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My name is Justina McGettigan and I serve as the deputy district attorney for District 1 (York County). I have worked as an attorney at the district attorney's office since October of 1991. I have worked in both the district and superior court.

Right now, my office in Alfred where our superior court is located but I have worked in every court in York County during my career. My caseload includes all felony and domestic violence cases investigated by the York County Sheriff's Office, as well as any crimes investigated by the York County jail, the fire marshal's office, the warden service, the department of motor vehicles, and the labor department. I also litigate any active probation violation case filed in York County. That caseload is about 530 cases split between probation matters and new cases.

I am in court either in person or virtually every day of the week. I am often double booked for court appearances. On Mondays, Wednesdays and Friday mornings I am reading district court prisoner arrest reports and approving complaints to be filed with the court by a 10:30 deadline while I am simultaneously in court in Alfred handling felony arraignments, dispositional conferences, sentencings, motions to amend bail, and first appearances for probation matters.

On Tuesday mornings, I handle conferences on open probation revocation matters. These conferences are scheduled with the judge, defense counsel, and the probation officer and we discuss how to help the

probationer meet his or her probation obligations. Sometimes the probationer has a new criminal charge, sometimes they are not engaging in their required counseling, or are struggling with mental health issues. We work cooperatively to try to reach a reasonable resolution. Sometimes we can, if not we proceed to a court hearing. Tuesday afternoon I appear for a docket call and every hour cases are scheduled to either plea, or to be set for jury selection. Meanwhile there is a simultaneous mental health docket held one Tuesday a month and scheduled at the same time as the docket call. It is not unusual to be required to be at both court proceedings.

Wednesday afternoon and all day Thursday I am scheduled for conferences with the court and defense counsel to discuss open cases and direct those cases to either a plea, a motion hearing (to address a constitutional challenge raised by defense) or docket call for a potential jury selection. Friday morning the court schedules us for treatment court, pleas, arraignments in the morning and the afternoons are set aside for complicated pleas or motions to suppress.

I also share duties with other ADAs in the office for “on call” weeks. For an “on call” week, the attorney must be available to answer questions from any department that wants advice after hours. That could include reviewing arrest warrants, consulting about court orders, reviewing search warrants and the like. We are not paid overtime for this work; it is just part of our duties as an attorney for the state.

As you can see, I am in court all the time. When do I prepare my cases you might be wondering? Well, that is what nights and weekends are for! I must follow the deadlines provided by the court to screen domestic violence cases on a priority basis, and meet the summons dates for the felony matters.

“Screening cases” has changed dramatically since I started working back in 1991. Then, I would have been provided with a several page police report to read that might include a written witness/victim statement. Now, screening means reading a police report from every officer involved in the case and viewing their body cam footage that can be hours long. This footage includes interviews with witnesses and victims and interviews of the suspect. Viewing this information one must ensure that the video matches the written summaries. I then read the statute to make sure that the conduct alleged includes all elements of the crime so I know the conduct

can be proved beyond a reasonable doubt. If it cannot be proven, I need to decide if there is more investigation needed and what that investigation should entail. If there is enough evidence, I look at it to find out if there is anything about the information provided that is inculpatory or exculpatory concerning the defendant. I consider the defendant's history and the victim's situation when planning what charge to bring and what sentence to recommend to defense and the court. I seek victim input. I also look to see why the crime was committed and can the defendant be rehabilitated with a deferred disposition or a probated sentence.

As part of our case screening process, I attend child interviews conducted by the Child Advocacy Center. The forensic interviewers question alleged child victims about crime involving physical or sexual abuse. I attend those interviews (or view the tape after) as part of the screening process for crimes involving child victims. These interviews often take many hours to complete.

I am also spending time writing sentencing memoranda to present to the court. The court routinely requests in felony cases a memorandum outlining a sentencing recommendation with supporting case law. One recent weekend I found myself writing two such memoranda: one for a manslaughter case in which the Defendant killed a little girl by driving tired, and the second for a robbery case where a 19-year-old man broke into a young man's home and beat him with a baseball bat while two accomplices stood by one armed with an AK-47 and another with a semi-automatic pistol.

The court expects us to "know" our cases. So if, for example, I have six motions to amend bail on domestic violence cases (defendants wanting to change the bail or conditions that have been imposed upon them as a condition of their release) scheduled among my morning cases-- the court will want to know the basic facts of the case, what the victim's position is regarding the motion, the defendant's history, and the ODARA score. There is no one size fits all for this colloquy and the court expects us to differentiate among our cases. These motions will only be some of the cases on my docket. Whatever the case is before the court, the judge expects a prosecutor to provide a fair, cogent and detailed analysis of the case and its procedural posture.

Preparing for trial is another matter entirely. Trials can involve expert testimony that requires extra study in a particular area of science – DNA, for example. Trials take longer than they did when I started. Before the Unified Criminal Docket, a trial in the district court on a misdemeanor would take an hour or two. A similar case now will often take several days of trial time in the superior court. As part of my trial preparation, I meet with witnesses either in person or by phone. Often fragile victims need the confusing court process explained.

Speaking of victims, I do not just meet with victims when preparing for trial. I am often scheduled for meetings with our domestic violence victims and our felony victims. I update families of manslaughter victims as the cases wend through the court system. I also meet with victims of fraud, robbery, arson, aggravated assault, sexual assault, and burglary. We have a great victim advocate's office but the victims regularly want to hear from the prosecutor assigned to their case.

If I receive a conviction after trial, I can expect an appeal. I then write a brief and argue the case before our Law Court. In addition, I and the other attorneys in the office, handle post-conviction reviews that incarcerated defendants file with the courts seeking to have their cases or sentences revisited.

I also, along with my coworkers, provide training to area police departments on various criminal law topics. Additionally, I meet with SARSSM and Caring Unlimited to address victim safety.

This is not a forty-hour a week job. It is often a fifty or more likely, a sixty-hour a week job depending on whether I have a trial or need to catch up. I always need to catch up. Again, this is very different from the job thirty or even five years ago. When I started, I was in court three and half days a week. Now it is five full days. When I started, I could be a generalist. Now I am a generalist and a specialist. The cases take more time at each stage of the process: arguing bail, arguing motions, discussing plea offers, meeting with the court, going to trial or appearing for a sentencing, arguing an appeal or post-conviction matter. In the not so distant past, there was time to do the work during work hours. There was time to prepare for trials and motions. Now the demands of job are unceasing. The prosecutor has a special role in the criminal justice system to make sure justice is served.

Justice involves all the parties to the case – victims, society and the defendant. To do the job well takes care, attention, and time. Time is always in short supply.