

MAINE STATE LEGISLATURE

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2004 Maine Judicial Branch

ANNUAL REPORT

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.

Greetings from Chief Justice Leigh I. Saufley



photograph © Jack Montgomery

Leigh I. Saufley,
Chief Justice, Maine
Supreme Judicial Court

2004 was a year of great accomplishment and major initiatives in spite of substantial reductions in resources.

In 2004, the Judicial Branch implemented the New Model for Scheduling recommended by the Judicial Resource Team. The successes came quickly. The District Court reorganized its entire way of scheduling cases. As required by the Supreme Judicial Court, priority cases now receive

priority attention. Families, children, and matters involving allegations of violence or sexual assault receive priority on court schedules, and judicial resources are being re-allocated to allow those cases to be reached more quickly. The backlog of family cases has been greatly reduced.

More good news came at the very end of the 121st Legislature when the Appropriations Committee allocated \$100,000 to improving court security. Those funds have allowed us to create a system of random, although infrequent, entry screening in every courthouse. We are finally on our way to improving the safety of Maine's courthouses. Although further resources will be necessary to complete our efforts to keep

weapons out of the courtrooms of this state, the recognition of the problem by the Legislative and Executive Branches has been encouraging.

Work on all of these initiatives, including support for Drug Treatment Courts and Domestic Violence Courts, occurred in spite of the reductions in our personnel funding in the last biennium. As a direct result of those reductions, we have had an average of 25 positions vacant over the past 2 years. Those vacancies have substantially reduced our ability to serve the public. While focusing on priority cases, the clerks' offices have struggled to keep up with the necessary work to respond to the public's needs. The resulting delays in getting judgments, writs, information, and new schedules out to the public has been disheartening to the good people who serve in the Judicial Branch. It has been even more discouraging to see courthouses closed at times because of lack of staffing.

Despite newer and more efficient methods of case scheduling, a substantial inability to respond to the day-to-day needs of the public has made this year difficult for many who have needed access to justice. As we move forward, we are hopeful that basic funding will be restored so the public can be assured they will find access to justice when they need it.

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Revenue
Collected by
Judicial Branch:
\$38,917,688

Judicial Branch
Budget:
\$51,503,196
(1.9% of State
General Fund
Dollars)

Judges: 56
• Trial: 49
• Appellate: 7
Family Case
Management
Officers: 8

Clerks,
Security, and
Support Staff:
398

Courthouse Locations: 41

Population Served: 1,305,728

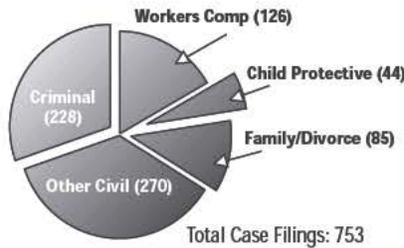
Geographic Area (in Square Miles): 35,387



MAINE'S COURT SYSTEM

Supreme Judicial Court

The Supreme Judicial Court, established in 1820, is the governing body of the Judicial Branch. Sitting as the Law Court, it is the court of final appeal. The court has seven (7) justices.



Administrative Office of the Courts

The Administrative Office of the Courts (A.O.C.) provides support services to the court system including: fiscal and personnel services, technology, planning, facilities management, grant oversight, legislative liaison, public information, library administration, statistical reporting, and training and education.



James "Ted" Glessner
State Court Administrator

District Court

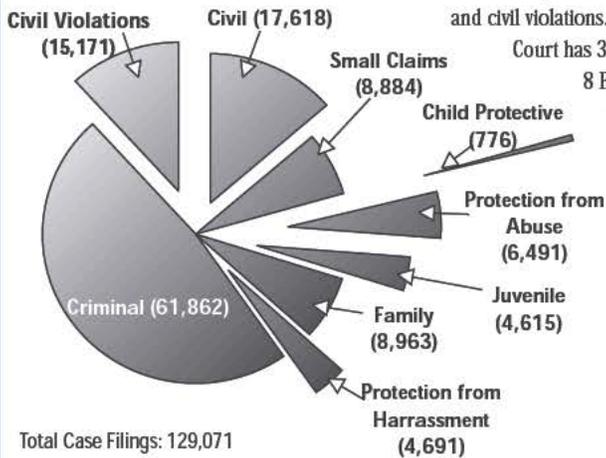


Chief Judge
Vendean V. Vafiades



Deputy Chief Judge
Robert E. Mullen

Established in 1961, the District Court includes the Family Division that hears divorce, parental rights and responsibilities, child protective, protection from abuse, and juvenile cases. Its caseload also includes protection from harassment, civil actions, small claims, criminal misdemeanors, traffic infractions, and civil violations. The District Court has 33 judges and 8 Family Case Management Officers.



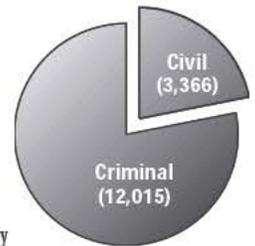
Superior Court

Established in 1930, the Superior Court hears criminal and civil cases including contract, tort, injunctive and regulatory matters. Jury trials are held only in the Superior Court, which has 16 justices.

photograph © Jack Montgomery



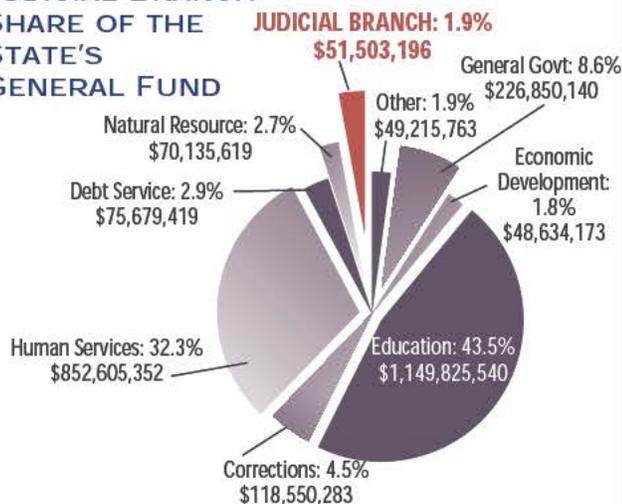
Chief Justice
Thomas E. Humphrey



• 138,673 Traffic Infractions were filed at the Maine Judicial Branch Violations Bureau. \$17,784,680 in revenue was collected through the Violations Bureau in FY'04, 48% of all fine and fee revenue collected by the Judicial Branch.

BUDGET

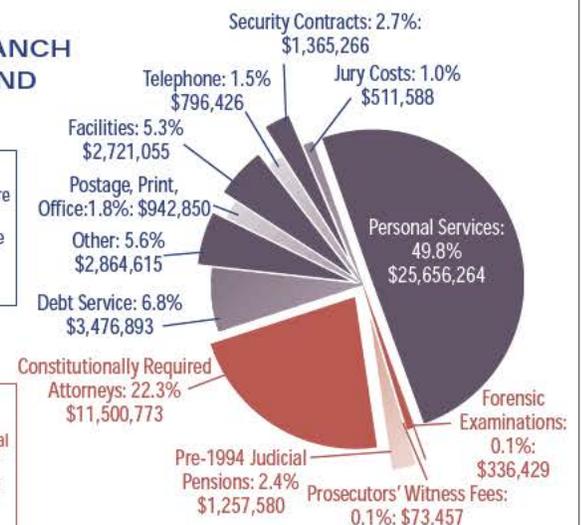
JUDICIAL BRANCH SHARE OF THE STATE'S GENERAL FUND



FY'04 JUDICIAL BRANCH GENERAL FUND BUDGET

• \$38,334,957 in General Funds were expanded to pay for costs of operating the Judicial Branch in FY'04

• \$13,168,239 was processed by the Judicial Branch in payments for expenses not related to daily operation.



JUDICIAL BRANCH INITIATIVES

Adult and Juvenile Drug Treatment Courts provide an opportunity for individuals to accept responsibility for their conduct, and enter rigorous treatment and monitoring programs designed to enable recovery from substance abuse. Those who do not comply with all conditions must serve their jail terms or pay the penalties related to their crimes.

Family Drug Treatment Courts actively work with families involved in child protective proceedings when substance abuse is a major contributing factor in abuse or neglect of the children.

The Domestic Violence Case Coordination Project provides a focused response to related cases. Both victims and defendants are linked to appropriate community resources. The project has also established a monitoring role for the courts to assure that offenders have fulfilled the requirements of the court's orders and are held accountable.

Behavioral/Mental Health Courts

Efforts are underway to respond to the problems of Maine's citizens who struggle with mental illness and co-occurring disorders.



Hon. Andrew M. Mead, TECRA Chair

Task Force on Electronic Records Access

In 2004, the Maine Supreme Judicial Court created the Judicial Branch Task Force on Electronic Court Records Access (TECRA). Members of the Task Force come from all three branches of state government, as well as the Attorney General's Office, representatives of prosecutor and defense attorney organizations, members of the media, a children's advocate, a private investigator, a Maine civil liberties attorney, a representative of domestic violence organizations, a university professor, the Maine State Bar Association

president, and a representative with law enforcement experience. In mid-2005, the task force will make recommendations to the Supreme Judicial Court for the promulgation of rules, orders, statutes or policies that will allow for the broadest public access to court records that can be achieved while balancing competing goals, including privacy and safety concerns.

Trial Courts Implement New Model for Regional Scheduling to Manage Caseload

Maine's Trial Courts began a management transformation to increase court efficiency in 2004. Four principles guide the transformation:

- **Regional Structure**, requiring that "the District and Superior Courts should operate as...an integrated system of case scheduling and judicial resource allocation;"
- **Objective Measures**, meaning the "dockets should be scheduled based on established (time) measures...and priorities set by the Supreme Judicial Courts;"
- **Consolidation**, shared responsibilities between the trial courts within a region to increase efficiency; and
- **Event Certainty**, working toward achieving the goal that every scheduled case event will occur as scheduled.

The Family Division of the District Court has improved the court process for families in transition. Family Case Management Officers conduct more than 15,000 court proceedings annually. Their work has enabled the District Court to better meet the needs of children and parents by giving family cases prompt and careful attention.

Creating Safe Access to Justice

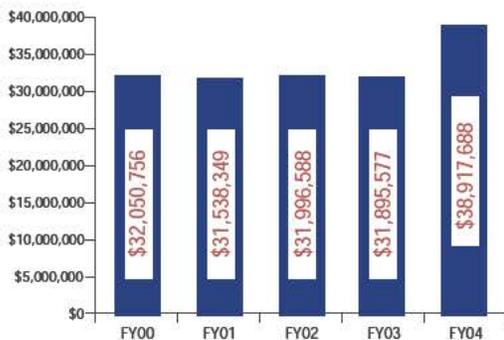
In 2004, the Judicial Branch purchased equipment for all courthouses using Homeland Security Bond funds and began to provide entry screening throughout the state on a random, unannounced basis. To increase the availability of security officers to perform the screening, the Legislature provided \$100,000 in special funds toward the costs of security personnel in FY'05.



Assistant Regional Supervisor Anthony Vitale views screen images while Security Officer Guy Mahon directs court visitors through the magnetometer at Lewiston District Court.

REVENUE

JUDICIAL BRANCH REVENUE COLLECTION



FY04 revenue was the highest ever; 22% higher than FY03.

General Fund: 80.8%
\$31,437,938



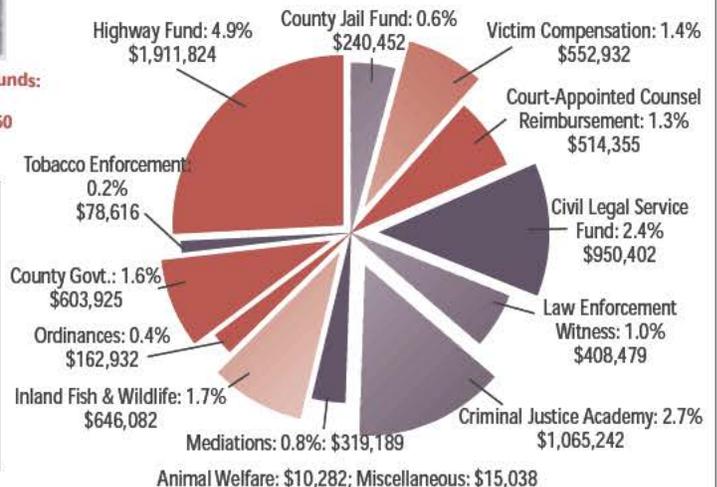
Dedicated Funds:
19.2%
\$7,479,750



Most of the revenue collected (80.8%) by the Judicial Branch is deposited into the state's General Fund. The remaining 19.2% is dedicated to various agencies, as detailed in this pie chart.

REVENUE DISTRIBUTION

FY'04 TOTAL: \$38,917,688



MAINE COURTS: 2004 FILINGS BY COUNTY



PISCATAQUIS

Dover-Foxcroft Superior 79
 Dover-Foxcroft District . 1,870

AROOSTOOK

Caribou/Houlton Superior 651
 Caribou District 1,595
 Fort Kent District 600
 Houlton District 1,765
 Madawaska District 693
 Presque Isle District 2,615

SOMERSET

Skowhegan Superior 570
 Skowhegan District 5,372

PENOBSCOT

Bangor Superior 1,374
 Bangor District 10,734
 Lincoln District 1,675
 Millinocket District 992
 Newport District 2,703

FRANKLIN

Farmington Superior 418
 Farmington District 3,080

WASHINGTON

Machias Superior 332
 Machias District 1,721
 Calais District 1,742

OXFORD

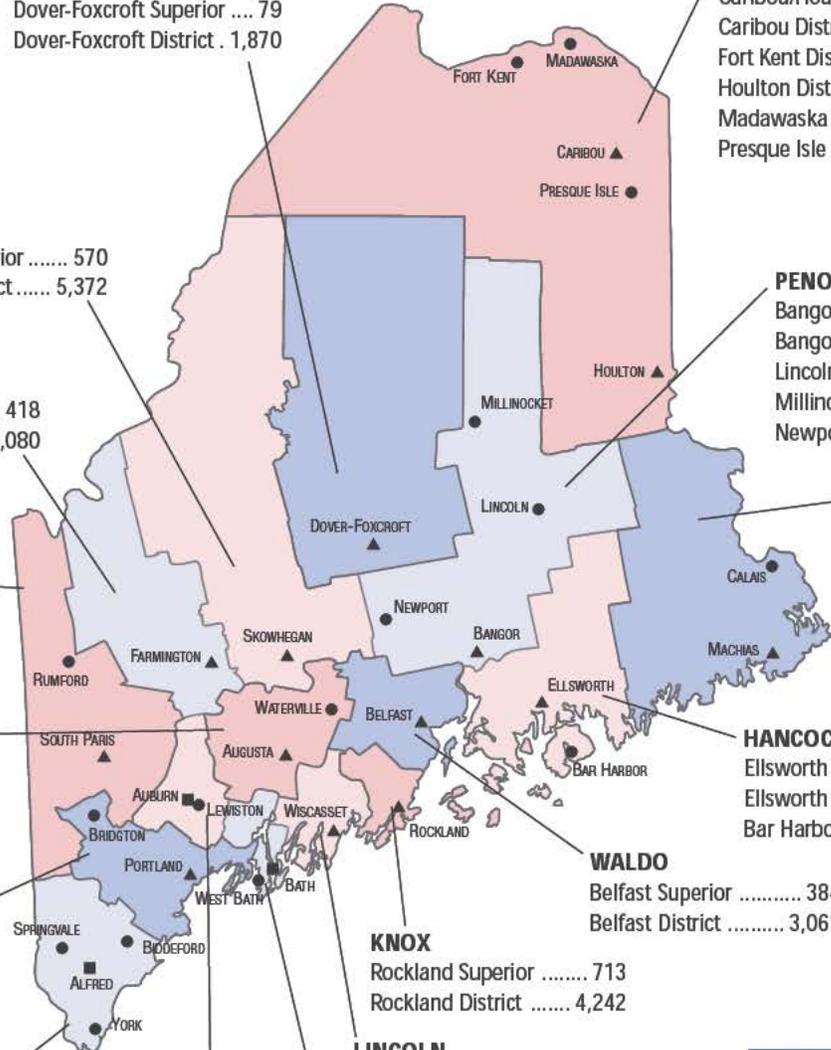
South Paris Superior 571
 South Paris District 2,601
 Rumford District 2,039

KENNEBEC

Augusta Superior 990
 Augusta District 7,515
 Waterville District 5,405

HANCOCK

Ellsworth Superior 466
 Ellsworth District 3,720
 Bar Harbor District 910



WALDO

Belfast Superior 384
 Belfast District 3,061

CUMBERLAND

Portland Superior 3,930
 Portland District 19,303
 Bridgton District 3,635

KNOX

Rockland Superior 713
 Rockland District 4,242

LINCOLN

Wiscasset Superior 433
 Wiscasset District 2,618

YORK

Alfred Superior 2,900
 Biddeford District 9,821
 Springvale District 5,403
 York District 4,797

SAGADAHOC

Bath Superior 256
 West Bath District 5,519

ANDROSCOGGIN

Auburn Superior 1,314
 Lewiston District 11,325

KEY

- District Court
- Superior Court
- ▲ District and Superior Courts in the same location

TOTAL FILINGS 283,878

Law Court 753
 District 129,071
 Superior 15,381
 Violations Bureau 138,673

For more information,
 contact the
 Administrative Office of the Courts
 at 207.822.0792
 PO Box 4820,
 Portland, ME 04112-4820
 or visit www.courts.state.me.us

FMI

Visit the Court's web page at: www.courts.state.me.us

- **Publications:** *A Guide to Small Claims, Guide to Protection from Abuse and Harassment Actions, Citizens Guide to the Courts, Child Protective Handbooks*
- **Information** about court proceedings and offices (Family Division, Judges, Volunteer Opportunities, Alternative Dispute Resolution Services)
- **Links** to legal resources, volunteer opportunities, court rules, forms, opinions.