

# The Maine Judicial Branch 2018

## MISSION

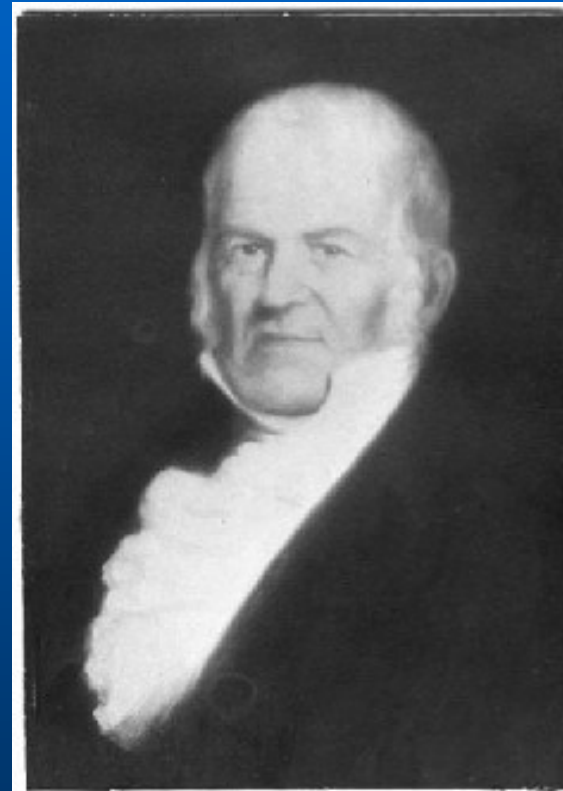
To administer justice by providing a safe, accessible, efficient and impartial system of dispute resolution that serves the public interest, protects individual rights, and instills respect for the law.

# Courts In Maine

Federal Courts	Tribal Courts	Probate Courts	State Courts
<p>3 judges appointed for life by the president, confirmed by U.S. Senate</p> <p>2 magistrates appointed to 8-year terms by the district judges</p> <p>2 bankruptcy judges appointed to 14-year terms by the 1st Circuit Court of Appeals</p> <p>Jury trials</p> <p>Civil and criminal cases</p> <p>No family law</p>	<p>Passamaquoddy &amp; Penobscot Courts</p> <p>Judges chosen by the tribes</p> <p>Courts authorized by federal law</p> <p>Jurisdiction similar to Maine District Court</p>	<p>16 part-time elected county judges</p> <p>County courts</p> <p>No jury trials</p> <p>Trusts, estates, adoptions, name changes, &amp; guardianships</p> <p>SJC prescribes rules for probate courts 4 M.R.S. § 8</p>	<p><b>63 trial judges &amp; 7 appellate justices, Appointed to 7-year terms (nominated by the Governor, approved by the Judiciary Committee, confirmed by the Senate)</b></p> <p><b>8 family law magistrates appointed by the Chief Judge of the District Court with approval of Chief Justice</b></p> <p><b>Jury trials</b></p> <p><b>Juvenile matters</b></p> <p><b>Family law</b></p> <p><b>Criminal</b></p> <p><b>Civil</b></p> <p><b>Traffic &amp; civil violations</b></p> <p><b>Small Claims</b></p>

# History

- 1820 Supreme Judicial Court established
- 1930 Superior Courts established statewide
- 1965 District Court replaced 50 municipal courts
- 1976 unification of state courts (except Probate Courts)



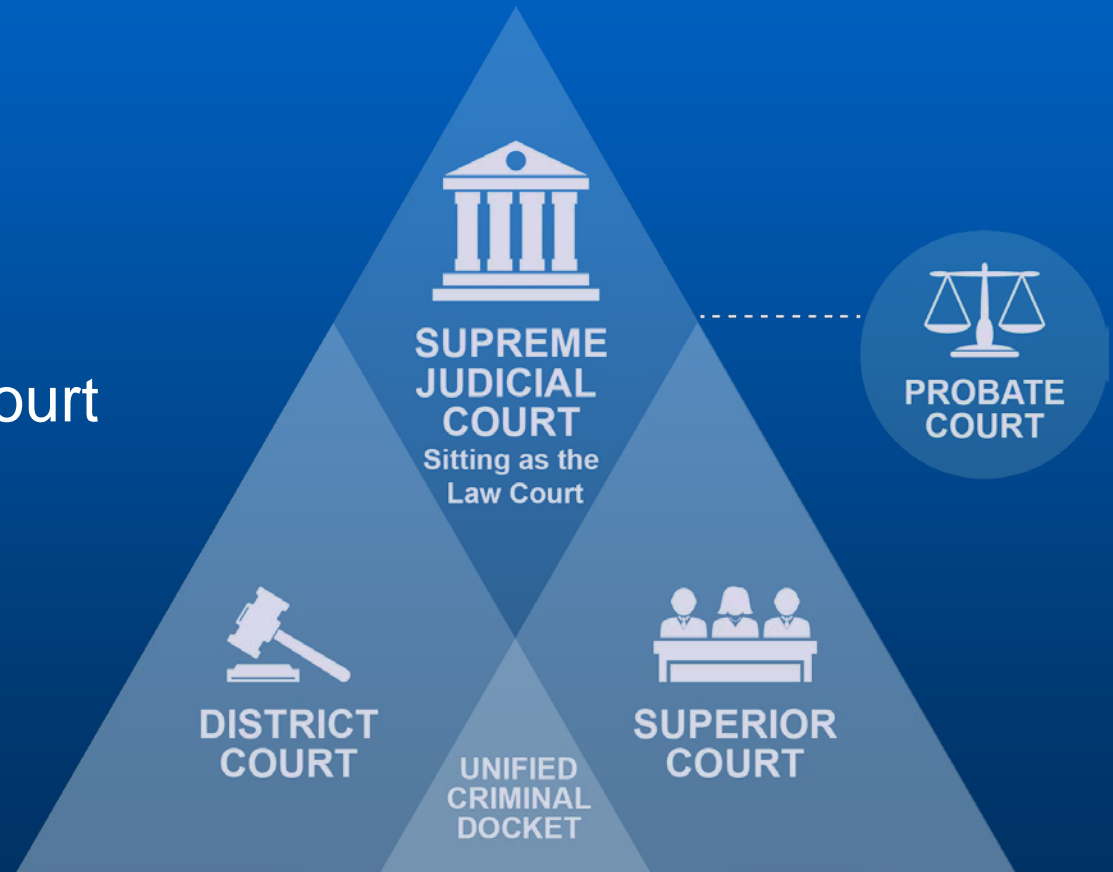
Prentiss Mellen  
Chief Justice 1820-1834

# At a Glance

- Population served -1,335,907
- Geographic Area - 35,387 sq.mi.
- 36 courthouses (down from 42 in 2002)
- 63 trial judges
- FY '18 Violations Bureau filings 88,718
- FY '18 All other trial court filings 109,481
- FY '18 Total trial courts & VB 198,199
- FMI: <http://www.courts.maine.gov>

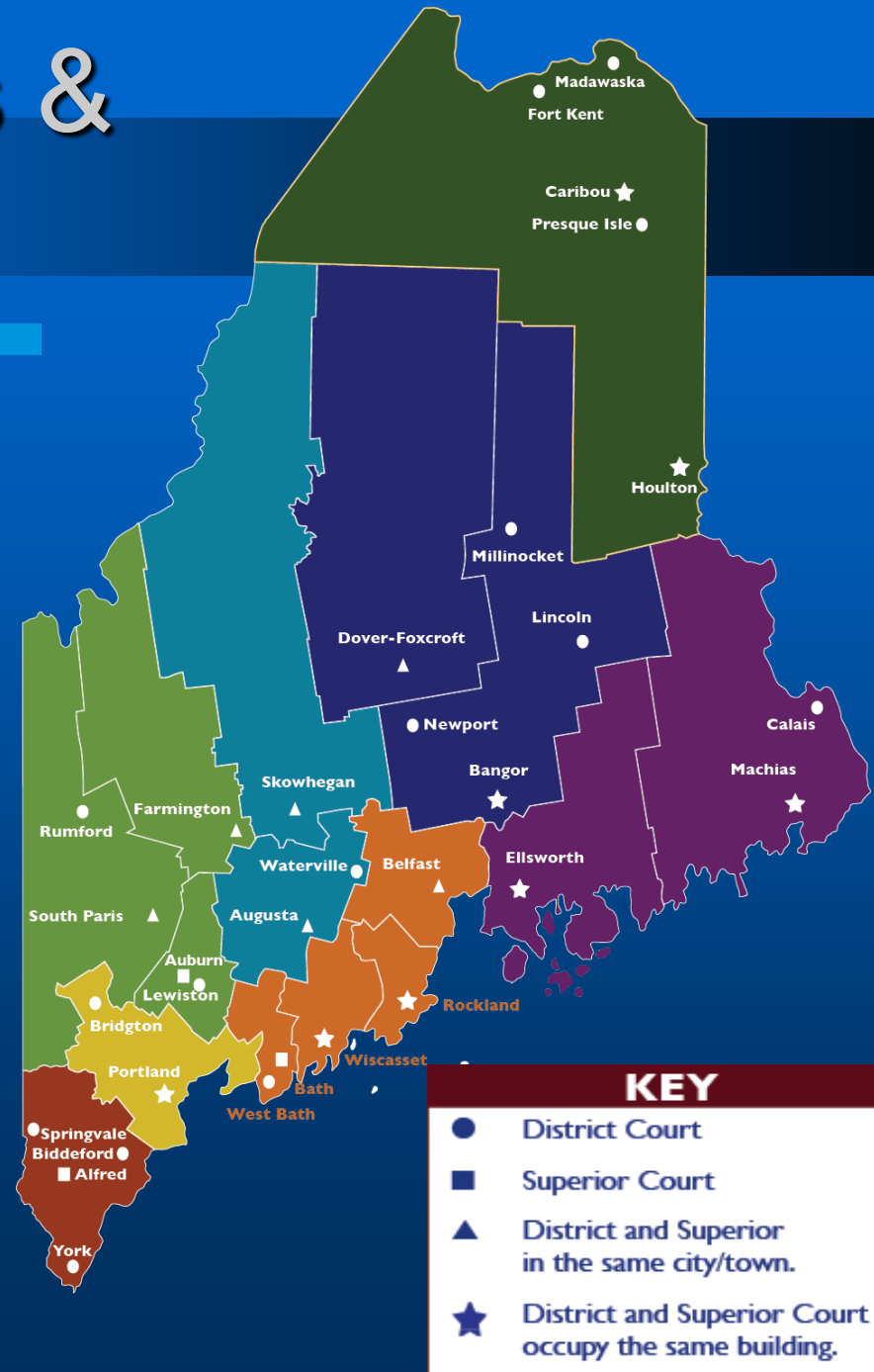
# State Court Structure: 2 Trial Courts & 1 Appellate

- District Court
- Superior Court
- Supreme Judicial Court
- Probate Courts are County Courts



# Court Locations & Regions

- 8 judicial regions
- Counties grouped together by color are part of a single region, where resources and scheduling are coordinated.
- 36 courthouses; 87 courtrooms; 9 are State-owned
- 15 are County-owned
- 12 are leased (overlap is concurrent ownership)
- Number of courthouses reduced from 42 in 2002 to 36 in 2018



# District Court

- **Total Civil Cases FY 18 – 24,393**
- **PFA (Abuse) – 5,483**
- **PFH (Harassment) – 2,395**
- **Juvenile – 1,583**
- **Small Claims – 9,515**
- **FEDs (Evictions) – 5,825**
- **Mental Health Commitments – 984**

# District Court continued

- **Contract – 2,834**
- **Money judgments – 1,389**
- **Divorce w/ children – 2,379**
- **Divorce w/o children – 2,850**
- **Parental rights & resp – 1,811**
- **Family post judgment – 5,745**
- **Child protective – 891**



# District Court Criminal & Juvenile

- **1,583 juvenile cases**
- **55,980 UCD cases, shared jurisdiction with Superior Court for adult criminal**

# Court Alternative Dispute Resolution Services FY 18

- All disputed family matters, other than protection from abuse and protective custody, referred to mediation – 3,581 cases mediated; 4,464 mediation sessions
- Small claims – 650 cases mediated
- FEDs (Evictions) – 583 cases mediated
- Foreclosure – 835 cases mediated; 1,116 mediation sessions

# Superior Court Filings

## FY 2018

- 55,980 UCD – Joint jurisdiction with District Court
- 3,207 Civil
- 85 Business & Consumer Docket

# Superior Court

- 17 courthouses - each county & two in Aroostook: Caribou & Houlton
- The Superior Court hears criminal and civil cases, except family matters, juvenile, small claims, and civil violations
- The Superior Court also hears appeals from state agencies and local government decisions
- Civil jury trials *only* take place in Superior Ct

# Supreme Judicial Court - 574 appeals filed in FY 2018

The Supreme Judicial Court is the governing body of the Judicial Branch and, sitting as the Law Court, is the court of final appeal.



# Supreme Judicial Court

- Regulates the Practice of Law
- Establishes Rules of Procedure, Civil, Criminal, Probate, Family
- Admits Lawyers to the Bar
- Establishes Ethical Rules of Conduct for Judges, Lawyers and Guardians
- Disciplines Lawyers & Judges

# Supreme Judicial Court

- Appeals of family, civil, and criminal cases from the District and Superior Courts, and the UCD
- Appeals from the Probate Courts
- Appeals of decisions of the Public Utilities Commission and the Workers' Compensation Board.

# Supreme Judicial Court



C.J. Leigh Saufley

A.J. Jeffrey Hjelm

A.J. Andrew Mead

A.J. Ellen Gorman

A.J. Joseph Jabar

A.J. Donald Alexander

A.J. Thomas Humphrey



# The Chief Justice



- Is the head of the Judicial Branch
- Prepares the JB budget with the State Court Administrator
- Responsible for efficient operation of the branch
- Appoints the “Chiefs” of the Trial Courts

Chief Justice Leigh I. Saufley

# Appointment of Judges and Justices

- Nominated by the Governor
- Reviewed by the Judiciary Committee
- Confirmed by the Senate
- Serve 7-year terms

# Clerks of Court

- Primary contact for the public
- Staff the windows and phones
- Staff the courtrooms, create court record
- Schedule court hearings and provide notices to parties
- Record payments and other info (protection orders, bail, warrants, and extradition)
- Clerk staff comprise more than half of the entire staff of the Judicial Branch.

# State Court Administrator

- The SCA reports to the Chief Justice and manages the business affairs of the courts.
- The SCA heads the Administrative Office of the Courts. The AOC provides operational support to the courts.



James T. Glessner

# Administrative Office of the Courts

## The AOC:

- Supports judges in providing services to the public
- Collects statistical information
- Oversees financial affairs, including fine collection
- Helps develop fiscal impact statements
- Maintains the physical facilities
- Supports technology/computer operations
- Provides court security through the marshals
- Provides education & training programs
- Prepares the annual report
- Maintains web site: <http://www.courts.maine.gov>
- Human Resources

# Current Challenges

- Security - completing entry screening to get to goal of 100%
- Technology – creating digital filing system. **Violations Bureau went online October 2018; first region will go online fall/winter 2019**
- Facilities – continuing improvement of ADA, access to courts, and necessary updates
- Improving access to justice for low & middle income unrepresented *civil* litigants

# Recent Accomplishments

- Reached 70% entry screening
- Violations Bureau upgraded to digital
- Consolidation of Clerk's offices-
  - 45 clerk's offices reduced to 29
- Courthouse Consolidations
  - courts are consolidated into single buildings as older courthouses are renovated – Houlton, Bangor, Dover-Foxcroft, Augusta, Belfast, S. Paris, coming soon: York County
- Unified Criminal Docket implemented

# Jurors

- Absolutely critical to the functioning of criminal & civil justice
- Drawn from drivers' license list, state ID holders, people who have asked to be added
- Paid \$15/day (up from \$10/day)
- \$0.44/mile (up from 0.15/mile)
- Judges are flexible in responding to juror scheduling challenges



# Helpful Information

- **Judges cannot discuss individual cases.**
- **Judicial Branch happy to help with the provision of info and statistics. Patience needed due to antiquated data system.**
- **Need something? Please see Elaine Clark, Director of Communications, or Julie Finn, Legislative Analyst**

# Questions?

