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1	L.D. 1810
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	MAJORITY
3	JUDICIARY
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	132ND LEGISLATURE
8	FIRST SPECIAL SESSION
9	COMMITTEE AMENDMENT "A" to H.P. 1211, L.D. 1810, "An Act to Formalize
10	a Process for Reviewing the Conduct of Judges and Justices"
11	Amend the bill by striking out the title and substituting the following:
12	'Resolve, to Establish the Commission to Study the Judicial Disciplinary Process'
13	Amend the bill by striking out everything after the title and inserting the following:
14 15	'Sec. 1. Commission established. Resolved: That the Commission to Study the Judicial Disciplinary Process, referred to in this resolve as "the commission," is established.
16 17	Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 13 members appointed as follows:
18 19	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;
20 21 22	2. Two members of the House of Representatives appointed by the Speaker of the House of Representatives, including one member from each of the 2 parties holding the largest number of seats in the Legislature;
23	3. Two members appointed by the Chief Justice of the Supreme Judicial Court;
24 25	4. One member representing the Maine State Bar Association, appointed by the Speaker of the House of Representatives;
26 27	5. One member representing the Maine Trial Lawyers Association, appointed by the President of the Senate;
28 29	6. One member representing the Maine Association of Criminal Defense Lawyers, appointed by the Speaker of the House of Representatives;
30 31	7. One member representing the Maine Prosecutors' Association, appointed by the President of the Senate;
32	8. Two members of the public, appointed by the Governor; and
33	9. The Governor or the Governor's designee.

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COMMITTEE AMENDMENT

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In appointing members of the commission, the appointing authorities shall ensure the racial, gender and socioeconomic diversity, as well as geographic diversity of the commission.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

15 Sec. 5. Duties. Resolved: That the commission shall examine the existing rules 16 adopted by the Supreme Judicial Court regarding judicial discipline of probate court, 17 District Court, Superior Court and Supreme Judicial Court judges and justices to determine 18 whether the rules are adequate or whether changes should be made to those rules to enhance 19 public trust and respect for the judicial system and the delivery of justice in the State. In 20 performing this duty, the commission shall:

Review the rules, statutes and constitutional provisions governing judicial discipline
 in other states, including information compiled by the National Center for State Courts
 regarding different models of judicial discipline as well as the Model Rules for Judicial
 Disciplinary Enforcement adopted by the American Bar Association;

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 2. Consider the necessity of establishing specific rules for processing allegations of
 judicial misconduct involving justices of the Supreme Judicial Court;

27 3. Consider the type of sanctions that may be imposed in judicial disciplinary
28 proceedings, including by considering who has the authority under the Constitution of
29 Maine to impose which types of discipline;

4. Consider the appropriate time frame for resolution of judicial disciplinary
 proceedings, including by examining whether and under what circumstances judicial
 disciplinary proceedings should be expedited; and

5. Evaluating whether, given the separation of powers provisions of the Constitution
of Maine, new or expanded rules governing judicial discipline can and should be adopted
by the Legislature by statute or by the Supreme Judicial Court by rule or administrative
order.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide
 necessary staffing services to the commission, except that Legislative Council staff support
 is not authorized when the Legislature is in regular or special session.

40 **Sec. 7. Report. Resolved:** That, no later than December 3, 2025, the commission 41 shall submit a report that includes its findings and recommendations, including any 42 suggested legislation, for presentation to the Joint Standing Committee on Judiciary. The

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COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 1211, L.D. 1810

Joint Standing Committee on Judiciary may report out legislation regarding the subject matter of the report to the Second Regular Session of the 132nd Legislature.'

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

SUMMARY

This amendment, which is the majority report of the committee, replaces the bill with a resolve establishing the Commission to Study the Judicial Disciplinary Process. The 8 commission is required to examine the existing rules adopted by the Supreme Judicial 9 Court regarding judicial discipline of probate court, District Court, Superior Court and 10 Supreme Judicial Court judges and justices to determine whether the rules are adequate or whether changes should be made to those rules to enhance public trust and respect for the judicial system and the delivery of justice in the State and submit a report to the Joint Standing Committee on Judiciary by December 3, 2025 that includes its findings and 14 recommendations. The committee may report out legislation regarding the subject matter 15 of the report to the Second Regular Session of the 132nd Legislature.

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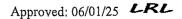
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FISCAL NOTE REQUIRED

(See attached)

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COMMITTEE AMENDMENT





132nd MAINE LEGISLATURE

LD 1810

LR 937(02)

An Act to Formalize a Process for Reviewing the Conduct of Judges and Justices

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-680) Committee: Judiciary Fiscal Note Required: Yes

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 balance. 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.

Fiscal Detail and Notes

Any additional costs to the Office of the Attorney General and the Office of the Governor from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.