



# Administrative Office of the Courts

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## **Judicial Branch testimony neither for nor against LD 1832, An Act to Clarify Available Relief for the Protection of At-risk Children.**

Senator Carney, Representative Kuhn, members of the Joint Standing Committee on Health and Human Services, my name is Barbara Cardone and I represent the Judicial Branch. I would like to provide the following testimony neither for nor against this bill to note possible fiscal implications of this bill.

In part, this bill expands the jurisdiction of the District Court to hear petitions for special findings and relief for certain at-risk noncitizen children who are under the age of 18 (please note that *petitions* for these special findings are distinct from *motions* for these special findings; while motions are filed into existing cases, petitions are filed as a standalone action). Presently, the District Court and the Probate Court have concurrent jurisdiction over *petitions* for special findings and relief for certain at-risk noncitizen children with ages 18 to 21. However, currently the Probate Court, not the District Court, has jurisdiction over these petitions for children who are *under* 18 years of age. See 18-C M.R.S. 5-104(1-A). The proposed bill would expand the District Court's jurisdiction to also include petitions for children who are *under* 18 years of age.

Because this bill proposes to expand the District Court's jurisdiction, it may result in an increase in the number of petitions that are filed in the District Court. The Judicial Branch is attempting to assess whether the increase is sufficient to justify a fiscal note. Please note that this fiscal assessment will require non-Judicial Branch data regarding filings in the Probate Court of petitions for special findings for children under the age of 18. As such, it will require some coordination with outside sources, including the Probate Courts, to obtain data to inform an estimate.

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