

MAINE STATE LEGISLATURE

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ROES

L.D. 1618

Date: 5/19/25

(Filing No. H-199)

JUDICIARY

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STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1072, L.D. 1618, "Resolve, to Study the Feasibility of Establishing a Dedicated Family Court in Maine"

Amend the resolve by striking out all of section 2 and inserting the following:

'Sec. 2. Study group membership. Resolved: That, notwithstanding Joint Rule 353, the study group consists of 13 members appointed as follows:

1. Two members of the Senate, appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

2. Two members of the House of Representatives, appointed by the Speaker of the House, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

3. Three members representing the judicial branch, appointed by the Chief Justice of the Supreme Judicial Court;

4. One member representing a child welfare advocacy organization, appointed by the President of the Senate;

5. One member who is a guardian ad litem, appointed by the President of the Senate;

6. One member who is an individual with personal experience with family law proceedings in court, appointed by the President of the Senate;

7. One member representing the Family Law Advisory Commission under the Maine Revised Statutes, Title 19-A, chapter 5, appointed by the Speaker of the House;

8. One member representing a statewide coalition of domestic violence projects, appointed by the Speaker of the House; and

9. One member who is an individual with personal experience with family law proceedings in court, appointed by the Speaker of the House.'

Amend the resolve by striking out all of section 5 and inserting the following:

COMMITTEE AMENDMENT

ROES

'Sec. 5. Duties. Resolved: That the study group shall comprehensively evaluate the feasibility, potential benefits and challenges associated with establishing a dedicated family court system, which must include examination and consideration of:

1. Best practices in other states with dedicated family courts;

2. How best to structure a dedicated family court to ensure that it is available and accessible to parties across all areas of the State, including rural areas. The study group shall consider whether specific judges, mediators and other court staff should be assigned to work exclusively on family matters cases and whether to require single-judge assignments for specific cases or specific families;

3. What categories of legal proceedings should be within the exclusive jurisdiction of a dedicated family court, such as all divorce, legal separation and annulment proceedings or only those proceedings involving minor children; paternity, parental rights and responsibilities and child support proceedings; some or all protection from abuse proceedings; child protection proceedings; and some or all guardianship, adoption and related proceedings under the Maine Uniform Probate Code;

4. Data on the volume of cases within the different categories identified in subsection 3 currently handled by the State's courts, the number of times individual cases are heard by multiple judges, the average time to resolution for these categories of cases and the potential for reducing delays and improving outcomes in these categories of cases through a dedicated family court; and

5. The resources required to establish a dedicated family court system.

In performing its duties under this section, the study group shall solicit the input, advice or participation of the Department of Health and Human Services, Office of Child and Family Services and the Department of Health and Human Services, Division of Support Enforcement and Recovery, attorneys within the Office of the Attorney General with experience in child protection proceedings and restorative justice professionals.'

Amend the resolve by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment requires that the legislative members of the Study Group to Research the Feasibility of Establishing a Dedicated Family Court in Maine, as established in the resolve, include members from each of the 2 parties holding the largest number of seats in the Legislature. It also provides that the Chief Justice of the Supreme Judicial Court appoints the 3 representatives of the judicial branch who serve as members of the study group. Finally, it provides more specificity regarding the duties of the study group and directs that, when performing those duties, the study group must solicit the input, advice or participation of the Department of Health and Human Services, Office of Child and Family Services and the Department of Health and Human Services, Division of Support Enforcement and Recovery, attorneys within the Office of the Attorney General with experience in child protection proceedings and restorative justice professionals.

FISCAL NOTE REQUIRED

(See attached)



132nd MAINE LEGISLATURE

LD 1618

LR 1804(02)

Resolve, to Study the Feasibility of Establishing a Dedicated Family Court in Maine

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Judiciary

Fiscal Note Required: Yes

"A" (H-199)

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The general operating expenses of this study are projected to be \$3,050 in fiscal year 2025-26. The Legislature's proposed budget for the 2026-2027 biennium includes \$22,196 in each of fiscal years 2025-26 and 2026-27 for the costs of legislative studies, as well as \$8,265 in projected balances from fiscal year 2024-25 and \$33,073 of balances carried over from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.