



Administrative Office of the Courts

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September 1, 2009

Joint Standing Committee on Appropriations and Financial Affairs
5 State House Station
Augusta, Maine 04333-0005

Re: AFA letter of August 18, 2009

Dear Senator Diamond, Representative Cain, and Members of the Appropriations Committee,

This is in response to the AFA Committee letter of August 18, 2009. You have requested that all "agencies submit a list of programs grouped in such a way that it is clear which programs are "high priority" or "mission critical and which programs are not vital to the core mission."

As the Committee knows, in the Judicial Branch we have no programs. We have people and buildings, which exist for one reason: to resolve disputes arising under the constitution and laws of the state. To the extent that anything could be said to resemble a "program" it would be in the nature of a "diversion" from the court process such as mediation, which is supported by fees on litigants.

In recent years, like much of state government, we have operated with a bare-bones Judicial Branch budget. Unlike much of state government, however, we have no control over the Branch's workload. We must provide a forum for every case that comes before us. I am enclosing a copy of our five-year case filings that I am sure you will find interesting. The civil filings, such as foreclosures and small and large claims, have seen a steep increase in recent years due to the economy.

We very much appreciate the difficult task before the Committee. We also appreciate your recognition that further across the board cuts will endanger the core mission of government. The core mission of the judiciary has already been affected. In the last biennium we managed the budget shortfall and the increased indigent legal services costs by maintaining vacancies. This resulted in reduced public hours in many of the courthouses - particularly in southern Maine, and a substantial reduction in security such as entry screening. Additional cuts can only further decrease Maine peoples' access to justice.

Please let us know if we can provide further information.

Sincerely,

James T. Glessner
State Court Administrator

cc: Mary Ann Lynch, Director of Court Information

JTG/dl

O.F.P.R.
2009 SEP -1 PM 12: 22

MAINE STATE COURT CASE FILINGS 5 Year Trend

AC-T1

Numbers include original/new filings only; no post-judgment activity

	FY'05	FY'06	FY'07	FY'08	FY'09	1 year % Change 08 - '09	5 year % Change 05-'09
LAW COURT							
Civil	478	529	539	541	498	-7.9%	4.2%
Criminal	151	180	181	154	168	9.1%	11.3%
Sentence Review Panel	54	51	54	60	42	-30.0%	-22.2%
TOTAL	683	760	774	755	708	-6.2%	3.7%
SUPERIOR COURT							
Civil	3,966	4,208	4,630	4,463	4,189	-6.1%	5.6%
Criminal (a)	12,068	14,003	14,660	14,813	12,109	-18.3%	0.3%
TOTAL	16,034	18,211	19,290	19,276	16,298	-15.4%	1.6%
DISTRICT COURT							
CIVIL FILINGS:							
General Civil	9,234	9,361	11,701	15,149	16,393	8.2%	77.5%
Money Judgments	3,441	3,588	3,122	4,947	4,786	-3.3%	39.1%
Small Claims	9,476	9,166	8,880	8,851	11,392	28.7%	20.2%
Forcible Entry	4,316	4,488	4,771	4,947	4,786	-3.3%	10.9%
Administrative	266	324	463	482	582	20.7%	118.8%
Mental Health	738	752	893	975	1,008	3.4%	36.6%
Protection From Harassment	4,467	4,595	4,622	4,584	4,022	-12.3%	-10.0%
Protection From Abuse	6,506	6,317	6,083	6,123	6,130	0.1%	-5.8%
Child Protective	600	665	693	834	755	-9.5%	25.8%
Divorce	6,677	6,820	6,521	6,604	6,712	1.6%	0.5%
Paternity/Parent Rights	1,877	1,894	2,100	1,973	2,189	10.9%	16.6%
Other Family Matters (b.)	520	484	473	444	415	-6.5%	-20.2%
<i>Civil Sub Total :</i>	48,118	48,454	50,322	55,913	59,170	5.8%	23.0%
JUVENILE FILINGS:	4,159	4,481	4,358	3,975	3,504	-11.8%	-15.7%
ADULT CRIMINAL FILINGS:							
Adult Criminal A-E, inc. Crim. Traf.	60,465	59,117	58,340	56,407	54,249	-3.8%	-10.3%
CIVIL VIOLATIONS	14,841	15,491	15,415	15,586	15,970	2.5%	7.6%
Local District Cts: Sub Total	127,583	127,543	128,435	131,881	132,893	0.8%	4.2%
Violations Bureau- TRAFFIC INFRACT.	136,104	134,742	129,732	131,915	140,580	6.6%	3.3%
DISTRICT CT. TOTAL, inc. VB	263,687	262,285	258,167	263,796	273,473	3.7%	3.7%
GRAND TOTAL, All Courts	280,404	281,256	278,231	283,827	290,479	2.3%	3.6%

SOURCE: MEJIS DataWarehouse, refresh 7/22/09; Law Ct: Filemaker Database

NOTE: This table reports only new filings -- NO post-judgment activity such as Probation Violations or Post-judgment in Family/Divorce cases

(a.) Statewide Child Prot case filings include only original new case filings. PC cases transferred between courts are not counted as filings in state figure. Individ. Court figures DO include PC cases received/filed by transfer.

Therefore, total of indiv. courts will not equal state total for PC.

(b.) As of FY'09, Adult Crim case counts include all cases filed in UCD in Cumberland County

(c.) FY'08: VB ended yr w/ backlog of 7,413 unentered tickets. FY'09: VB ended yr w/ backlog of 9,835 unentered tickets. SOME, BUT NOT ALL, OF THESE TICKETS ARE ALREADY REPORTED IN THE # OF FILINGS. Because there is no way to tell how many have already been entered, this backlog # should not be added to the # of filings.

MAINE DISTRICT COURT CASE FILINGS -- 5 Year Trend
STATEWIDE FY'08 & FY'09 UPDATED ONLY 8.31.09

DC-T-1

STATE TOTAL	FY'03	FY'04	FY'05	FY'06	FY'07	FY'08	FY'09	1 year	5 year	DISPO	CLEAR
								% Change	% Change		
								FY'08 -FY'09	FY'05 -FY'09		
CIVIL FILINGS:											
General Civil	9,054	8,940	9,234	9,361	11,701	15,149	16,393	8.2%	77.5%	15,228	92.9%
Money Judgments	3,612	3,622	3,441	3,588	3,122	4,947	4,786	-3.3%	39.1%	4,651	97.2%
Small Claims	9,826	8,884	9,476	9,166	8,880	8,851	11,392	28.7%	20.2%	9,892	86.8%
Forcible Entry	4,063	4,178	4,316	4,488	4,771	4,947	4,786	-3.3%	10.9%	4,651	97.2%
Administrative	378	252	266	324	463	482	582	20.7%	118.8%	603	103.6%
Mental Health	797	771	738	752	893	975	1,008	3.4%	36.6%	1,015	100.7%
Protection From Harassment	5,298	4,699	4,467	4,595	4,622	4,584	4,022	-12.3%	-10.0%	3,840	95.5%
Protection From Abuse	6,505	6,497	6,506	6,317	6,083	6,123	6,130	0.1%	-5.8%	6,093	99.4%
Child Protective (a.)	771	687	600	665	693	834	755	-9.5%	25.8%	811	107.4%
Divorce	6,899	6,643	6,677	6,820	6,521	6,604	6,712	1.6%	0.5%	6,519	97.1%
Paternity/Parent Rights	1,736	1,808	1,877	1,894	2,100	1,973	2,189	10.9%	16.6%	1,992	91.0%
Other Family Matters	439	449	520	484	473	444	415	-6.5%	-20.2%	409	98.6%
Civil Sub Total (new filings):	49,378	47,430	48,118	48,454	50,322	55,913	59,170	5.8%	23.0%	55,704	94.1%
JUVENILE FILINGS:											
Juvenile	4,594	4,609	4,159	4,481	4,358	3,975	3,504	-11.8%	-15.7%	3,660	104.5%
ADULT CRIMINAL FILINGS: (b.)											
Adult Criminal A-E, inc. Crim. Traf.	59,623	61,853	60,465	59,117	58,340	56,407	54,249	-3.8%	-10.3%	53,036	97.8%
CIVIL VIOLATIONS	14,248	15,171	14,841	15,491	15,415	15,586	15,970	2.5%	7.6%	15,516	97.2%
Courts: Sub Total, New Filings	127,843	129,063	127,583	127,543	128,435	131,881	132,893	0.8%	4.2%	127,916	96.3%
Violations Bureau- TRAFFIC INF. (c.)	135,383	138,649	136,104	134,742	129,732	131,915	140,580	6.6%	3.3%	141,927	101.0%
GRAND TOTAL, including VB	263,226	267,712	263,687	262,285	258,167	263,796	273,473	3.7%	3.7%	259,831	95.0%

SOURCE: MEJIS DataWarehouse, refresh 7/22/09

NOTE: This table reports only new filings -- NO post-judgment activity such as Probation Violations or Post-judgment in Family/Divorce cases

(a.) Statewide Child Prot case filings include only original new case filings. PC cases transferred between courts are not counted as filings in state figure. Individ. Court figures DO include PC cases received/ filed by transfer.

Therefore, total of indiv. courts will not equal state total for PC.

(b.) As of FY'09, Adult Crim case counts include all cases filed in UCD in Cumberland County

(c.) FY'08: VB ended yr w/ backlog of 7,413 unentered tickets. FY'09: VB ended yr w/ backlog of 9,835 unentered tickets. SOME, BUT NOT ALL, OF THESE TICKETS ARE ALREADY REPORTED IN THE # OF FILINGS. Because there is no way to tell how many have already been entered, this backlog # should not be added to the # of filings.

MAINE SUPERIOR COURT CASE FILINGS -- 5 Year Trend

SC-T-1

NOTE: As of 8.31.09, civil appeals #'s assumed to be the same as FY'08 (9 courts' data not yet received)

		FY'05	FY'06	FY'07	FY'08	FY'09	1 year	5 year	DISPOS	CLEAR
							% Change	% Change		FY'09
							FY'08 -FY'09	FY'05 -FY'09	FY'09	FY'09
STATE TOTAL	Civil	3,966	4,208	4,630	4,463	4,189	-6.1%	5.6%	4,285	102.3%
	Criminal	12,068	14,003	14,660	14,813	12,109	-18.3%	0.3%	12,936	106.8%
	TOTAL	16,034	18,211	19,290	19,276	16,298	-15.4%	1.6%	17,221	105.7%
ANDROSCOGGIN	Civil	316	344	331	341	367	7.6%	16.1%	369	100.5%
	Criminal	1,112	1,310	1,287	1,329	1,371	3.2%	23.3%	1,336	97.4%
	TOTAL	1,428	1,654	1,618	1,670	1,738	4.1%	21.7%	1,705	98.1%
AROOSTOOK	Civil	222	219	289	307	273	-11.1%	23.0%	293	107.3%
	Criminal	555	689	630	823	772	-6.2%	39.1%	720	93.3%
	TOTAL	777	908	919	1,130	1,045	-7.5%	34.5%	1,013	96.9%
CUMBERLAND (1)	Civil	979	1,054	1,149	1,052	1,078	2.5%	10.1%	1,088	100.9%
	Criminal	2,963	3,229	3,476	3,272	1,113	-66.0%	-62.4%	2,277	204.6%
	TOTAL	3,942	4,283	4,625	4,324	2,191	-49.3%	-44.4%	3,365	153.6%
FRANKLIN	Civil	81	76	79	61	59	-3.3%	-27.2%	61	100.0%
	Criminal	248	408	413	430	399	-7.2%	60.9%	422	98.1%
	TOTAL	329	484	492	491	458	-6.7%	39.2%	483	98.4%
HANCOCK	Civil	144	140	161	152	125	-17.8%	-13.2%	129	84.9%
	Criminal	331	404	392	355	335	-5.6%	1.2%	245	69.0%
	TOTAL	475	544	553	507	460	-9.3%	-3.2%	374	73.8%
KENNEBEC	Civil	445	508	527	625	534	-14.6%	20.0%	531	85.0%
	Criminal	792	1,091	1,179	1,047	993	-5.2%	25.4%	920	87.9%
	TOTAL	1,237	1,599	1,706	1,672	1,527	-8.7%	23.4%	1,451	86.8%
KNOX	Civil	138	110	144	128	132	3.1%	-4.3%	136	106.3%
	Criminal	492	589	567	491	333	-32.2%	-32.3%	420	85.5%
	TOTAL	630	699	711	619	465	-24.9%	-26.2%	556	89.8%
LINCOLN	Civil	108	120	122	91	104	14.3%	-3.7%	121	133.0%
	Criminal	305	361	403	390	270	-30.8%	-11.5%	381	97.7%
	TOTAL	413	481	525	481	374	-22.2%	-9.4%	502	104.4%
OXFORD	Civil	154	138	183	178	143	-19.7%	-7.1%	125	70.2%
	Criminal	517	608	519	594	553	-6.9%	7.0%	598	100.7%
	TOTAL	671	746	702	772	696	-9.8%	3.7%	723	93.7%
PENOBSCOT	Civil	385	403	494	489	487	-0.4%	26.5%	476	97.3%
	Criminal	1,008	1,139	1,146	1,139	1,240	8.9%	23.0%	1,232	108.2%
	TOTAL	1,393	1,542	1,640	1,628	1,727	6.1%	24.0%	1,708	104.9%
PISCATAQUIS	Civil	33	32	38	50	22	-56.0%	-33.3%	25	50.0%
	Criminal	65	85	90	82	94	14.6%	44.6%	85	103.7%
	TOTAL	98	117	128	132	116	-12.1%	18.4%	110	83.3%
SAGadahoc	Civil	81	101	94	111	85	-23.4%	4.9%	83	74.8%
	Criminal	203	238	308	346	354	2.3%	74.4%	335	96.8%
	TOTAL	284	339	402	457	439	-3.9%	54.6%	418	91.5%
SOMERSET	Civil	116	117	152	124	104	-16.1%	-10.3%	98	79.0%
	Criminal	434	510	592	577	520	-9.9%	19.8%	525	91.0%
	TOTAL	550	627	744	701	624	-11.0%	13.5%	623	88.9%
WALDO	Civil	86	99	103	90	75	-16.7%	-12.8%	94	104.4%
	Criminal	288	306	395	358	426	19.0%	47.9%	439	122.6%
	TOTAL	374	405	498	448	501	11.8%	34.0%	533	119.0%
WASHINGTON	Civil	69	80	111	82	70	-14.6%	1.4%	69	84.1%
	Criminal	242	344	363	283	308	8.8%	27.3%	284	100.4%
	TOTAL	311	424	474	365	378	3.6%	21.5%	353	96.7%
YORK	Civil	609	667	653	582	531	-8.8%	-12.8%	587	100.9%
	Criminal	2,513	2,692	2,900	3,297	3,028	-8.2%	20.5%	2,717	82.4%
	TOTAL	3,122	3,359	3,553	3,879	3,559	-8.2%	14.0%	3,304	85.2%

Criminal includes only cases filed, not refiled (probation revocations or new trials).

Civil includes all civil, real estate, and appeal cases (inc. 80B/80C)

DATA SOURCES:

MEJIS Datawarehouse (refresh 7/22/09) & manual count for 80B/80C and civil appeals

(1) Beginning in FY'09, Cumberland County Unified Criminal Docket (UCD) cases are reported in Portland District Court

MAINE LAW COURT CASE FILINGS -- 5 Year Trend

LC-T-1

	<u>FY'05</u>	<u>FY'06</u>	<u>FY'07</u>	<u>FY'08</u>	<u>FY'09</u>	1 year % Change FY'08-FY'09	5 year % Change FY'05-FY'09	DISPOS <u>FY'09</u>	CLEAR <u>RATE</u> <u>FY'09</u>
CIVIL FILINGS									
General Civil	185	208	193	216	194	-10.2%	4.9%	229	106.0%
Worker's Comp	94	94	100	98	58	-40.8%	-38.3%	73	74.5%
Child Protective	44	41	45	49	41	-16.3%	-6.8%	61	124.5%
Family/Divorce	80	102	127	102	97	-4.9%	21.3%	122	119.6%
Protection:Abuse/Harassme	26	28	18	26	33	26.9%	26.9%	36	138.5%
80B/80C	28	29	30	21	39	85.7%	39.3%	33	157.1%
Probate	12	19	15	19	25	31.6%	108.3%	18	94.7%
Violations Bureau/Traffic Infr	6	8	9	8	10	25.0%	66.7%	12	150.0%
PUC	3	0	2	2	1	-50.0%	-66.7%	2	100.0%
TOTAL CIVIL - FILINGS	478	529	539	541	498	-7.9%	4.2%	586	108.3%
CRIMINAL FILINGS									
Criminal	113	139	121	117	127	8.5%	12.4%	128	109.4%
Criminal- Discretionary	38	41	60	37	41	10.8%	7.9%	62	167.6%
Sentence Review Panel	54	51	54	60	42	-30.0%	-22.2%	48	80.0%
TOTAL CRIMINAL - FILINGS	205	231	235	214	210	-1.9%	2.4%	238	111.2%
TOTAL -- ALL	683	760	774	755	708	-6.2%	3.7%	824	109.1%

#'s from Law Ct. Filemaker system; FY'09 reports run by M. Pollack 8.31.09