

Commission to Create a Plan to Incorporate the Probate Courts into the Judicial Branch

Assignment of Judges - Possible Approach

Draft — for discussion purposes only

Question Posed: If the Commission recommends the creation of 8 full-time Probate Court Judge positions, would it make sense to assign one judge to each of the existing [judicial regions](#)?

Possible analysis: At this time, the only data that the Commission has to compare judicial workload across the State are the 2018 and 2020 Case Load data from the county Probate Courts' ICON system.

2018 Case Load data:

- Total statewide Probate Court case load in 2018 = 13,522
- Assuming this case load represents the work of 8 full-time judges, then:
 - $13522 / 8 = 1,690.25$ cases *might* represent a judge's full-time caseload

	Region case load	Calculation	FTEs
Region 1 (York)	1,920	$1920/1690.25$	1.14
Region 2 (Cumberland)	2,525	$2525/1690.25$	1.49
Region 3 (Androscoggin, Franklin, Oxford)	$864 + 326 + 735$	$1925/1690.25$	1.14
Region 4 (Kennebec, Somerset)	$1,293 + 677$	$1970/1690.25$	1.17
Region 5 (Penobscot, Piscataquis)	$1,480 + 146$	$1626/1,690.25$	0.96
Region 6 (Knox, Lincoln, Sagadahoc, Waldo)	$491 + 447 + 333 + 507$	$1778/1690.25$	1.05
Region 7 (Hancock, Washington)	$678 + 457$	$1135/1690.25$	0.67
Region 8 (Aroostook)	643	$643/1690.25$	0.38

2020 Case Load data:

- Total statewide Probate Court case load in 2020 = 12,822
- Assuming this case load represents the work of 8 full-time judges, then:
 - $12822/8 = 1602.75$ cases *might* represent a judge's full-time caseload

	Region case load	Calculation	FTEs
Region 1 (York)	1,841	$1841/1602.75$	1.15
Region 2 (Cumberland)	2,293	$2293/1602.75$	1.43
Region 3 (Androscoggin, Franklin, Oxford)	$694 + 316 + 525$	$1535/1602.75$	0.95
Region 4 (Kennebec, Somerset)	$1,317 + 664$	$1981/1602.75$	1.24
Region 5 (Penobscot, Piscataquis)	$1,884 + 145$	$2029/1602.75$	1.27
Region 6 (Knox, Lincoln, Sagadahoc, Waldo)	$401 + 470 + 341 + 445$	$1657/1602.75$	1.03
Region 7 (Hancock, Washington)	$426 + 503$	$929/1602.75$	0.58
Region 8 (Aroostook)	557	$557/1602.75$	0.35

Important Caveats & Limitations of this Analysis:

- This analysis assumes that the existing Probate Court workload would support the work of 8 full-time Probate Judges, and does not test the validity of that underlying assumption in any way.
- This analysis also relies on the assumption that caseloads are an accurate way to measure judicial workload—an assumption that may not be true. For example, if counties differ in the percentage of informal proceedings (no requiring judicial involvement) vs. formal proceedings (requiring judicial involvement), this difference will necessarily impact the calculations above and could lead to over- or under-estimation of the judicial workload in each region.