

STATE OF MAINE
SUPREME JUDICIAL COURT
AMENDMENTS TO
THE MAINE RULES OF CIVIL PROCEDURE

2010 Me. Rules 09

Effective: July 1, 2010

All of the Justices concurring therein, the following amendment to the Maine Rules of Civil Procedure is adopted to be effective on the date indicated above. The specific amendment is stated below. To aid in understanding of the amendment, an Advisory Note appears after the text of the amendment. The Advisory Note states the reason for recommending the amendment, but the Advisory Note is not part of the amendment adopted by the Court.

1. Rule 88 Maine Rules of Civil Procedure is enacted to read as follows:

RULE 88. ASSIGNMENT OF COUNSEL.

Whenever a party to a civil action is entitled, by operation of law, to counsel appointed or assigned to represent that party at state expense in a proceeding governed by these rules, such assignment shall be governed by M.R. Crim. P. 44, 44A, 44B, and 44C.

Advisory Note—July 2010

The amendment adopting M.R. Civ. P. 88, using the number of a previously repealed rule, is necessitated by the establishment of the Maine Commission on Indigent Legal Services (4 M.R.S. §§ 1801-1805 and 5 M.R.S. §§ 959 and 12004-G (25-A)), enacted by P.L. 2009, ch. 419. These changes reflect a transfer of responsibility for indigent legal services in both civil and criminal cases from the Judicial Branch to the independent Commission. *See* Emergency Preamble to P.L. 2009, ch. 419 and 4 M.R.S. §§ 1801 and 1804.

The statute implementing the Maine Commission on Indigent Legal Services explicitly references case types that fall under the Commission's purview,

