

Administrative Office of the Courts

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Judicial Branch testimony neither for nor against LD 246, An Act to Establish the Option of Sentencing Alternatives for Primary Caregivers:

Senator Carney, Representative Kuhn, members of the Joint Standing Committee on Judiciary, my name is Julie Finn and I represent the Judicial Branch. I would like to present brief testimony regarding LD 246.

The Judicial Branch supports using a defendant's status as a primary caregiver as a factor in sentencing. In fact, judges and justices frequently do this now, when raised by counsel either orally or by motion.

We do, however, ask that the requirement that the court make written findings prior to issuing the sentence be changed from a written requirement to a requirement that findings be made “on the record.” Making written findings before rendering the sentence would disrupt and delay the proceedings and is not required in any other instance.

~~Thank you for your time. I would be happy to answer any questions.~~