-time Child Support position.

**Human Services Division 0696**

Initiative: Provides funding for the approved reorganization of one Secretary Legal position to a Secretary Associate Legal position dedicated to the child support division.

Ref. #: 236

Committee Vote: 7-4

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2020-21	2021-22	2022-23
Personal Services	\$0	\$1,260	\$5,308
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$1,260</b>	<b>\$5,308</b>

**Justification:**

This initiative provides funding for the approved reorganization of one Secretary Legal position to a Secretary Associate Legal position dedicated to the Child Support division and all related all other costs.

**Human Services Division 0696**

Initiative: Provides funding for the approved reorganization of the first of three Secretary Legal positions to a Secretary Associate Legal position dedicated to the child protective division.

Ref. #: 237

Committee Vote: 7-4

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2020-21	2021-22	2022-23
Personal Services	\$0	\$1,476	\$5,905
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$1,476</b>	<b>\$5,905</b>

**Justification:**

This initiative provides funding for the approved reorganization of one Secretary Legal position to a Secretary Associate Legal position dedicated to the Child Protection division and all related all other costs.

**Human Services Division 0696**

Initiative: Provides funding for the approved reorganization of one Secretary Legal position to a Secretary Associate Legal position dedicated to the Department of Health and Human Services division.

Ref. #: 238

Committee Vote: 7-4

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2020-21	2021-22	2022-23
Personal Services	\$0	\$1,447	\$6,039
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$1,447</b>	<b>\$6,039</b>

**Justification:**

This initiative provides funding for the approved reorganization of one Secretary Legal position to a Secretary Associate Legal position dedicated to the Department of Health and Human Services division and all related all other costs.

**Human Services Division 0696**

Initiative: Provides funding for the approved reorganization of the third of three Secretary Legal positions to a Secretary Associate Legal position dedicated to the child protective division.

Ref. #: 241

Committee Vote: 7-4

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2020-21	2021-22	2022-23
Personal Services	\$0	\$1,602	\$6,406
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$1,602</b>	<b>\$6,406</b>

**Justification:**

This initiative provides funding for the approved reorganization of one Secretary Legal position to a Secretary Associate Legal position dedicated to the Child Protective division and all related all other costs.

**Human Services Division 0696**

Initiative: Establishes one Assistant Attorney General position dedicated to the Department of Health and Human Services division and provides funding for related All Other costs.

Ref. #: 243

Committee Vote: 7-4

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$114,891
All Other	\$0	\$0	\$6,171
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$121,062</b>

**Justification:**

This initiative establishes one Assistant Attorney General position dedicated to the Department of Health and Human Services division. The Department of Health and Human Services (DHHS)' legal needs have grown exponentially since the last full-time position was added in 2013. This position will provide legal services to DHHS programs including litigation, settlement review and negotiation, representation at district court mental health hearings, rulemaking assistance and review, and other consultation as needed.

**Human Services Division 0696**

Initiative: Provides funding for the approved reorganization of the second of three Secretary Legal positions to a Secretary Associate Legal position dedicated to the child protective division.

Ref. #: ~~237~~ \*\*\* #237-A  
(duplicate ref. #)

Committee Vote: 7-4

AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
Personal Services	\$0	\$1,570	\$6,406
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$1,570</b>	<b>\$6,406</b>

**Justification:**

This initiative provides funding for the approved reorganization of one Secretary Legal position to a Secretary Associate Legal position dedicated to the Child Protection division and all related all other costs.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

<b>DEPARTMENT TOTALS</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
GENERAL FUND	\$0	\$8,227	\$11,447
OTHER SPECIAL REVENUE FUNDS	\$0	\$13,414	\$550,350
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$21,641</b>	<b>\$561,797</b>

Part R: Victims' Compensation Fund (page 19 of this report-back template)  
6 in favor as proposed in Part R  
4 opposed  
1 in favor as amended to \$400,000

**Sec. A-19. Appropriations and allocations.**

The following appropriations and allocations are made.

**HUMAN RIGHTS COMMISSION, MAINE**

**Human Rights Commission - Regulation 0150**

Initiative: Provides one-time funding for the retroactive payments related to the range change of 6 Maine Human Rights Investigator positions approved in Public Law 2021, chapter 398.

Ref. #: 468                      One Time                      Committee Vote: 11-0                      AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
Personal Services	\$0	\$21,458	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$21,458</b>	<b>\$0</b>

**Justification:**

The range change from range 24 to range 26 for 6 Maine Human Rights Investigator positions was as a result of an employee-initiated range change of a seventh Maine Human Rights Investigator position dating back to August 2018. The policy held by the Bureau of Human Resources (BHR) within the Department of Administrative and Financial Services is that when BHR approves a range change for any position, that range change is then applied to all positions within that job classification. In this instance, because the request for the range change was employee-initiated, the effective date of the range change for all of the positions within the Maine Human Rights Investigator job classification is the date the employee requesting the change signed the request, or August 2018. This policy was not communicated to the Maine Human Rights Commission (MHRC). MHRC thought that the effective date of the range change for these 6 Maine Human Rights Investigator positions would be when the funding became available, or July 1, 2021, and therefore the funding for the retroactive payments for the range change of these 6 positions was removed from the initiative that was passed in Public Law 2021, chapter 398.

**HUMAN RIGHTS COMMISSION, MAINE**

<b>DEPARTMENT TOTALS</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$21,458</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$21,458</b>	<b>\$0</b>

Two additional initiatives for MHRC  
 1: Establish Accounting Technician position  
 8-4

2: Make permanent a temporary position and change to investigator, using federal funds to cover the difference  
 8-4



**Sec. A-22. Appropriations and allocations.**

The following appropriations and allocations are made.

**JUDICIAL DEPARTMENT**

**Courts - Supreme, Superior and District 0063**

Initiative: Continues and makes permanent 2 Assistant Clerk positions previously established by Financial Order JJ2200 F2 to support the additional work created with the implementation of new processes and technologies introduced during the COVID-19 pandemic.

Ref. #: 849

Committee Vote: 8-3

AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	2.000
Personal Services	\$0	\$0	\$157,426
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$157,426</b>

**Justification:**

This request continues 2 Assistant Clerk positions previously established by a Financial Order JJ2200 F2 and makes these positions permanent. Additional work was introduced during the pandemic for remote hearings in certain cases that involve all or some of the participants appearing remotely and will continue into the future. These positions work closely with judges/justices, attorneys, members of the public and state, local, county, and federal agencies concerning matters before the court. All Other costs associated with these positions would be absorbed in the existing All Other budget.

**Courts - Supreme, Superior and District 0063**

Initiative: Continues and makes permanent 2 Law Clerk positions previously established by Financial Order JJ2200 F2 to support the in-depth review of debt-buyer actions as required in the Maine Revised Statutes, Title 32, section 11019 and to support the backlog of cases resulting from the COVID-19 pandemic.

Ref. #: 850

Committee Vote: 7-4

AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	2.000
Personal Services	\$0	\$0	\$198,738
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$198,738</b>

**Justification:**

This request continues 2 Law Clerk positions previously established by a Financial Order JJ2200 F2 and makes these positions permanent. The enactment of 32 M.R.S. § 11019 requires a jurist or law clerk to review debt-buyer actions for legal sufficiency. Even pre-pandemic the volume of debt-buyer collection actions was significant enough to draw resources away from other case types to an unsustainable level. The pandemic has further highlighted that additional resources are needed to provide the statutorily required reviews. All Other costs associated with these positions would be absorbed in the existing All Other budget.

**Courts - Supreme, Superior and District 0063**

Initiative: Establishes 5 Assistant Clerk positions to docket, process, file and manage matters before the court in support of the Maine courts throughout the State.

Ref. #: 851

Committee Vote: 7-4

AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	5.000
Personal Services	\$0	\$0	\$393,565
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$0</u>	<u>\$393,565</u>

**Justification:**

This request establishes 5 Assistant Clerk positions. All Other costs associated with these positions would be absorbed in the existing All Other budget. The role of the assistant clerk is to docket, process and file matters before the court. They schedule pre-trial activities, trials, motions, and other proceedings. They manage trailing dockets and trial lists. The assistant clerk also processes fines, fees, and other funds coming to the courts, maintaining accounts as necessary. They work closely with judges/justices, attorneys, members of the public and state, local, county, and federal agencies concerning matters before the court. Staff are now tasked with an increasing number of duties both regulatory and technological in nature, such as the introduction of remote hearings. The strain on existing staff could impact employee burnout and turnover rates which would expound the existing strain and backlog issues.

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for an increase in temporary staffing contracts for marshal services.

Ref. #: 852

Committee Vote: 10-2

AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$0	\$0	\$50,000
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$0</u>	<u>\$50,000</u>

**Justification:**

This request increases funding for temporary staffing contracts to allow the rate paid to contracted Deputy Marshal positions to be increased. This increase in rate will help to attract applicants and better keep pace with bargained increases for the Deputy Marshal positions within the state.

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for an increase in lease costs at multiple court locations across the State.

Ref. #: 853

Committee Vote: 10-2

AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$0	\$325,000	\$325,000
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$325,000</u>	<u>\$325,000</u>



Personal Services	\$0	\$0	\$105,179
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$105,179</b>

**Justification:**

This request establishes one Human Resources Generalist position. This position would aid in administrative tasks, provide cross training and backup for existing positions, and help to alleviate the strain on existing staff. The COVID-19 pandemic significantly increased demand for human resource services. The strain on existing staff impacts employee burnout and turnover rates which would exacerbate the issue. In this climate there is an increased demand for human resources process review and policy development that the current staffing level struggles to meet. The addition of this position would also decrease or eliminate overtime costs for this division. All Other costs associated with this position are anticipated to be minimal and would be absorbed in the existing All Other budget.

**Courts - Supreme, Superior and District 0063**

Initiative: Establishes one Court Management Analyst position funded 75% General Fund and 25% Federal Expenditures Fund within the same program.

Ref. #: 857

Committee Vote: 7-5

AFA Vote: \_\_\_\_\_

	2020-21	2021-22	2022-23
<b>GENERAL FUND</b>			
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$83,599
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$83,599</b>

Ref. #: 858

Committee Vote: 7-5

AFA Vote: \_\_\_\_\_

	2020-21	2021-22	2022-23
<b>FEDERAL EXPENDITURES FUND</b>			
Personal Services	\$0	\$0	\$27,865
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$27,865</b>

**Justification:**

This request establishes a Court Management Analyst position, funded by 75% General Fund and 25% Federal Expenditures Fund. The federal funding is derived from the State Court Improvement Program (CIP), through the U.S. Department of Health and Human Services. The federal programmatic objective is to support the improvement of the quality of court processes and legal representation. The CIP grant dedicates funding specifically for data collection and analysis. The establishment of this position will allow the department to take advantage of the available federal funding to aid in data collection and analysis process improvements. Additionally, the Judicial Department currently has one Court Management Analyst, which leaves the department understaffed for data analysis. Data requests have increased, and the implementation of new technology driven processes both internally and state-wide creates the requirement for an additional data position. This position is needed to ensure the effectiveness and efficiency of changes both before, during and after data driven process changes. Additional resources are also required as the Judicial Branch transitions to the Odyssey case management system. The success of that transition will rely heavily on the ability to adequately staff the data team.

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for STA-CAP costs.

Ref. #: 859

Committee Vote: 8-4

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2020-21	2021-22	2022-23
All Other	\$0	\$0	\$80,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$80,000</b>

**Justification:**

This request provides funding All Other funding for Statewide Cost Allocation Plan (STA-CAP) costs. These costs are charged for central services as outlined in 5 M.R.S. § 1877-A.

**Courts - Supreme, Superior and District 0063**

Initiative: Reallocates one Manager of Court Alternative Dispute Resolution position from 100% Other Special Revenue Funds to 65% Other Special Revenue Funds and 35% General Fund within the same program; one Civil Process and Foreclosure Diversion Program Manager position from 100% Other Special Revenue Funds to 65% Other Special Revenue Funds and 35% General Fund within the same program; and one Administrative/Data Assistant position from 100% Other Special Revenue Funds to 55% Other Special Revenue Funds and 45% General Fund within the same program; and transfers All Other to Personal Services to fund the reallocations.

Ref. #: 860

Committee Vote: 12-0

AFA Vote: \_\_\_\_\_

**GENERAL FUND**

	2020-21	2021-22	2022-23
Personal Services	\$0	\$0	\$145,209
All Other	\$0	\$0	(\$145,209)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Ref. #: 861

Committee Vote: 12-0

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2020-21	2021-22	2022-23
Personal Services	\$0	\$0	(\$145,209)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$145,209)</b>

**Justification:**

This request reallocates 3 positions from 100% Other Special Revenue Funds to the following: one Manager of Court Alternative Dispute Resolution position to 65% Special Revenue Funds and 35% General Fund, one Civil Process and Foreclosure Diversion Program Manager position to 65% Other Special Revenue Funds and 35% General Fund and one Administrative/Data Assistant to 55% Other Special Revenue Funds and 45% General fund all within the same program. This initiative also transfers All Other to Personal Services to fund these reallocations. The reallocation of these positions is necessary to ensure the continued ability to fund these critical roles, and to ensure that the funding source is consistent with the responsibilities of the position. Revenues in the Foreclosure Mediation program have been on the decline for several years, which has been exacerbated by the COVID-19 pandemic and foreclosure moratoria. In addition, the program manager's responsibilities are diversifying to incorporate all civil process. The services provided by the CADRES program have increased, but fees have not increased and are sometimes waived when parties are not able to afford the cost. Decreases in programmatic revenue mean that the accounts will not be able to sustain the continued



Initiative: Provides funding for an increase in court alternative dispute resolution services contracts.

Ref. #: 865

Committee Vote: \_\_\_\_\_ AFA Vote: \_\_\_\_\_

**GENERAL FUND**

All Other

2020-21      2021-22      2022-23

\$0            \$50,000      \$50,000

GENERAL FUND TOTAL

\$0            \$50,000      \$50,000

WITHDRAWN BY JUDICIAL BRANCH

**Justification:**

This request provides funding for Court Alternative Dispute Resolution Services (CADRES) contracts. Mediation for dispute resolution is an effective way to divert and resolve certain types of cases, which is mandated in certain cases. With recent legislative changes, the need for mediation services is increasing, which means costs are increasing. Mediation fees are waived in some instances when parties cannot afford to pay, so raising fees could just result in more parties being unable to afford the cost. This initiative attempts to compensate for the missing revenue to ensure that mediation services can be provided, where mandated, even if the parties cannot afford the fees. The Maine Judicial Branch believes that mediation is a core court function and as such should be supported, at least in part, in the General Fund budget.

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for the approved reorganization of one Administrative/Data Assistant position to a Court Management Analyst position.

Ref. #: 866

Committee Vote: 8-5                      AFA Vote: \_\_\_\_\_

**GENERAL FUND**

Personal Services

2020-21      2021-22      2022-23

\$0            \$0            \$7,162

GENERAL FUND TOTAL

\$0            \$0            \$7,162

Ref. #: 867

Committee Vote: 8-5                      AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

Personal Services

2020-21      2021-22      2022-23

\$0            \$0            \$8,757

OTHER SPECIAL REVENUE FUNDS TOTAL

\$0            \$0            \$8,757

**Justification:**

This request reorganizes one Administrative/Data Assistant position to a Court Management Analyst position. The Judicial Department currently has one Court Management Analyst, which leaves the department vulnerable. Additionally, the increase in data requests and implementation of new technology driven processes both internally and state-wide creates the requirement for additional data position. This position is needed to ensure the effectiveness and efficiency of changes both before, during and after data driven process changes. Additional resources are also required for the Judicial Branch transition to the Odyssey case management system. The success of that transition will rely heavily on the ability to adequately staff the data team.

**Courts - Supreme, Superior and District 0063**

Initiative: Establishes 10 Court Attendant positions to work as jury officers and control room technical assistants in a nonsworn capacity supporting the office of judicial marshals.

Ref. #: 868

Committee Vote: 8 in favor  
4 opposed  
1 in favor as amended to  
\$400,000

AFA Vote: \_\_\_\_\_

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	10.000
Personal Services	\$0	\$0	\$752,590
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$752,590</b>

**Justification:**

This request establishes 10 Court Attendant positions to work as non-sworn support for the Office of Judicial Marshals and fully staffs court security. The positions will allow full time control rooms in major courthouses to be staffed with non-sworn positions that would dispatch sworn marshals, as needed. This gives the office flexibility in staffing that they may not otherwise have and allows the office to more readily direct marshal resources where they are needed. These positions could also function as jury officers, escorting and attending to jury members in the event of a jury trial.

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for an increase in technology costs related to new operational requirements in response to the COVID-19 pandemic.

Ref. #: 869

Committee Vote: 9-4

AFA Vote: \_\_\_\_\_

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$0	\$153,000	\$145,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$153,000</b>	<b>\$145,000</b>

**Justification:**

This request provides funding for increased technology costs related to COVID19 response measures. In response to the COVID-19 pandemic the Maine Courts have had to purchase equipment and software to support remote operations. These include audio visual equipment, Adobe licenses, remote mediation hosting, TeamViewer software to allow for remote computer access and additional equipment purchases for monitors, printers, computers and polycom zoom connectors. The demand for technology solutions implemented during the pandemic will be on-going.

**Courts - Supreme, Superior and District 0063**

Initiative: Establishes one IT Field Technician position and 4 Courtroom Technician positions to provide technical support in courtrooms and assist in updating courtroom technology throughout the State.

Ref. #: 870

Committee Vote: 9-4

AFA Vote: \_\_\_\_\_

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	5.000
Personal Services	\$0	\$0	\$495,606
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$495,606</b>



**Justification:**

This request establishes one IT Field Technician position and 4 Courtroom Technician positions in fiscal year 2022-23. These positions will provide critical technical support to in the courtrooms and are pivotal to upgrading and maintaining technology in courtroom throughout the state. A significant increase in remote court proceedings has exposed a critical need for technicians in the courtroom to manage and update courtroom technology.

**Courts - Supreme, Superior and District 0063**

Initiative: Provides one-time funding for a increase in psychological and interpreter court services.

Ref. #: 871                      One Time                      Committee Vote: \_\_\_\_\_                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$0	\$445,000	\$445,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$445,000</b>	<b>\$445,000</b>

WITHDRAWN BY JUDICIAL BRANCH

**Justification:**

This request provides one-time funding for an increase in interpreter and psychological examination services. There is an increased demand for court services and as the Judicial Branch works to alleviate the backlog of cases it is anticipated that there will be a correlating increase in service costs.

**Courts - Supreme, Superior and District 0063**

Initiative: Provides one-time additional funding for civil legal services for persons unable to afford a lawyer by providing additional funds available for distribution by the Civil Legal Services Fund Commission pursuant to the Maine Revised Statutes, Title 4, section 18-A, subsection 1.

Ref. #: 872                      One Time                      Committee Vote: 8-5                      AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	\$0	\$0	\$1,300,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,300,000</b>

This initiative is related to Part JJ

**Justification:**

This initiative provides additional funding available for distribution by the Civil Legal Services Fund Commission for civil legal services for persons unable to afford a lawyer. The one-time funding is from a transfer of General Fund unappropriated surplus.

**JUDICIAL DEPARTMENT**

<b>DEPARTMENT TOTALS</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$1,479,670</b>	<b>\$4,689,384</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$27,865</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,007,409</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$1,479,670</b>	<b>\$5,724,658</b>

**Sec. A-30. Appropriations and allocations.**

The following appropriations and allocations are made.

**PINE TREE LEGAL ASSISTANCE**

**Legal Assistance 0553**

Initiative: Provides funding for stabilizing and expanding free legal aid services to veterans at the Togus VA Medical Center and other VA health centers by specially trained staff attorneys at Pine Tree Legal Assistance.

Ref. #: 943

Committee Vote: 8-4

AFA Vote: \_\_\_\_\_

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$0	\$150,000	\$150,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$150,000</b>	<b>\$150,000</b>

**Justification:**

Because the legal system is complicated, the average American often doesn't know about important legal rights and protections. Sometimes, this lack of knowledge is deliberately used by others for unfair advantage. Because veterans traditionally work with the non-lawyer staff at veterans service organizations (VSOs), many of their legal needs are unmet. The annual VA CHALENG survey has also documented that legal issues are a consistent unmet need for low-income veterans. Pine Tree Legal Assistance provides free legal assistance to low-income Maine residents around the State, but must turn away 75%+ of requests because of limited program funds. This initiative would provide ongoing funds to continue a successful medical/legal collaboration between Pine Tree Legal Assistance and staff at Togus Veterans Administration Medical Center (VAMC) to help veterans with their legal needs. It was started as a pilot project in 2016 using private foundation funds and space donated by Togus for the clinic. It has been very successful as a way to connect veterans with free legal assistance, both onsite at Togus and via tele-health to Veteran Affairs (VA) outpatient clinics around the State (except during the recent pandemic, when restrictions have limited onsite support.) VA Maine healthcare clinical staff, including staff at Togus VAMC where our project is co-located, screen and refer veterans to Pine Tree. Veterans with health-harming legal problems (such as homelessness, unsafe housing conditions, the need for reasonable accommodations or unstable income due to unlawful debt) are prioritized by VAMC staff. Their cases are handled by PTLA attorneys with special expertise in the legal needs of veterans. The project has been strongly supported by Togus VAMC leadership and staff, but only limited funding has been secured to sustain the project on a part-time basis since 2018. The requested funds would allow the project to continue at an expanded level of service for the next two years.

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**PINE TREE LEGAL ASSISTANCE**

DEPARTMENT TOTALS	2020-21	2021-22	2022-23
GENERAL FUND	\$0	\$150,000	\$150,000
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$150,000</b>	<b>\$150,000</b>

**PART R**

**Sec. R-1. Transfer from General Fund unappropriated surplus; Victim's Compensation Fund.** Notwithstanding any provision of law to the contrary, on or before June 30, 2022, the State Controller shall transfer \$750,000 from the unappropriated surplus of the General Fund to the Office of the Attorney General, Victim's Compensation Fund, Other Special Revenue Funds account to support financial reimbursement for losses suffered by victims of violent crime and their families and reimburses hospitals for sexual assault examinations.

**PART R  
SUMMARY**

Judiciary Committee vote:  
7 in favor as proposed  
4 opposed  
1 in favor as amended to \$400,000

This Part requires the transfer of \$750,000 on or before June 30, 2022 from the unappropriated surplus of the General Fund to the Office of the Attorney General, Victim's Compensation Fund, Other Special Revenue Funds account to support the operations of the program. Revenues for the program declined during the pandemic. This funding will support financial reimbursement for losses suffered by victims of violent crime and their families and reimburses hospitals for sexual

**PART JJ**

**Sec. JJ-1. Transfer from General Fund unappropriated surplus; Maine Civil Legal Services.** Notwithstanding any provision of law to the contrary, on or before June 30, 2022, the State Controller shall transfer \$1,300,000 from the unappropriated surplus of the General Fund to Maine Civil Legal Services, Other Special Revenue Funds account within the Judicial Branch to support the increased costs for civil legal services for persons unable to afford a lawyer by providing additional funds available for distribution by the Civil Legal Service Fund pursuant to Maine Revised Statutes, Title 4, section 18-A, subsection 1.

Judiciary Committee vote (Ref. # 872, p. 16)  
8-5

**PART JJ  
SUMMARY**

This Part requires the transfer of \$1,300,000 in fiscal year 2021-22 from the unappropriated surplus of the General Fund to Maine Civil Legal Services, Other Special Revenue Funds account within the Judicial Branch to support the increased costs for civil legal services for persons unable to afford a lawyer by providing additional funds available for distribution by the Civil Legal Service Fund. This is a one-time transfer to support increased costs resulting from the pandemic.

**Maine Human Rights Commission  
Supplemental Budget FY2022  
Additional Agency Requests Not in Governor's Budget Proposal**

**#1 (presented in 3/4/2022 testimony)**

**Establish Accounting Technician Position**

Human Rights Commission - Regulation 0150

Initiative: Initiative: Establishes one Accounting Technician Position and related all other expenditures to provide accounting assistance with program accounting, inventory, travel, procurement, and other program activities.

GENERAL FUND	2022	2023
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$17,133	\$71,586
All Other	<u>\$4,978</u>	<u>\$3,182</u>
GENERAL FUND TOTAL	\$22,111	\$74,768

**#2 (not presented in 3/4/2022 testimony)**

**Permanent Reorganization of Management Analyst II position to full-time Investigator Position**

**HUMAN RIGHTS COMMISSION, MAINE  
Human Rights Commission - Regulation 0150**

Initiative: Reorganizes and makes permanent one limited period Management Analyst II to a full-time Maine Human Rights Investigator position, and reduces All Other to fund the reorganization.

FEDERAL EXPENDITURES FUND	2022	2023
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$1,686	\$5,960
All Other	<u>(\$1,686)</u>	<u>(\$5,960)</u>
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0