

**§1802. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2009, c. 419, §2 (NEW).]

**1. Assigned counsel.** "Assigned counsel" means a private attorney designated by the commission to provide indigent legal services at public expense.

[PL 2009, c. 419, §2 (NEW).]

**1-A. Appellate counsel.** "Appellate counsel" means an attorney who is entitled to payment under Title 15, section 2115-A, subsection 8 or 9.

[PL 2013, c. 159, §10 (NEW).]

**2. Commission.** "Commission" means the Maine Commission on Public Defense Services under section 1801.

[PL 2023, c. 558, §4 (AMD).]

**3. Contract counsel.** "Contract counsel" means a private attorney under contract with the commission to provide indigent legal services.

[PL 2009, c. 419, §2 (NEW).]

**3-A. Employed counsel.** "Employed counsel" means an attorney employed by the commission to provide legal services directly to persons who are eligible to receive indigent legal services in civil proceedings.

[PL 2023, c. 638, §2 (NEW).]

**4. Indigent legal services.** "Indigent legal services" means legal representation provided to:

A. An indigent defendant in a criminal case in which the United States Constitution or the Constitution of Maine or federal or state law requires that the State provide representation; [PL 2009, c. 419, §2 (NEW).]

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; [PL 2019, c. 427, §1 (AMD).]

C. Juvenile defendants; and [PL 2019, c. 427, §1 (AMD).]

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. [PL 2019, c. 427, §2 (NEW).]

"Indigent legal services" does not include the services of a guardian ad litem appointed pursuant to Title 22, section 4005, subsection 1.

[PL 2021, c. 676, Pt. A, §3 (AMD).]

**5. Public defender.** "Public defender" means an attorney employed by the commission to provide legal services directly to persons who are eligible to receive indigent legal services in criminal and juvenile proceedings.

[PL 2023, c. 638, §3 (NEW).]

**SECTION HISTORY**

PL 2009, c. 419, §2 (NEW). PL 2013, c. 159, §10 (AMD). PL 2019, c. 427, §§1, 2 (AMD). PL 2021, c. 676, Pt. A, §3 (AMD). PL 2023, c. 558, §4 (AMD). PL 2023, c. 638, §§2, 3 (AMD).

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