

§2121. Definitions

As used in this chapter, the following terms have the following meanings. [PL 1979, c. 701, §15 (NEW).]

1. Criminal judgment. "Criminal judgment" means a judgment of conviction of a crime, the orders of adjudication and disposition in a juvenile case and a judgment of not criminally responsible by reason of insanity.

[PL 2011, c. 601, §1 (AMD).]

1-A. Assigned justice or judge. "Assigned justice or judge" means the Justice or Active Retired Justice of the Supreme Judicial Court, the Justice or Active Retired Justice of the Superior Court or the judge authorized to sit in the Superior Court on post-conviction review cases who is assigned the post-conviction review proceeding when a special assignment has been made. It means any justice, active retired justice or authorized judge attending to the regular criminal calendar when the post-conviction review proceeding is assigned to the regular criminal calendar.

[PL 2011, c. 601, §2 (AMD).]

2. Post-sentencing proceeding. "Post-sentencing proceeding" means a court proceeding or administrative action occurring during the course of and pursuant to the operation of a sentence that affects whether there is incarceration or its length, including revocation of parole, failure to grant parole, an error of law in the computation of a sentence including administrative calculations of deductions relative to time detained pursuant to Title 17-A, section 2305 and default in payment of a fine or restitution. It does not include the following Title 17-A, Part 6 court proceedings: revocation of probation, revocation of supervised release for sex offenders or revocation of administrative release. It does not include the following administrative actions: calculations of deductions pursuant to Title 17-A, section 2307, subsections 2, 3 and 4; section 2308, subsection 2; section 2309, subsection 2; section 2310, subsections 3, 6 and 7; and section 2311; disciplinary proceedings resulting in a withdrawal of deductions under Title 17-A, section 2307, subsection 5; section 2308, subsection 3; section 2309, subsection 3; section 2310, subsection 4; and section 2311; cancellation of furlough or other rehabilitative programs authorized under Title 30-A, sections 1556, 1605 and 1606 or Title 34-A, section 3035; cancellation of a supervised community confinement program granted pursuant to Title 34-A, section 3036-A; cancellation of a community confinement monitoring program granted pursuant to Title 30-A, section 1659-A; or cancellation of placement on community reintegration status granted pursuant to Title 34-A, section 3810 or former section 4112.

[PL 2019, c. 113, Pt. C, §37 (AMD).]

3. Sentence. "Sentence" means the punishment imposed in a criminal proceeding or the disposition imposed in a juvenile proceeding.

[PL 1983, c. 235, §2 (RPR).]

SECTION HISTORY

PL 1979, c. 701, §15 (NEW). PL 1981, c. 238, §1 (AMD). PL 1983, c. 235, §§1,2 (AMD). PL 1985, c. 209, §1 (AMD). PL 1985, c. 556, §1 (AMD). PL 1995, c. 286, §2 (AMD). PL 1997, c. 464, §1 (AMD). PL 2003, c. 29, §1 (AMD). PL 2011, c. 601, §§1-3 (AMD). PL 2013, c. 133, §3 (AMD). PL 2017, c. 148, §2 (AMD). PL 2019, c. 113, Pt. C, §37 (AMD).

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