



# THE MAINE JUDICIAL BRANCH 2016

## MISSION

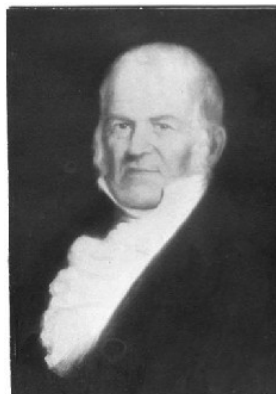
To administer justice by providing a safe, accessible, efficient and impartial system of dispute resolution that serves the public interest, protects individual rights, and instills respect for the law.

## Courts In Maine

Federal Courts	Tribal Courts	Probate Courts	State Courts
3 judges appointed for life by the president, confirmed by U.S. Senate	Passamaquoddy & Penobscot Courts	16 part-time elected county judges	<b>56 trial judges &amp; 7 appellate justices, Appointed to 7-year terms (nominated by the Governor, approved by the Judiciary Committee, confirmed by the Senate)</b>
2 magistrates appointed to 8-year terms by the district judges	Judges chosen by the tribes	County courts	<b>8 family law magistrates appointed by the Chief Judge of the District Court with approval of Chief Justice</b>
2 bankruptcy judges appointed to 14-year terms by the 1st Circuit Court of Appeals	Courts authorized by federal law	No jury trials	<b>Jury trials</b>
Jury trials	Jurisdiction similar to Maine District Court	Trusts, estates, adoptions, name changes, & guardianships	<b>Juvenile matters</b>
Civil and criminal cases		SJC prescribes rules for probate courts 4 M.R.S. § 8	<b>Family law</b>
No family law			<b>Criminal</b>
			<b>Civil</b>
			<b>Traffic &amp; civil violations</b>
			<b>Small Claims</b>

## History

- March 21, 1636 - First court located in Saco
- 1820 Supreme Judicial Court established
- 1868 Cumberland County Superior Court
- 1878 Kennebec County Superior Court
- 1929 Superior Courts established statewide
- 1961 District Court replaced 50 municipal courts
- 1976 Unified State Courts (except Probate Courts)



Prentiss Mellen  
Chief Justice 1820-1834

## At a Glance

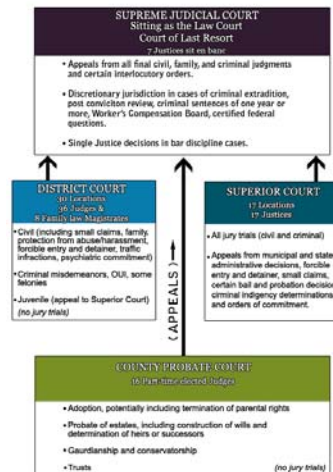
- Population served-1,329,328
- Geographic Area -35,387 sq.mi.
- 36 courthouses (down from 46 a decade ago)
- 56 trial judges
- FY '16 trial court case filings 115,460
- FY '16 Violations Bureau filings 88,870
- FY '16 Total Trial Courts & VB 204,330
- FMI: [http://www.courts.maine.gov/news\\_reference/stats/index.html](http://www.courts.maine.gov/news_reference/stats/index.html)

# Judicial Branch Courthouses

State Owned	County Owned	Leased
Biddeford District Court	Androscoggin SC	Belfast DC
Capital Judicial Center (Augusta)	Aroostook SC/Caribou DC	Bridgton DC
Lewiston DC	Aroostook SC/Houlton DC	Calais DC
Presque Isle DC	Cumberland SC, SJC, Portland DC	Farmington DC
Rockland DC (.5)	Franklin SC	Fort Kent DC
Skowhegan DC	Hancock SC/Ellsworth DC	Lincoln DC
Springvale DC	Knox SC (.5)	Madawaska DC
West Bath DC	Lincoln SC/Wiscasset DC	Millinocket DC
York DC	Oxford SC	Newport DC
Penobscot Judicial Center (Bangor)	Piscataquis SC/Dover-Foxcroft DC	Rumford DC
	Sagadahoc SC	South Paris DC
	Somerset SC	Waterville DC
	Waldo SC	
	Washington SC/Machias DC	
	York SC	

## State Court Structure: 2 Trial Courts & 1 Appellate

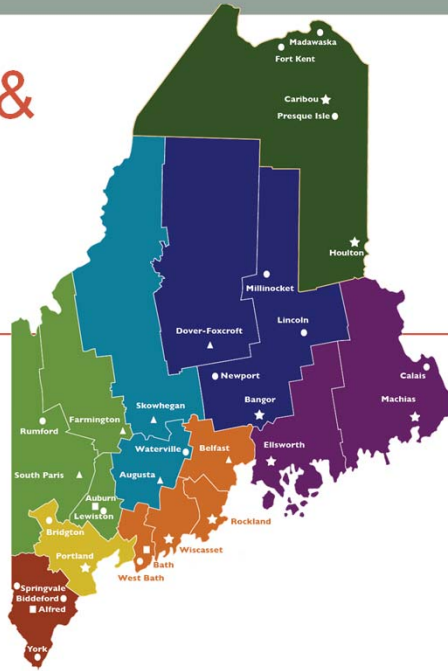
- District Court
- Superior Court
- Supreme Judicial Court
- Probate Courts are County Courts



# COURT LOCATIONS & REGIONS

- 8 judicial / prosecutorial regions
- Counties grouped together by color are part of a single region, where resources and scheduling are coordinated.

KEY	
●	District Court
■	Superior Court
▲	District and Superior in the same city/town.
★	District and Superior Court occupy the same building.



## District Court Jurisdiction

- 29 District Court locations established by law
- Civil and criminal matters
- No jury trials
- Family Division - divorce and family matters, including child support, parental rights & responsibilities, and "parentage" cases
- The "Peoples Court" – Many litigants unrepresented by counsel

## District Court

- JUVENILE
- FAMILY
- CHILD PROTECTION
- PROTECTION FROM ABUSE
- CIVIL, inc. SMALL CLAIMS, EVICTIONS
- MONEY JUDGMENTS
- INVOLUNTARY MENTAL HEALTH COMMITMENTS
- TRAFFIC & CIVIL INFRACTIONS

Violations Bureau, Lewiston, FY16 processed 88,870 violations. Contested traffic ticket cases in District Courts

## District Court con't

- Total Civil Cases FY 16 – 24,219
- PFA (Abuse) – 5,461
- PFH (Harassment) – 2,552
- Juvenile – 1,798
- Small Claims – 10,106
- FEDs (Evictions) – 5,836
- Mental Health Commitments – 893

## District Court con't

- Contract – 3,647
- Money judgments – 1,888
- Divorce w/ children – 2,535
- Divorce w/o children – 3,082
- Parental rights & resp- 1,907
- Family post judgment – 5,933
- Child protective – 877

## District Court Criminal & Juvenile

- 1,798 juvenile cases
- Shared jurisdiction w/ Superior Court under the UCD for adult criminal
- UCD: 59,718 cases

## Court Alternative Dispute Resolution Services FY 16

- All disputed family matters, other than protection from abuse and protective custody, referred to mediation – 3,465 cases mediated
- Small claims – 603 cases mediated
- FEDs (Evictions) – 426 cases mediated

## Foreclosure Diversion Program Calendar Year 2015

- Statewide program began January, 2010
- Approx 35 foreclosure mediators
- Residential Foreclosure Case Filings – 1906 (down from 4756 in 2013)
- Total cases mediated: 732
- Total mediation sessions: 978
- Average is 1.3 sessions per case

## Superior Court Filings FY 2016

- 3,731 Civil
- 59,718 UCD –Joint Jurisdiction / Dist. Ct.
- 100 BCD Superior Court Justices



## Superior Court

- 17 courthouses- each county & two in Aroostook: Caribou & Houlton.
- The Superior Court hears criminal and civil cases, except family matters, juvenile, small claims, and civil violations
- The Superior Court also hears appeals from state agencies and local government decisions
- Jury trials *only* take place in Superior Court



## UNIFIED CRIMINAL DOCKETS- FY 16 — 59,718 CASES

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- Criminal 49,370
  - Civil Violations 10,348
  - Cases Resolved in District & Superior Courts
  - Judges authorized to sit in either trial court

## Business and Consumer Docket (BCD)

- Prompt judicial response in complex cases
- Increased efficiency
- Expedited process reduces legal costs
- Average No. of Parties per case: 9 separately represented parties
- 100 cases - FY' 16
- Total Dispositions - 90 cases FY 16
- Complex cases resolved in an average of 11 months
- Relieves burden on other courts

## Supreme Judicial Court- 652 appeals filed in FY 2016

The Supreme Judicial Court is the governing body of the Judicial Branch and, sitting as the Law Court, is the court of final appeal.



## Supreme Judicial Court con't

- Regulates the Practice of Law
- Establishes Rules of Procedure, Civil, Criminal, Probate, Family
- Admits Lawyers to the Bar
- Establishes Ethical Rules of Conduct for Judges, Lawyers and Guardians
- Disciplines Lawyers & Judges

## Supreme Judicial Court

- Appeals of family, civil, and criminal cases from the District and Superior Courts, and the UCD
- Appeals from the Probate Courts
- Appeals of decisions of the Public Utilities Commission and the Workers' Compensation Board.

## Supreme Judicial Court



L to R:

A.J. Jeffrey Hjelm, A.J. Ellen Gorman,  
A.J. Donald G. Alexander, C.J. Leigh Saufley, A.J. Andrew  
Mead, A.J. Joseph Jabar, A.J. Thomas Humphrey

## The Chief Justice



Chief Justice Leigh I. Saufley

- Is the head of the Judicial Branch
- Prepares the JB budget
- Responsible for efficient operation of the branch
- Appoints the “Chiefs” of the Trial Courts

## Judges and Family Law Magistrates

- Judges are nominated by the Governor for seven year terms.
- Confirmed by the Legislature.
- There are 39 DC judges, 17 SC justices and 7 SJC justices.
- The 8 Family Law Magistrates (FLMs) are judicial officers of limited jurisdiction who work in the Family Division in the District Court.

## Clerks of Court

- Significant duties prescribed by law
- Maintain records of civil and criminal cases
- Account for monies received
- Administer oaths
- Issue warrants
- 257 positions including VB & Service Center

## State Court Administrator

- The SCA reports to the Chief Justice and manages the business affairs of the courts.
- The SCA heads the Administrative Office of the Courts. The AOC provides operational support to the courts.



James T. Glessner

## Administrative Office of the Courts

- The AOC

- Collects statistical information
- Oversees financial affairs, including fine collection
- Helps develop fiscal impact statements
- Maintains the physical facilities
- Supports technology/computer operations
- Provides court security through the marshals
- Provides education & training programs
- Prepares the annual report
- Maintains web site: <http://www.courts.maine.gov>
- Human Resources

## Financial

FY 16 GF Expenditures- \$67.2 M, inc. \$10.3 M debt service

FY 16 Revenue Collected - \$36.6 M -- \$28.2 M to GF

Approx 77% of revenue collected goes to the General Fund, balance to other agencies, highway fund, jail fund, MCJA; <6% to the Courts (Mediation, Foreclosure, Publications, Capital Improvements)

FY 17 GF Budget - - \$70.6 M, inc.\$10.6 M debt service

Biennial Budget submitted to Governor & approved by Legislature

## Current Challenges

- Facilities – 17 courthouses > 50 years old, including 12 > 100 years old-- 3 under construction
- Technology –Working to improve public service and access through technology
- CMS & E-Filing –contract planned 2016
- Security – Insufficient entry screening
- More Legal Aid--Access to Justice for low & middle income unrepresented *civil* litigants

## Recent Accomplishments

- Consolidation of Clerk' s offices-
  - 45 clerk's offices reduced to 29
- Courthouse Consolidations
  - courts are consolidated into single buildings as older courthouses are renovated – Houlton, Bangor, Dover-Foxcroft, Augusta
- Unified Criminal Docket implemented
- Compliance w/ ADA
- Service Center
- Renovation/replacement of aging facilities- Kennebec & Washington Counties
- Digital Electronic Recording Implemented
- E-Warrants Implemented
- Court Management System & E-Filing – in progress
- Centralized record checks

## Jurors

- Drawn from drivers' license list
- Paid \$15/day (up from \$10/day)
- \$0.44/mile (up from 0.15/mile)
- Request for excusal – to the trial judge
- Absolutely critical to the functioning of criminal & civil justice



Jury

Defendant

### Would this seem fair to you?

Since our nation's founding, the right to trial by a jury of one's peers has been a fundamental principle of our democracy. But fulfilling this principle and ensuring equal justice under the law depends on each of us doing our part. So be a peer and report for jury service. The Utah State Courts thanks you!

Utah State Courts [www.utcourts.gov](http://www.utcourts.gov)



## Justice is not an Optional Government Program

*"The administration of justice is the firmest pillar of government"* George Washington

*"We the people of Maine, in order to establish justice . .  
. do ordain and establish the following Constitution"*