

The Maine Judicial Branch 2020

MISSION

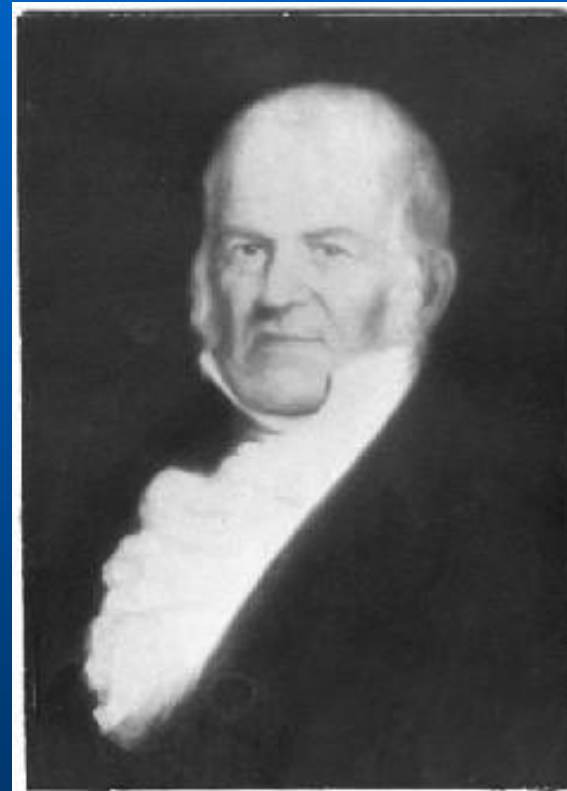
To administer justice by providing a safe, accessible, efficient and impartial system of dispute resolution that serves the public interest, protects individual rights, and instills respect for the law.

Courts In Maine

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

History

- 1820 Supreme Judicial Court established
- 1930 Superior Courts established statewide
- 1965 District Court replaced 50 municipal courts
- 1976 unification of state courts (except Probate Courts)



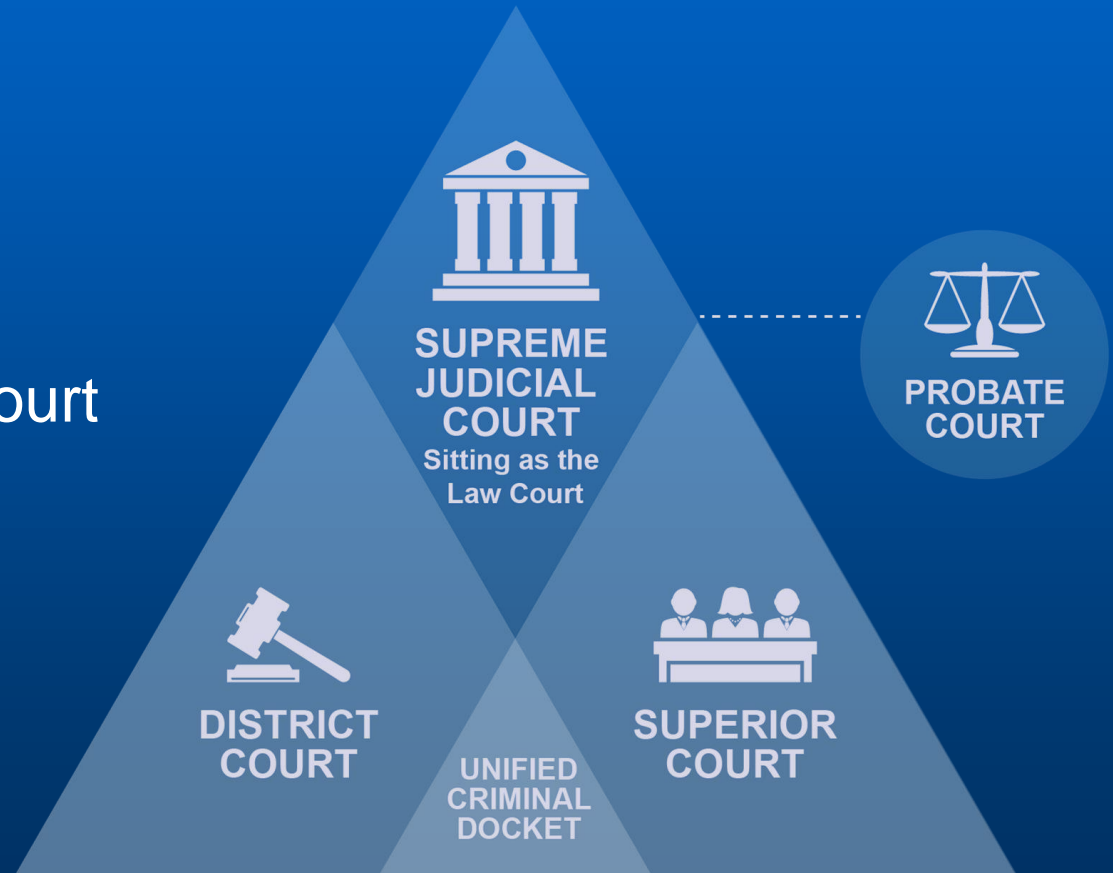
Prentiss Mellen
Chief Justice 1820-1834

At a Glance

- Population served - 1,344,212
- Geographic Area - 35,387 sq.mi.
- 34 courthouses (down from 42 in 2002)
- 56 trial judges
- FY '20 Violations Bureau filings 56,221
- FY '20 All other trial court filings 86,794
- FY '20 Total trial courts & VB 143,015
- FMI: <http://www.courts.maine.gov>

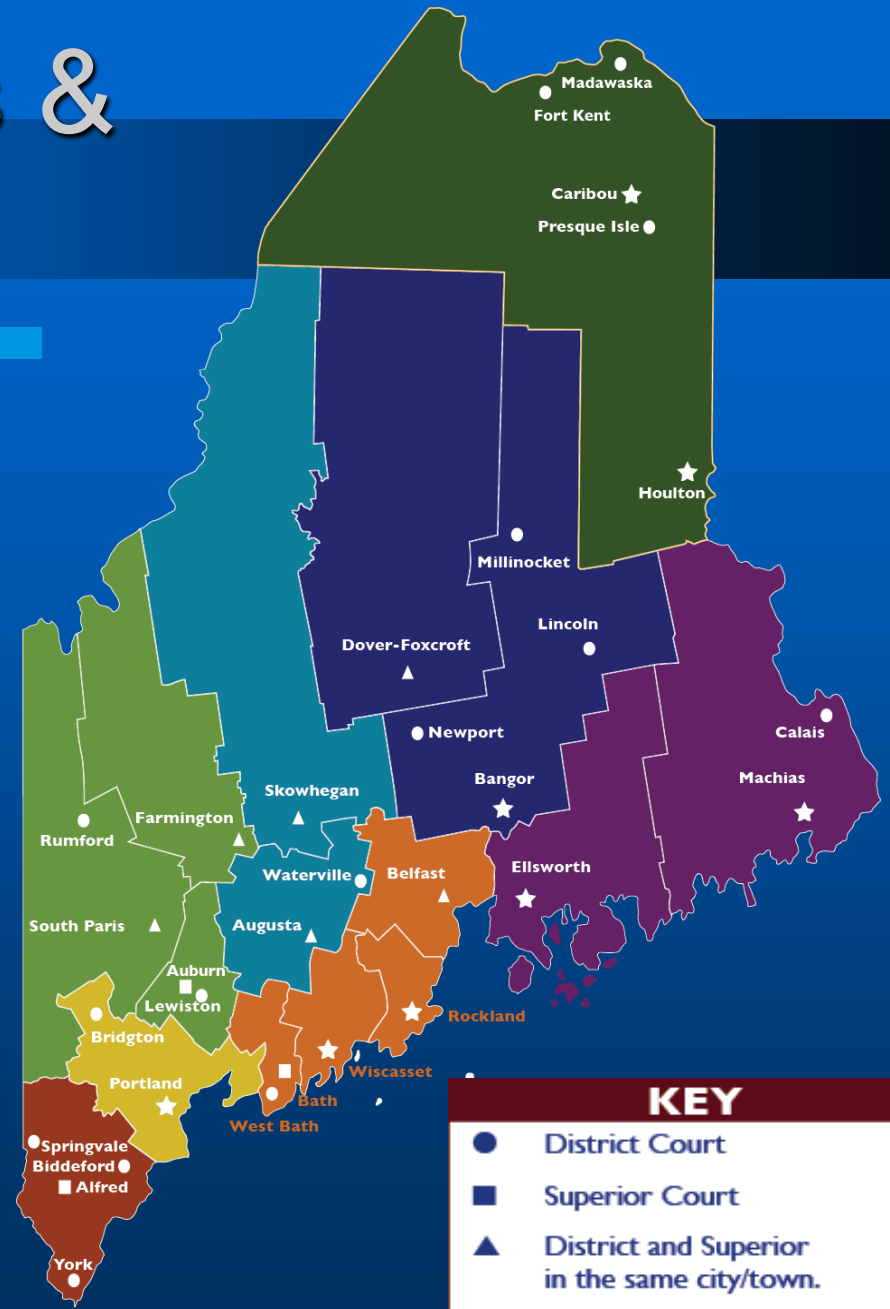
State Court Structure: 2 Trial Courts & 1 Appellate

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



Court Locations & Regions

- 8 judicial regions
- Counties grouped together by color are part of a single region where resources and scheduling are coordinated
- 34 courthouses—10 are state-owned; 10 county-owned; 4 county-state joint ownership; 10 leased; 90 courtrooms
- Number of courthouses has been reduced through and consolidation and new facilities



District Court

- **Total Civil Cases FY '20 – 15,394**
- **PFA (Abuse) – 5,454**
- **PFH (Harassment) – 1,999**
- **Juvenile – 1,149**
- **Small Claims – 5,276**
- **FEDs (Evictions) – 3,858**
- **Mental Health Commitments – 1,190**

District Court continued

- **Contract – 2,574**
- **Money judgments – 1,504**
- **Divorce w/ children – 2,088**
- **Divorce w/o children – 2,475**
- **Parental rights & resp – 1,581**
- **Family post judgment – 4,629**
- **Child protective – 1,222**

District Court Criminal & Juvenile

- **1,149 juvenile cases**
- **45,911 UCD cases, shared jurisdiction with Superior Court for adult criminal**

Court Alternative Dispute Resolution Services FY 20

- All disputed family matters, other than protection from abuse and protective custody, referred to mediation – 3,550 mediation sessions
- Small claims – 383 cases mediated
- FEDs (Evictions) – 368 cases mediated
- Foreclosure – 408 cases mediated

Superior Court Filings

FY 2020

- 45,911 UCD – Joint jurisdiction with District Court
- 2,758 Civil
- 61 Business & Consumer Docket

Superior Court

- 17 locations – one per county except for Aroostook which has two: 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
- Civil jury trials *only* take place in Superior Ct

Jurors

- Absolutely critical to the functioning of criminal & civil justice
- Drawn from drivers' license list, state ID holders, people who have asked to be added
- Paid \$15/day
- \$0.44/mile
- Judges are flexible in responding to juror scheduling challenges

Supreme Judicial Court - 469 appeals filed in FY 2020

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

- Regulates the practice of law
- Establishes rules of procedure: civil, criminal, probate, family, electronic court systems (new as of 8/20)
- Admits lawyers to the bar
- Establishes ethical rules of conduct for judges, lawyers, and guardians
- Disciplines lawyers and 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



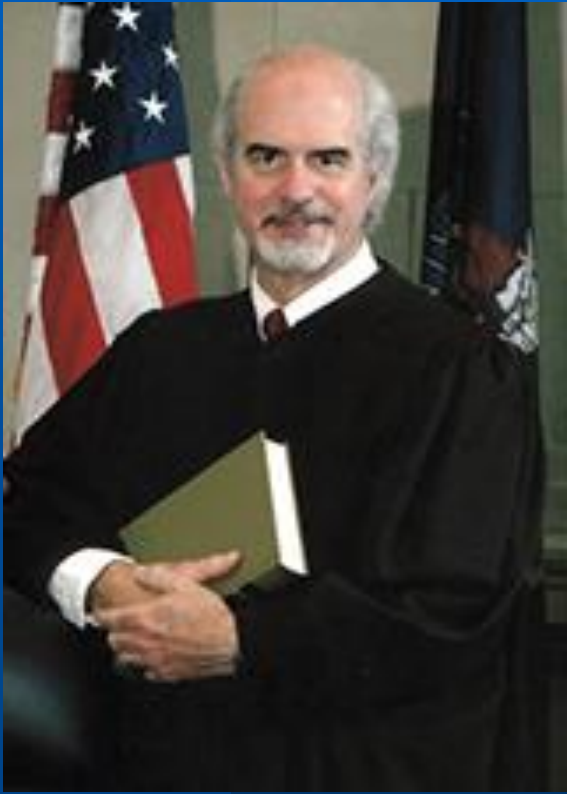
Pictured from left (2019): A.J.Hjelm (retired); A.J. Gorman; A.J. Alexander (retired); C.J. Saufley (resigned); A.C.J. Mead; A.J. Jabar; A.J. Humphrey. Not pictured: A.J. Andrew Horton and A.J. Catherine Connors.

Acting C.J. Andrew Mead

A.J. Joseph Jabar
A.J. Ellen Gorman
A.J. Andrew Horton

A.J. Thomas Humphrey
A.J. Catherine Connors
C.J.: VACANT

The Chief Justice



Acting Chief Justice Andrew Mead

- Is the head of the Judicial Branch
- Prepares the JB budget with the State Court Administrator
- Responsible for efficient operation of the branch
- Appoints the “Chiefs” of the Trial Courts
- A new Chief Justice will be appointed during the 130th Leg.

Appointment of Judges and Justices

- Nominated by the Governor
- Reviewed by the Judiciary Committee
- Confirmed by the Senate
- Serve 7-year terms

Clerks of Court

- Primary contact for the public
- Staff the windows and phones
- Staff the courtrooms, create court record
- Schedule court hearings and provide notices to parties
- Record payments and other info (protection orders, bail, warrants, and extradition)
- Clerk staff comprise more than half of the entire staff of the Judicial Branch.

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:

- Oversees operations of the Judicial Branch including human resources & tech resources
- Collects statistical information
- Oversees the JB budget and financial affairs
- Develops and implements statewide JB policy and procedures
- Maintains the physical facilities
- Provides court security through the marshals
- Provides education & training programs
- Prepares the annual report
- Maintains web site: <http://www.courts.maine.gov>

eCourts and eFileMaine

- Launch of electronic court processes is underway
- eCourts Public Portal: find and pay fines in traffic violation cases since 2018; digitized information available on cases in courts where eFiling has been implemented beginning November 2020
- eFileMaine: beginning November 30 in Bangor courts and the BCD most civil and family cases will be required to be eFiled
- Completion of statewide implementation expected by 2022

COVID-19 and the Courts

- Courts remained open through the pandemic. Focus has been on cases involving life or liberty issues
- Struggle to balance access to justice w/ public safety
- Safety precautions, incl. enhanced entry screening, and remote proceedings have been effective
- Shortage of marshals = some courts are not open to the public on some days
- Jury trials: a handful have been held successfully, but very resource-intensive
- PMOs and Phased Management Plan can be viewed on website: courts.maine.gov/covid19.shtml

Remote hearings and mediations

- Zoom licenses purchased for conducting remote proceedings (Zoom platform best-suited for complex or multi-party proceedings)
- While successful, holding remote hearings does not yet replicate pre-COVID resolution numbers
- Problems with remote technology: compatibility with current systems; all parties maintaining a strong connection to avoid freezing and delays

Helpful Information

- Judges cannot discuss individual cases.
- Judicial Branch happy to help with the provision of info and statistics. Patience needed due to antiquated data system.
- Need something? Please contact Amy Quinlan, Director of Communications, or Julie Finn, Legislative Analyst

Questions?

