

# MAINE STATE LEGISLATURE

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BIENNIAL REPORT  
TO  
THE GOVERNOR  
BY  
THE JUDICIAL COUNCIL OF MAINE  
FOR THE YEARS 1971 and 1972

Publication Date: March 1973

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MEMBERS OF JUDICIAL COUNCIL OF MAINE DURING 1971-1972

The Honorable Robert L. Browne  
Chief Judge, Maine District Court  
142 Federal Street  
Portland, Maine 04112 (Ex Officio)

The Honorable Richard S. Chapman  
Chief Judge, Maine District Court  
142 Federal Street  
Portland, Maine 04112 (Ex Officio)  
Died in 1971

The Honorable F. Davis Clark  
Judge of Probate  
Piscataquis County  
Milo, Maine 04463 Appointed to District  
Court 1972

Mrs. Hugh Connor  
Box 125  
Brewer, Maine 04412

The Honorable Thomas E. Delahanty  
Justice, Superior Court  
Androscoggin County Courthouse  
Auburn, Maine 04210

James H. Dineen, Esq.  
Attorney-at-Law  
3 Walker Street  
Kittery, Maine 03904

The Honorable Armand A. Dufresne, Jr.  
Chief Justice, Supreme Judicial Court  
Androscoggin County Courthouse  
Auburn, Maine 04210 (Chairman Ex Officio)

The Honorable James S. Erwin  
Attorney General  
State House  
Augusta, Maine 04330 (Ex Officio)

The Honorable Herbert Godin  
Clerk of Courts  
Somerset County  
Skowhegan, Maine 04976 Appointed 1972

Dean Edward S. Godfrey  
University of Maine  
School of Law  
Portland, Maine (Ex Officio)

The Honorable Dana T. Hagerthy  
Clerk of Courts Coordinator  
Office of Administrative  
Assistant to Chief Justice  
Cumberland County Courthouse  
142 Federal Street  
Portland, Maine 04112

Appointed in 1971  
Resigned in 1972

The Honorable Ronald Hart  
Judge of Probate  
c/o Stinson & Hart  
280 Front Street  
Bath, Maine 04530

Appointed in 1972

Miss Edith Hary  
State Law Librarian  
State House  
Augusta, Maine 04330

Professor Eugene A. Mawhinney  
University of Maine  
Department of Political Science  
11 Stevens North  
Orono, Maine 04473

Patrick N. McTeague, Esq.  
Ranger & McTeague  
20 Federal Street  
Brunswick, Maine 04011

Appointed in 1971

The Honorable Charles A. Pomeroy  
Justice, Supreme Judicial Court  
Cumberland County Courthouse  
142 Federal Street  
Portland, Maine 04112

The Honorable David G. Roberts  
Justice, Superior Court  
Penobscot County Courthouse  
Bangor, Maine 04401

The Honorable Ralph H. Ross  
Judge, District Court  
36 June Street  
Sanford, Maine 04073

Appointed in 1972

Executive Secretary:

Peter L. Murray, Esq.  
One Monument Square  
Portland, Maine 04111

JUDICIAL COUNCIL COMMITTEE APPOINTMENTS

(As of December 31, 1972)

Mission and Organization

Miss Edith Hary, Chairman  
The Honorable Robert L. Browne  
The Honorable Thomas E. Delahanty  
Dean Edward S. Godfrey

Supreme Judicial Court and Superior Court

Professor Eugene A. Mawhinney, Chairman  
The Honorable Thomas E. Delahanty  
Dean Edward S. Godfrey  
Miss Edith Hary  
The Honorable James S. Erwin  
The Honorable David G. Roberts

Probate Court

The Honorable Ronald Hart, Chairman  
Mrs. Hugh Connor  
James H. Dineen, Esq.

District Court

The Honorable Robert L. Browne, Chairman  
The Honorable Ralph H. Ross  
Mrs. Hugh Connor  
James H. Dineen, Esq.

Criminal Law and Procedures

The Honorable Robert L. Browne, Chairman  
The Honorable Thomas E. Delahanty  
The Honorable James S. Erwin  
Professor Eugene A. Mawhinney

Liaison with Maine Law Enforcement Planning  
and Assistance Agency

Miss Edith Hary, Chairman  
The Honorable Robert L. Browne  
The Honorable Thomas E. Delahanty

Public Relations

Dean Edward S. Godfrey, Chairman  
Miss Edith Hary  
The Honorable James S. Erwin

Ad Hoc Committee on Institute of Judicial Adminis-  
tration Superior Court Study

The Honorable Thomas E. Delahanty, Chairman  
Professor Eugene A. Mawhinney  
The Honorable David G. Roberts  
Dean Edward S. Godfrey

Evidence Rules

The Honorable Charles A. Pomeroy, Chairman  
The Honorable David G. Roberts  
The Honorable Ralph H. Ross  
Dean Edward S. Godfrey

Standing Committee on Citizens Conference

The Honorable Robert L. Browne, Chairman  
Miss Edith Hary

Defense Services

The Honorable David G. Roberts, Chairman  
The Honorable Robert L. Browne  
Professor Eugene A. Mawhinney

## INTRODUCTION

Pursuant to the mandate set forth in 4 M.R.S.A. § 452, the Judicial Council of Maine reports to the Governor upon the "work of the various branches of the judicial system".

As of the present time, the judicial system of Maine, established by Article VI of the Maine Constitution as supplemented by various laws enacted by the Legislature, consists of the Supreme Judicial Court, the Superior Court, the District Court, and the Judges of Probate in the sixteen counties. It is the official function of the Judicial Council to "make a continuous study of the organization, rules and methods of procedure and practice of the judicial system of the State, the work accomplished and the results produced by that system and its various parts".

For several years now, the Judicial Council has been engaged very actively in carrying forward this mandate and has undertaken major projects in specific areas affecting the workings of the judicial system and the results produced by that system. To these efforts the Judicial Council has brought to bear the accumulated knowledge, expertise and practical experience of its membership, which is broadly representative of the judicial system and those who are concerned with it on a day-to-day basis. It has also, from time to time as justified by the need and permitted by available resources, retained the assistance of qualified consultants in particular fields

relating to judicial administration.

One factor which has had a material effect upon the Judicial Council's ability to study the workings of the "judicial system of this State" is the fact that while the judicial power flows from the State, the judicial machinery often is operated and managed on a local level. For instance, the judicial power of the State in the probate area is exercised through 16 locally elected Judges of Probate whose courts are entirely financed, staffed and operated by the individual counties. Although the Superior Court itself is a statewide court, and although its Justices are employed and paid by the State, any of the workings of the Superior Court, such as the providing of courtroom facilities, the employment of court officers, the compensation of witnesses, assigned counsel and jurors, and the like, are governed by the 16 counties.

In particular, the task of studying the work of the courts is hampered by the lack of useful statistical reporting systems. Although the District Court does compile basic statistics on the cases processed during each fiscal year, as of the present time, in the Superior Court a statistical reporting system is just being instituted by a new Chief Clerk of Courts, Mr. Dana Hagerthy. The Probate Courts do not have any regular or consistent program of preserving or compiling statistics relating to their operation.

In 1969 and 1970 the Judicial Council, with the assistance of the Institute of Judicial Administration, undertook a

comprehensive study of the operations of the Superior and Supreme Judicial Courts. The report of the Institute, which was submitted in early 1971, strongly pointed to the need for a comprehensive system of compilation and reporting of judicial statistics. Hopefully as such a system is placed into effect in the Superior Court, more statistical information about that court will be readily available.

Because of the lack of comprehensive statistics upon the workings of the Superior and Supreme Judicial Courts, this report will be confined to mention of important developments affecting the work of those courts and the recent activity of the Judicial Council on reforms.

The portion of this report dealing with the District Court which the Judicial Council has not treated in depth during the last biennium, will consist of such basic statistical information with respect to its workings as is presently available.

Because there is no useful information about their activities readily at hand, the Probate Courts are omitted from this report. The Probate Courts were the subject of an in-depth study by the Institute of Judicial Administration in 1969. The report of that study contains the most recent statistics available on the operations of the Probate Courts.

Section 3 of this report treats in some detail the work of the Judicial Council during the biennium 1971-1972.

Section 1. The Work of the Supreme Judicial and Superior Courts

Although statistical information relating to the cases handled by the Maine Supreme Judicial and Superior Courts is not in complete form so as to be helpful in a report of this nature, there have been several developments affecting the work of these courts which should be mentioned on a qualitative basis.

First of all, with respect to the Supreme Judicial Court, an important development during the last biennium has been the introduction of law clerks for the various justices of that Court funded initially by the Law Enforcement Planning and Assistance Agency. These law clerks have contributed greatly to the efficiency of the justices of the Supreme Judicial Court and have helped them to cope with an ever mounting case load and increasing demands on its resources. In 1971-1972 cases heard by the justices of the Supreme Judicial Court grew both in number and in complexity. In 1960 the 6 justices of the Maine Supreme Judicial Court heard 68 cases, in 1969 they heard 98 cases, and in 1972 a total of 126 cases. These figures only include full arguments on the merits and do not include motions or "single justice" sittings, which have increased even more over this time period. Sittings of the Court at Augusta have been discontinued for lack of facilities and now the Court sits only at Portland. There is no question but that with the mounting demands upon Maine's highest court, every effort must be made to introduce maximum efficiency in its operations.

During 1971-1972 the Superior Court was the subject of an intensive in-depth Judicial Council "implementation study" aimed at implementing at least some of the recommendations of

the comprehensive study conducted during the preceding bien-nium by the Institute of Judicial Administration. Early in 1971 the Institute of Judicial Administration contracted with the Judicial Council to study the specifics of implementation of the broader policy recommendations of its earlier study. With the assistance of Professor David Halperin of the University of Maine School of Law, the Institute drafted and provided specific recommendations on how the policies defined in its earlier report could be practically implemented in Maine.

Basically, the implementation study concluded that a degree of administrative flexibility in the use of court resources could most easily and economically be achieved by some limited "regionalization" of courts and court facilities. An often cited example of the benefits of such regionalization would be the use of the Sagadahoc County Courthouse in Bath, which presently is unused for Superior Court purposes much of the year, to handle overflow cases from Cumberland County.

Also seen as fundamental to meaningful administrative reform in the Superior Court has been assumption of the expenses of that court and responsibility for its administration by the State.

At the 1971 session of the 105th Legislature and then again at the 1972 Special Session, the Judicial Council sponsored legislation aimed at transferring the financial responsibility for the Superior Court from the various counties to the State. At the 1972 Special Session, hearings on this legislation

were had before the County Government Committee. Although the legislation failed of passage at the 1972 Special Session, a special subcommittee of the Legislative Research Committee was directed to study the problem of financing for the Superior Court and to report to the 106th Legislature on the results of its study. The Judicial Council, as well as the Supreme Judicial and Superior Courts, fully cooperated with this subcommittee in its inquiries. As a result of the work of this subcommittee a bill is presently before the 106th Legislature which will transfer financial responsibility for certain court functions to the State and also make appropriate changes to civil and criminal venue statutes to permit a limited regionalization of courts and more flexible use of court facilities.

The 105th Legislature provided for two more judges of the Superior Court, to bring the total of Superior Court justices now to 13. A burgeoning case load now severely taxes the effort of the 13 judges. Even more crucial, however, is overburdening of available courtrooms and judicial support facilities in the various counties. In several counties such as Cumberland, Kennebec, York and Penobscot, the need for judicial services is such that two courtrooms can and should be in simultaneous use for large portions of the year. Only in Penobscot, however, are there actually two courtrooms for the Superior Court. In the other counties, the court either must confine itself to a single session or must make do with makeshift quarters such as is the case in York County where the county

commissioners' hearing room is used or in Cumberland where the Superior Court shares the Supreme Judicial Courtroom when the latter court is not in session. This present crisis in court facilities makes all the more imperative some flexibility of regionalization recommended by the Judicial Council in its implementation study.

Another area of Superior Court operations which has received specific Judicial Council attention is that of appointed counsel to represent indigent persons accused of crime. This subject matter has been studied by the Council on several occasions in the past. A comprehensive study and report was made to the 102nd Legislature in 1963 and the report was updated in 1969. The 1971 study of the Institute of Judicial Administration urged creation of an assigned counsel--public defender system. Late in 1972 the Judicial Council reactivated its own committee to study this problem once again.

As a part of this most recent Judicial Council study, the costs of the various counties for assigned counsel in the Superior Court were collected for the years 1971 and 1972. The magnitude of these figures, which are set forth in tabular form in Appendix A hereto, illustrates the mounting and uncontrollable cost of the present system. Meaningful reforms in this area must be undertaken in the near future.

Both practical experience and careful study by qualified experts has shown that the Maine Superior Court will need additional resources if it is successfully to cope with the

extreme new demands imposed upon it by present-day practices. The Judicial Council has made both specific and general recommendations on how the problems facing the Superior Court can successfully be met. Hopefully, the legislative and executive branches of the State government will be cognizant of these problems and responsive to these recommendations for their solution.

Section 2. The Work of the District Court

The District Court was organized and began functioning in the early '60's as a statewide court of modern organization and practice. Consequently, although it confronts a ballooning case load and a relative shortage of judicial resources, its problems have not warranted the extensive detailed study afforded the situation in the Superior Court. The District Court, under the administrative control of a capable Chief Judge, housed in its own quarters, with its own statewide budget and its own personnel system, is a present example of many sought-for reforms at the Superior Court level.

The District Court is functioning well under the leadership of Chief Judge Browne, who replaced the late Chief Judge Chapman, the administrative "founder" of the District Court. This report therefore merely presents the statistical information contained in the Annual Reports of the Chief Judge of the District Court to the Chief Justice of the Supreme Judicial Court. Inasmuch as the District Court is operated on a fiscal year basis, statistics are likewise compiled on a fiscal rather than a calendar year basis. The statistics included, therefore, cover the periods from July 1, 1970, through June 30, 1971, and July 1, 1971 through June 30, 1972. Included in the statistical information is a tabular comparison of case loads showing the substantial increase in the case loads in most of the districts in this most recent biennium.

Section 3. The Work of the Judicial Council - 1971-1972

The most recent biennium, 1971-1972, has been one of continued activity on the part of the Judicial Council. The full membership of the Council met in formal meeting on January 29, 1971, April 1, 1971, June 11, 1971, September 24, 1971, October 29, 1971, and January 3, 1972, April 7, 1972, May 19, 1972, June 16, 1972, and October 13, 1972. In addition, there were various meetings of committees and smaller groups of the Council.

The largest single project undertaken by the Council was review and acceptance (or rejection) of the various recommendations made by the Institute of Judicial Administration in its study of the Superior and Supreme Judicial Courts. The Institute's comprehensive report was first reviewed by a subcommittee of the Council consisting of Justices Delahanty and Roberts, Professor Mawhinney, and Dean Godfrey. Acting upon the recommendations of the subcommittee and after a review of the entire report by the Council, the Judicial Council accepted many of the recommendations of the report of the Institute of Judicial Administration, rejected others, and voted that others be more specifically studied with final Council endorsement to depend upon the outcome of the implementation study.

Following the Council's review of the Superior Court study, the Council undertook an "implementation study" aimed at generating the specifics of statutory and rule amendments, policy considerations and strategy that would be required to

institute those of the Institute's recommendation which the Council had accepted and agreed to sponsor. For this study, which was funded in large part by the Maine Law Enforcement Planning and Assistance Agency, the Council again turned to the Institute of Judicial Administration. That organization employed Professor David Halperin, then of the University of Maine School of Law, as its special consultant. Professor Halperin met on several occasions with the Council, with subcommittees thereof, and with various legislative groups in an effort to program and then carry out the major recommendations of the Institute of Judicial Administration.

Following the initial stages of the implementation study, legislation was prepared to put into effect one reform which was perceived by the Council as fundamental to any further significant administrative reform of the Superior Court. This was the transfer of financial responsibility for the Superior Court from the 16 counties to the State. A comprehensive bill was prepared by Professor Halperin, debated and endorsed by the Council, and submitted at the Special Session of the 105th Legislature. The Secretary of the Council appeared before the Maine Bar Association to obtain the approval of that organization of this reform measure. The Secretary and Professor Halperin attended committee meetings of a special committee appointed by the 105th Legislature at its Regular Session to study the costs of having the State take over the expense of the Superior Court from the counties. The Secretary and

Professor Halperin also appeared at a legislative hearing before the Committee on County Government in support of the bill, which was sponsored by Senator Wakine Tanous. Unfortunately the bill failed passage but a special subcommittee of the Legislative Research Committee was charged with investigating the cost of the Superior Court to the counties and returning with recommendations to the 106th Legislature.

At hearings of this subcommittee members of the Council, Professor Halperin and the Secretary appeared to give testimony on the desirability of effecting a transfer and unification of financial responsibility for the courts in the State.

Despite the failure of the state financing bill to pass the Council continued to work on the implementation study in an effort to see if some further reforms could be enacted. In cooperation with the counsel to the Legislative Research Subcommittee on County Government, the Secretary of the Council in 1972 drafted a bill to provide for state financing and also changes in statutes regulating civil and criminal venue so as to permit the regionalization of judicial operation into units larger than counties. Although the subcommittee of the Legislative Research Committee chose not to recommend to the 106th Legislature a full assumption by the State of Superior Court finances, it did adopt the recommendations of the Council with respect to venue changes.

The activities of the Judicial Council during the biennium were not, however, confined to the Superior Court study

and its implementation. A proposal that a "citizens' conference" in the format successfully sponsored in other states by the American Judicature Society be held in Maine was discussed and explored in some depth both by a special subcommittee appointed for that purpose and by the Council as a whole and then was shelved because of inopportune timing.

The Council met with the State Archivist, Mr. Samuel Silsby, toured the Archives Building, and discussed with him in some detail various problems of judicial records management which his agency is grappling with in Maine.

A major undertaking by the Council during the biennium was its review of evidence procedures in Maine and the desirability of study and possible adoption of evidence rules patterned after the proposed Federal Rules of Evidence which have now been finally adopted by the United States Supreme Court. In June of 1972, the Council first discussed the matter of evidence rules and appointed a committee chaired by Justice Pomeroy to further study the desirability and feasibility of evidence rules in Maine. An affirmative report by the committee on both of these considerations prompted the Council to recommend strongly to the Supreme Judicial Court that a study be undertaken to develop evidence rules with a view to their possible promulgation by that court.

Another matter which received Council attention during the biennium was the now perennial problem of representation of indigent persons accused of crime. On various occasions

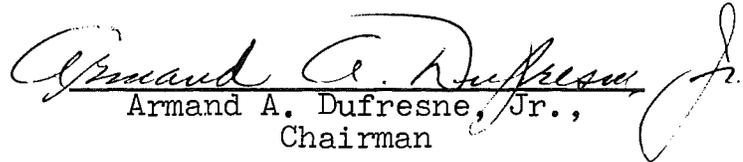
during the biennium the problem of obtaining adequate representation for indigent persons accused of crime was discussed in some detail. Finally, in late 1972, the Council met with Mr. Peter Anderson, of Pine Tree Legal Assistance, and discussed his proposal that a public defender program be instituted in Maine. Upon the recommendation of a special committee appointed for that purpose, the Council declined to sponsor the exact terminology of Mr. Anderson's bill but did strongly affirm the desirability of a public defender program in Maine at the present time.

In addition to the major projects heretofore mentioned, the Council during the biennium has also considered various other matters affecting the workings of the courts including legislation touching the courts, proposals from various individuals and organizations affecting the courts, and developments in other states and jurisdictions that have bearing on Maine's court operations. Correspondence has been carried on with Judicial Councils and similar groups in other states and jurisdictions and with the Maine State Bar Association and other interested groups in Maine.

The Council is fully aware of its role as a state agency particularly concerned with the improvement of justice in the courts of Maine and the relationship of the courts to the people of the State of Maine. The Judicial Council continues to stand ready to undertake new projects that may be suggested to it by the Legislature, the Governor, or any other responsible

state agency or by its own membership for the purposes of  
improving the administration of justice of the courts of Maine.

Respectfully submitted,

  
Armand A. Dufresne, Jr.,  
Chairman

ANNUAL REPORT TO THE CHIEF JUSTICE  
FOR THE FISCAL YEAR ENDING JUNE 30, 1972

In accordance with the Revised Statutes of Maine, Title 4, §164, ¶19, this report is submitted on the status of the business of the District Court of Maine for the fiscal year ending June 30, 1972. The statistical data, which will not be available until some time in August or September of 1972, will be the subject of a separate report.

This year was marred by the death of our first Chief Judge, Richard S. Chapman. Judge Chapman had experienced a long illness; and although he was in and out of the office during the first part of this fiscal year, late in October or early November he made application for early retirement. Although this was acted upon by both the District and Superior Courts, before the date the retirement became effective, Judge Chapman died. However, so long as any of the judges who served with Judge Chapman remain on this Court, Judge Chapman will always be a part of it.

At the December meeting of the judges, before the death of Judge Chapman, the judges decided to express to Judge Chapman their esteem and appreciation for his services. The judges purchased and have had installed at our Augusta court a plaque in memory of our first Chief Judge.

It should be noted that Judge Nicholas P. Danton of York was appointed early in January to fill the vacancy created by Judge Chapman's death. Robert L. Browne of Bangor was appointed to replace Judge Chapman as the new Chief Judge of the Maine District Court, and, herewith, submits the following report.

Although the Court is now some ten years old, as an entity it has been operating in some areas for no longer than five to six years. Thus, the emphasis in this early period of our existence has, of necessity, concerned itself with establishment and initiating a program of the District Court in the various areas of the state.

It is now time that we must concern ourselves with improving our service to the communities and for refining our functions, particularly in the area of fiscal functioning and accountability of monies.

The fiscal year of the Court ends on June 30. Therefore, the statistical data relative to case loads and revenues will not be available for dissemination until some time in August or September, and will be the subject of a separate and additional report. It can be noted, however, at this time, that the last General Session of the Legislature, by increasing the costs of witness fees, officers fees, and payments to municipalities has substantially increased the costs of the Court's operation.

#### FISCAL PROBLEMS

For several years now, I have been increasingly concerned about the methods and manner of the Court's carrying out its business matters, its handling of monies, and the problems of accountability in general. One of the first matters that I concerned myself with, upon becoming Chief, was to invite in the State Auditors and complain, first of all, that some of our courts had not been audited for a period of three years. I am in hopes that we will not have to

experience substantial delays in the future. Although we are dependent upon the auditing department of the State, through its municipal arm, for auditing, we are charged at the rate of \$12 to \$15 per hour for the services of individual auditors. Thus we should be able to expect service for all our courts annually. The auditing reports have been limited to an accountability of cash. They not only did not include recommendations for improvement of procedures of specific courts; they did not even identify problems or anticipated problems from an auditor's point of view. I have requested the auditing department to include these two additional services. The clerks and the judges have been informed that I am requesting this information from the auditors, and that upon its receipt, I shall be able to sit down with them to decide what recommendations should or should not be incorporated to improve the efficient operation of our courts.

Just as the case load of the Court has experienced substantial increases, so has there been a substantial increase in the amounts of money that are handled by the Court. For example, in the Portland court alone, during the busy months, it is not unexpected to handle from 35,000 to 50,000 dollars a month. There are twelve girls employed at the Portland court, and all of them have access to the monies; therefore, accountability and the problem of security has been increased. I have again met with the auditors and a representative of the National Cash Register Company and explained to them my concern for the methods we are using to handle monies, particularly in our larger courts; and, together, we have come up with a

machine which I have ordered on a pilot basis. It is expected that this machine will be available for us in September of this year. If it does work as we hope it will, I will then order some additional machines for our major courts. Basically, the machine is the same as those employed by the banks, and has been upgraded to perform the services needed by the Court. Together with the Auditor and the representative of the National Cash Register Company, we have provided for sufficient audit trails as well as the other functions needed by the Court. This machine will be equipped with two or three keys, so that two or three persons within a Court will have the sole responsibility for handling monies. Until a locking key is inserted and a separate key on the keyboard depressed, no transaction can be initiated; and it will be possible to identify at any time during the day the employee involved in any given transaction. The machine will not only act as a repository for cash, but it will carry a consecutive numbering system so that every transaction handled will be identifiable. In addition to this, the machine will docket our criminal complaints and provide a receipt for the payor, thus eliminating the necessity for hand-written receipts. The machine will further eliminate the need to keep a cash book. At the end of each day, a ledger card can be inserted into the machine and, within ten or fifteen minutes, all money can be identified from whatever source it was received, and checked and double-checked. These machines are not inexpensive, but they have a life expectancy of anywhere from ten to twenty years; thus the overall cost will not be substantial. It is anticipated that these machines would not be employed in the smaller

courts, where the problem of identity and responsibility for handling cash is not complicated and the funds involved are reasonably small.

Another area of fiscal matters needing attention is the problem of inventories. We have properties located in 34 locations throughout the state. The purchase of property throughout the last ten years has been recorded in this office, but the list of properties purchased has never been updated. Some items may have been consumed, destroyed, lost, or set aside for some period until another department within the building, and not associated with the Court, may have acquired it for one purpose or another. We are in the process now of updating our inventories and accounting for these many items. As soon as this information is available or verified, we are introducing, in conjunction with the Bureau of Public Improvements, a cardex file. The inventory will then be updated quarterly, and we will have better control and better accountability of our properties.

#### PERSONNEL

Another area of substantial concern in which there has been no established policy concerns the personnel of the Court. In addition to the nineteen judges of the District Court, there are some 110 clerks and support personnel working at the various court situses throughout the state. The Chief Judge hires and fires these employees and establishes the standards of employment. Although I believe the Court has been reasonably liberal in these areas, there has been no understandable policy in the area of vacation time or sick leave; thus it has required some individual attention on the part of the Chief Judge in granting or denying specific requests in matters involving

vacations and sick leave.

I have now established a program of both vacation time and sick leave, which not only recognizes the length of service but also distinguishes between the full-time and part-time employee. Any policy of vacation or sick leave must reflect our reliance upon part-time help necessary in the smaller courts. So far as the full-time employees are concerned, the policies adopted by this Court are similar to those adopted by the executive department of the State for classified personnel. This was done in the interest of promoting harmony amongst the employees of all branches of government.

The pay scale, to which we are now giving more specific attention, will reflect, hopefully, the needs of our major courts versus minor courts; but will also have to recognize the basic talent required to function as clerk wherever one might find himself employed and regardless of the amount of work he or she is required to perform. That is, the question of quality is not limited to major or minor courts.

#### COURT FACILITIES

The problem of securing adequate facilities for the courts in some areas is still a major problem. In particular, areas such as Lewiston and Saco are of major concern. Hopefully, we can have some early improvement in the facilities at Farmington and Kittery. Although there are no immediate prospects in sight at the moment, this office is constantly alert to the need for improvements at both the Portland situs and in the Saco-Biddeford area.

This summer should see the completion of some renovations at our Waterville court. It is now expected that a new addition to the County courthouse at Wiscasset, which will be occupied by the District Court, will be completed by early fall of this year. At the present time negotiations by and between this office with the County Commissioners of Androscoggin County are underway, in hopes that we may be able to arrive at mutually satisfactory arrangements to obtain improved facilities for the court serving the Lewiston-Auburn area. In addition, this Court has evaluated proposals from the private sector of the Lewiston-Auburn community for rental facilities and will continue to until formal relationship has been established with one group or another for satisfactory facilities. There have been some very preliminary negotiations for improvement of the facilities serving the Franklin County area and the Southern York area at Kittery.

Because the Court is full time and is in constant session throughout the state at all times of the year, it is evident that in some areas the heat of the summer provides serious problems. Therefore, the Court is, at the present time, installing air conditioning in several of its courts and offices. Air conditioning is no longer a luxury, but a necessity.

#### COURT CONFERENCES

The District Court has now adopted a policy which requires the attendance by the judges at two separate working conferences a year-- one in the spring, and one in the fall. On a voluntary basis, the judges are also encouraged to participate at the summer and winter

Maine Bar Association meetings at a joint conference between the Superior and District Courts, in order to improve the communications between the Courts and to improve the service, generally, by all Courts to the citizens of the State.

The National College of the State Judiciary is initiating a new program designed to meet the needs of special court judges, and Judges Browne and Turner will be attending the two-week course in Reno, Nevada in August, which will be in conjunction with the meeting of the American Bar Association in San Francisco. Judges Ross, Smith, and Browne will represent the District Court at the American Bar Association meeting. The Court welcomes the opportunity to obtain additional training through the course at Reno, and hopefully will be able to send two more judges in the summer of 1973. It is the intent of the Court to proceed through the list of judges on the basis of seniority, until such time as all judges have had an opportunity to attend.

In the interest of improving the esprit de corps of the Court and developing better communications by and between the clerks, individually and collectively and with this office, we have had meetings of the clerks on the basis of geography, one in the east and one in the west, which all of the clerks have attended and which, from all indications, were successful. It has been expressed by many of the clerks that, hopefully, they could be permitted to gather annually. At the present time the Chief Clerk is working, together with David Stauss, the court coordinator and representative

of the LEAA programs, to prepare for a fall meeting of the clerks of the District Court.

#### NEW LEGISLATION

With the advent of the Legislature, which will be convening in January of 1973, this office has been giving thought to restructuring some of the offices of the Court, which will require, eventually, legislative changes to improve the offices. The office of complaint justice has never been quite successful as it is presently conceived. There are several reasons for this, and not all of them are the responsibility of the Court. First of all, a complaint justice is appointed by the Governor with consent of the Council, and the Court is not involved. A complaint justice may be appointed without even the knowledge of the Court, and the first information the Court receives is a bill from someone purporting to have performed service as a complaint justice. At this point, the Court is required to check with the Secretary of State's office to determine whether or not there is on record in his office an appointment of such officer.

Second, there has been some misconception as to the need for and the use of complaint justices. They have, on occasion, acted in those instances when we would have discouraged our clerks from issuing complaints. For example, in family problems or squabbles arising at night and usually involving drink and emotions, the parties involved, if permitted an opportunity to reconsider, would refuse to ask for a complaint. Therefore, police departments have been discouraged from seeking these complaints in the middle of the night. They have been

requested, except in those instances where they feel that there is danger to person or property, to ask the parties to wait until the next day and, in the light of day, to make their applications to the clerk. This results in reducing substantial numbers of complaints which, in the beginning, were issued rather frequently at nighttime, only to learn that the next day one or more members of the family and/or the complainant would come forward and ask that it be dismissed. The complainant would say that he or she was sorry to be involved--if he or she had thought it over, a complaint would not have been requested. So, we have pretty much eliminated problems of this nature so far as the Court is concerned. Some complaint justices, however, are still issuing these complaints, which means that the following day they may have to be dismissed because there either is no substantial case or else the parties involved have made application for dismissal because they have thought it over and do not wish to testify. Frequently, in the interest of family harmony, they have not been forced to proceed.

The Court probably should have taken the initiative to invite the complaint justices in to explain how they could upgrade their service to the Court and how their services could be made to complement the needs of the Court. I plan to do this in the future.

It will be the recommendation of this office that the Chief Judge should be involved in the selection of complaint justices, much as he is in the selection of the clerks of court. He would then be able, hopefully, to secure the services of individuals in areas of

need as demonstrated from court experience and would eliminate the duplication of services in other areas or locations. This would permit closer involvement of the complaint justices in the functioning of the Court and create better understanding and improvement of service. Under these circumstances, it is reasonable to anticipate that the compensation for their services could be more realistic and reflect more properly their contribution to the successful operation of the Court.

This office also plans to recommend to the Legislature legislation which will permit the appointment of deputy clerks at the discretion of the Chief Judge. At the present time, we rely upon the use of a clerk pro tem to function in the absence of the clerk. This is a cumbersome method, a very limited method, in that the statute reads "in the absence of the clerk", which is generally meant to mean more than a temporary absence such as lunch. In the absence or sickness of the clerk, the judge may appoint a clerk pro tem to act as clerk for that specific date or period. Once that period has expired and the clerk has returned, a new appointment must be made of a clerk pro tem in the event of another emergency.

This office will therefore recommend that the Chief Judge have the authority to appoint in his major courts a deputy clerk, who will have the same authority as the clerk, and act at the direction of the clerk at any time it is necessary in order to perform the needed services of the Court. Again, it is not anticipated that there would be need for a deputy clerk in the smallest courts, but

in the major courts this is seen as a necessary change. The office of deputy clerk, which the office of clerk pro tem attempts to function as, will be a more meaningful and understood office.

Within the next one to five years the Court should witness the retirement of several of its present judges. Here then will be a wealth of personnel to serve at the request of the Chief Judge in emergencies as well as in vacation time at no cost to the Court except for necessary expenses.

It is economically unfeasible to have a sufficient number of active judges on hand to meet all emergencies. Experience, however, has taught us that out of 19 judges--who must, of necessity, be selected from other than the very young--some annual absenteeism by reason of illness is to be anticipated. Although one can budget vacation time a year in advance, one cannot budget anticipated illness. This office will ask the legislature to authorize the Governor and Council to appoint a retired judge to the office of active retired judge of the District Court. The office of active retired judge will be unsalaried and will not cost the Court anything other than necessary traveling expenses, when called to serve by the Chief Judge. Thus, without cost to the Court, a substantial safety valve would be available to respond in the event of an emergency and would also provide greater flexibility in planning vacation time, which at the present is extremely limited. At present, the policy of the Court must require that any judge who wishes a vacation for more than two weeks at a time must make his request substantially

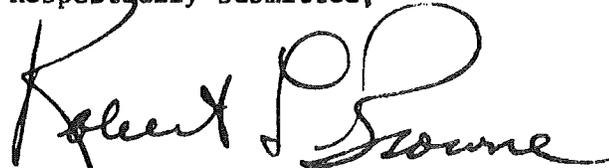
in advance of the desired date and make his choice from the least desirable time of year. The office of active retired judge would provide great flexibility in the Court for all purposes--vacation or illness--at no cost to the Court.

CONCLUSION

As previously indicated, the statistical report relating to numbers of cases handled by the Court and the monies involved in its operation will be delayed because said information will not be available until late August or September.

It can be conservatively estimated that the numbers of cases handled by the District Court will be substantially in excess of the number of cases handled in the year 1970-1971. However, in order to avoid creating any unjustified impressions, no further comment will be made until such statistical data is available for evaluation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert L. Browne". The signature is written in a cursive style with a large, prominent initial "R".

Robert L. Browne  
Chief Judge  
Maine District Court

July 15, 1972

ANNUAL REPORT TO THE CHIEF JUSTICE

FOR THE FISCAL YEAR ENDING JUNE 30, 1972

STATISTICAL REPORT

Please find enclosed a statistical report of the District Court covering the subject of case loads and revenues and expenditures for the year ending June 30, 1972.

There was an increase in the number of cases handled by the court for the year ending June 30, 1972 over the previous year of 16,703 or an increase of almost 14%. The most of the increase was in the area of traffic with the greatest increase in Cumberland and York Counties, although most every court showed a normal increase in this category.

It is interesting to note that the Juvenile case load remained about the same as the previous year as did the number of civil cases.

There was an additional twelve hundred divorces heard in the year ending June 1972, or an increase of approximately 30% over the year 1971.

The so-called Money Judgments, which is a new category of civil work, accounted for some twenty-one hundred cases and I anticipate that this will show a substantial increase in the current year. This, you will recall, is the process which replaced the old disclosure procedure and requires a substantial amount of time, both on the part of the court and the clerks' office.

REVENUES AND EXPENDITURES

The report of Revenues and Expenditures which is enclosed shows that the amounts available for distribution to the counties remains in substantial figures. We were able to authorize the distribution to the counties in June of 1972 the amount of \$650,000 which is the same amount that we have been distributing to the counties on a semi-annual basis for the past year and a half. It is anticipated that there will be available for distribution in December of this year another similar amount.

With each meeting of the Legislature there are additional costs and charges assigned to the court, but in the absence of a substantial change in this area and so long as the volume of the court remains high or continues to increase, we can anticipate that substantial amounts will be available for distribution semi-annually, at least for the foreseeable future.

PERSONNEL

I referred in my early report to the fact that we had adopted policies affecting vacation time and sick leave time for employees of the court and further indicated that we were still evaluating a pay scale.

One of the most difficult decisions for this office in the field of personnel was to establish a pay scale which not only established an equitable relationship amongst employees within a court but would also establish a meaningful relationship amongst employees throughout the court system. This task was complicated by the fact that some of our courts with one employee are handling a case load of 1200 to 1500 annually as compared to other courts within the system handling 20,000 to 24,000 cases annually with some twelve clerks.

In times past we have checked with the Personnel Department for assistance, but they have no job description which properly define the needs of a clerk or a general employee of the court. Because we have had no policy in the past, many inequities have crept into the pay scale. We have pretty much followed the old adage that, "The wheel which squeaks the loudest receives the grease", and the results are obvious.

Our major problem is, however, in the starting salary range. Recently we have experienced a substantial turn over in our major courts because the starting salary was inadequate and, secondly, because there was no understandable pay scale as such. An employee could only guess as to what benefits salarywise might be available if she remained in our employ.

I enclose herewith a copy of the pay scale which I have adopted on behalf of the court which I think is fundamentally sound. In addition to this pay scale our employees have been instructed that they will be entitled to receive a like sum in the event that the Legislature sees fit to grant a general pay raise to classified employees.

Because the budget we are operating under today was drafted some two years plus ago it did not anticipate the introduction of a program such as we have described here. Therefore, I can not adopt this program in total until July 1 of 1973.

However, I had hoped to incorporate in the September salary payment so much as the budget would stand with particular emphasis upon the lower end of the scale where the most substantial inequities exist. I checked with a federal representative relative to the affect of any pay freeze and was informed that no adjustments could be made until the end of the year following the lifting of the pay freeze, to wit: November 19, 1972. Therefore, I shall initiate as much of the program as possible starting with the December salary payments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert L. Browne", written in a cursive style.

Robert L. Browne  
Chief Judge  
Maine District Court

September 19, 1972

DISTRICT COURT - REPORT OF TOTAL CASES - YEAR ENDING, JUNE 30, 1972

	TRAFFIC	OTHER	JUVENILE	TOTAL CRIMINAL	CIVIL	MOTIONS DIVORCES (PENDING)	MONEY JUDGMENTS	SMALL CLAIMS	TOTAL CIVIL	TOTAL CASES
DISTRICT 1										
Caribou	1,507	841	99	2,447	307	194	70	184	755	3,202
Fort Kent	932	442	34	1,408	---	---	---	---	---	1,408
Madawaska	416	348	39	803	231	102	67	251	651	1,454
Van Buren	354	177	30	561	---	---	---	---	---	561
	<u>3,209</u>	<u>1,808</u>	<u>202</u>	<u>5,219</u>	<u>538</u>	<u>296</u>	<u>137</u>	<u>435</u>	<u>1,406</u>	<u>6,625</u>
						(149)				
DISTRICT 2										
Houlton	3,342	900	73	4,315	213	113	---	260	586	4,901
Presque Isle	2,250	1,212	138	3,600	542	179	155	211	1,087	4,687
	<u>5,592</u>	<u>2,112</u>	<u>211</u>	<u>7,915</u>	<u>755</u>	<u>292</u>	<u>155</u>	<u>471</u>	<u>1,673</u>	<u>9,588</u>
						(81)				
DISTRICT 3										
Bangor	6,434	1,367	227	8,028	972	549	100	699	2,320	10,348
Newport	1,462	258	28	1,748	94	52	31	186	363	2,111
	<u>7,896</u>	<u>1,625</u>	<u>255</u>	<u>9,776</u>	<u>1,066</u>	<u>601</u>	<u>131</u>	<u>885</u>	<u>2,683</u>	<u>12,459</u>
						(99)				
DISTRICT 4										
Calais	828	688	38	1,554	47	117	6	304	474	2,028
Machias	883	343	6	1,232	74	63	3	174	314	1,546
	<u>1,711</u>	<u>1,031</u>	<u>44</u>	<u>2,786</u>	<u>121</u>	<u>180</u>	<u>9</u>	<u>478</u>	<u>788</u>	<u>3,574</u>
						(128)				

DISTRICT COURT - REPORT OF TOTAL CASES - YEAR ENDING, JUNE 30, 1972

	TRAFFIC	OTHER	JUVENILE	TOTAL CRIMINAL	CIVIL	MOTIONS DIVORCES (PENDING)	MONEY JUDGMENTS	SMALL CLAIMS	TOTAL CIVIL	TOTAL CASES
DISTRICT 5										
Ellsworth	1,871	691	61	2,623	173	173	31	475	852	3,475
Bar Harbor	472	319	25	816	57	42	10	219	328	1,144
Belfast	<u>1,142</u>	<u>546</u>	<u>62</u>	<u>1,750</u>	<u>171</u>	<u>159</u>	<u>29</u>	<u>470</u>	<u>829</u>	<u>2,579</u>
	3,485	1,556	148	5,189	401	374 (212)	70	1,164	2,009	7,198
DISTRICT 6										
Bath	1,364	457	26	1,847	261	186	46	180	673	2,520
Rockland	1,160	632	80	1,872	341	259	68	549	1,217	3,089
Wiscasset	<u>1,288</u>	<u>416</u>	<u>30</u>	<u>1,734</u>	<u>147</u>	<u>139</u>	<u>39</u>	<u>182</u>	<u>507</u>	<u>2,241</u>
	3,812	1,505	136	5,453	749	584 (353)	153	911	2,397	7,850
DISTRICT 7										
Augusta	3,760	1,237	111	5,108	713	528	152	588	1,981	7,089
Waterville	<u>2,966</u>	<u>866</u>	<u>59</u>	<u>3,891</u>	<u>826</u>	<u>403</u>	<u>140</u>	<u>432</u>	<u>1,801</u>	<u>5,692</u>
	6,726	2,103	170	8,999	1,539	931 (137)	292	1,020	3,782	12,781
DISTRICT 8										
Brunswick	1,998	637	43	2,678	149	152	21	222	544	3,222
Lewiston	<u>5,624</u>	<u>1,841</u>	<u>157</u>	<u>7,622</u>	<u>1,023</u>	<u>596</u>	<u>613</u>	<u>643</u>	<u>2,875</u>	<u>10,497</u>
	7,622	2,478	200	10,300	1,172	748 (46)	634	865	3,419	13,719

DISTRICT COURT - REPORT OF TOTAL CASES - YEAR ENDING, JUNE 30, 1972

	TRAFFIC	OTHER	JUVENILE	TOTAL CRIMINAL	CIVIL	MOTIONS DIVORCES (PENDING)	MONEY JUDGEMENTS	SMALL CLAIMS	TOTAL CIVIL	TOTAL CASES
DISTRICT 9										
Bridgton	1,009	626	44	1,679	48	48	4	227	327	2,006
Portland	<u>13,575</u>	<u>4,182</u>	<u>129</u>	<u>17,886</u>	<u>2,835</u>	<u>1,527</u>	<u>109</u>	<u>546</u>	<u>5,017</u>	<u>22,903</u>
	14,584	4,808	173	19,565	2,883	1,575 (110)	113	773	5,344	24,909
DISTRICT 10										
Saco	6,427	1,788	119	8,334	550	203	34	396	1,183	9,517
Sanford	2,537	932	57	3,526	163	213	6	191	573	4,099
Kittery	<u>3,471</u>	<u>873</u>	<u>42</u>	<u>4,386</u>	<u>84</u>	<u>257</u>	<u>--</u>	<u>211</u>	<u>552</u>	<u>4,938</u>
	12,435	3,593	218	16,246	797	673 (426)	40	798	2,308	18,554
DISTRICT 11										
Livermore Falls	1,167	230	25	1,422	59	27	1	147	234	1,656
Rumford	1,139	583	67	1,789	105	151	24	319	599	2,388
South Paris	<u>635</u>	<u>342</u>	<u>34</u>	<u>1,011</u>	<u>131</u>	<u>111</u>	<u>53</u>	<u>189</u>	<u>484</u>	<u>1,495</u>
	2,941	1,155	126	4,222	295	289 (80)	78	655	1,317	5,539
DISTRICT 12										
Farmington	1,494	593	35	2,122	170	172	75	427	844	2,966
Skowhegan	<u>3,395</u>	<u>1,327</u>	<u>103</u>	<u>4,825</u>	<u>471</u>	<u>334</u>	<u>192</u>	<u>651</u>	<u>1,648</u>	<u>6,473</u>
	4,889	1,920	138	6,947	641	506 (221)	267	1,078	2,492	9,439

DISTRICT COURT - REPORT OF TOTAL CASES - YEAR ENDING, JUNE 30, 1972

	TRAFFIC	OTHER	JUVENILE	TOTAL CRIMINAL	CIVIL	MOTIONS DIVORCES (PENDING)	MONEY JUDGMENTS	SMALL CLAIMS	TOTAL CIVIL	TOTAL CASES
DISTRICT 13										
Dover-Foxcroft	1,082	1,023	84	2,189	103	131	13	309	556	2,745
Lincoln	707	113	14	834	62	65	8	405	540	1,374
Millinocket	<u>1,302</u>	<u>586</u>	<u>84</u>	<u>1,972</u>	<u>188</u>	<u>99</u>	<u>6</u>	<u>268</u>	<u>561</u>	<u>2,533</u>
	3,091	1,722	182	4,995	353	295 (42)	27	982	1,657	6,652

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TOTALS	77,993	27,416	2,203	107,712	11,310	4,941	2,403	2,106	10,515	31,275	138,887
	TRAFFIC	OTHER	JUVENILE	TOTAL CRIMINAL	CIVIL	DIVORCES	MOTIONS	MONEY JUDGMENTS	SMALL CLAIMS	TOTAL CIVIL	TOTAL CASES

DIVORCES PENDING ----- 2,084

TOTAL INCREASE IN CASELOADS FOR 1972 ----- 16,703

DISTRICT COURT

REPORT OF REVENUE, EXPENDITURES, AND DISTRIBUTION TO OTHER  
STATE DEPARTMENTS FOR YEAR ENDING, JUNE 30, 1972

	REVENUES	EXPENDITURES
DISTRICT 1	151,838.24	86,833.61
DISTRICT 2	219,310.50	60,775.19
DISTRICT 3	283,799.07	120,073.46
DISTRICT 4	93,163.00	43,384.03
DISTRICT 5	164,047.99	76,523.57
DISTRICT 6	143,126.23	83,704.95
DISTRICT 7	281,298.94	94,621.47
DISTRICT 8	214,982.55	91,744.44
DISTRICT 9	417,307.95	145,889.77
DISTRICT 10	373,292.90	122,115.49
DISTRICT 11	87,367.01	71,861.12
DISTRICT 12	218,404.46	72,131.06
DISTRICT 13	167,535.01	60,226.42
CHIEF JUDGE, PORTLAND		58,016.75
JUDGE-AT-LARGE, SANFORD		23,452.60
JUDGE-AT-LARGE, SACO		23,301.67
JUDGE-AT-LARGE, BRUNSWICK		21,859.44
UNALLOCATED CHARGES		65,256.16
TRANSFERRED TO DISTRICT COURT BUILDING FUND		36,000.00
FEDERAL GRANT		1,519.90
<hr style="border-top: 1px dashed black;"/>		
TOTAL REVENUE	2,815,473.85	
TOTAL EXPENDITURES		1,359,291.10
TOTAL DISTRIBUTIONS -		
STATE DEPTS., CITIES, & TOWNS	266,820.70	
TOTAL WITNESS FEES	62,575.32	
GRANTS TO COUNTIES	650,000.00	
		<hr style="width: 100%;"/>
BALANCE		476,786.73

DISTRICT COURT - REPORT OF TOTAL CASES      YEAR ENDING, June 30 1971

	TRAFFIC	OTHER	JUVENILE	TOTAL CRIMINAL	CIVIL	DIVORCE (Pending)	MOTIONS	SMALL CLAIMS	TOTAL CIVIL	TOTAL CASES
DISTRICT I										
Caribou	1,382	772	93	2,247	195	117	38	<del>202</del>	546	2,773
Fort Kent	1,080	394	36	1,510	---	---	--	---	---	1,510
Madawaska	656	462	36	1,154	234	27	51	406	718	1,872
Van Buren	390	186	21	597	---	---	--	---	---	597
	<u>3,508</u>	<u>1,814</u>	<u>186</u>	<u>5,508</u>	<u>429</u>	<u>138</u>	<u>89</u>	<u>608</u>	<u>1,264</u>	<u>6,772</u>
						(137)				
DISTRICT 2										
Houlton	2,843	838	83	3,764	147	68	37	137	389	4,153
Presque Isle	1,768	1,230	162	3,160	467	121	30	382	1,000	4,160
	<u>4,611</u>	<u>2,068</u>	<u>245</u>	<u>6,924</u>	<u>614</u>	<u>189</u>	<u>67</u>	<u>519</u>	<u>1,389</u>	<u>8,313</u>
						(117)				
DISTRICT 3										
Bangor	5,203	1,306	236	6,745	1,449	317	427	872	3,065	9,810
Newport	872	306	32	1,210	52	60	62	241	415	1,625
	<u>6,075</u>	<u>1,612</u>	<u>268</u>	<u>7,955</u>	<u>1,501</u>	<u>377</u>	<u>489</u>	<u>1,113</u>	<u>3,480</u>	<u>11,435</u>
						(228)				
DISTRICT 4										
Calais	840	678	48	1,566	64	50	23	220	357	1,923
Machias	739	439	12	1,190	56	53	20	151	280	1,470
	<u>1,579</u>	<u>1,117</u>	<u>60</u>	<u>2,756</u>	<u>120</u>	<u>103</u>	<u>43</u>	<u>371</u>	<u>637</u>	<u>3,393</u>
						(108)				
DISTRICT 5										
Ellsworth	1,323	632	50	2,005	187	85	58	330	660	2,665
Bar Harbor	354	323	16	693	108	39	39	128	314	1,007
Belfast	743	489	60	1,292	173	91	37	401	702	1,994
Bucksport	36	14	1	51	---	---	--	---	---	51
	<u>2,456</u>	<u>1,458</u>	<u>127</u>	<u>4,041</u>	<u>468</u>	<u>215</u>	<u>134</u>	<u>859</u>	<u>1,676</u>	<u>5,717</u>
						(173)				

DISTRICT COURT - REPORT OF TOTAL CASES - YEAR ENDING, June 30, 1971

	TRAFFIC	OTHER	JUVENILE	TOTAL CRIMINAL	CIVIL	DIVORCE (Pending)	MOTIONS	SMALL CLAIMS	TOTAL CIVIL	TOTAL CASES
DISTRICT 6										
Bath	788	359	45	1,192	351	105	58	304	818	2,010
Rockland	912	495	64	1,471	310	141	74	601	1,126	2,597
Wiscasset	1,002	407	32	1,441	200	62	41	298	601	2,042
	<u>2,702</u>	<u>1,261</u>	<u>141</u>	<u>4,104</u>	<u>861</u>	<u>308</u> (348)	<u>173</u>	<u>1,203</u>	<u>2,545</u>	<u>6,649</u>
DISTRICT 7										
Augusta	3,547	1,414	105	5,066	649	227	99	687	1,662	6,728
Waterville	2,633	998	89	3,720	716	145	165	311	1,337	5,057
	<u>6,180</u>	<u>2,412</u>	<u>194</u>	<u>8,786</u>	<u>1,365</u>	<u>372</u> (333)	<u>264</u>	<u>998</u>	<u>2,999</u>	<u>11,785</u>
DISTRICT 8										
Brunswick	1,639	686	74	2,399	169	128	71	290	660	3,059
Lewiston	5,152	2,127	148	7,427	1,028	318	196	843	2,385	9,812
	<u>6,791</u>	<u>2,813</u>	<u>222</u>	<u>9,826</u>	<u>1,197</u>	<u>446</u> (479)	<u>269</u>	<u>1,133</u>	<u>3,045</u>	<u>12,871</u>
DISTRICT 9										
Bridgton	672	587	29	1,288	49	47	30	263	389	1,677
Portland	9,509	3,282	129	12,920	2,711	670	459	365	4,411	17,331
	<u>10,181</u>	<u>3,869</u>	<u>158</u>	<u>14,208</u>	<u>2,760</u>	<u>723</u> (810)	<u>489</u>	<u>628</u>	<u>4,800</u>	<u>19,008</u>
DISTRICT 10										
Saco	4,363	1,615	162	6,140	824	212	183	582	1,801	7,941
Sanford	1,789	958	57	2,804	107	76	39	257	479	3,283
Kittery	3,049	777	56	3,882	92	98	86	201	477	4,359
	<u>9,201</u>	<u>3,350</u>	<u>275</u>	<u>12,826</u>	<u>1,023</u>	<u>386</u> (402)	<u>308</u>	<u>1,040</u>	<u>2,757</u>	<u>15,582</u>

DISTRICT COURT - REPORT OF TOTAL CASES - YEAR ENDING, June 30, 1971

	TRAFFIC	OTHER	JUVENILE	TOTAL CRIMINAL	CIVIL	DIVORCE (Pending)	MOTIONS	SMALL CLAIMS	TOTAL CIVIL	TOTAL CASES
DISTRICT 11										
Livermore Falls	868	203	31	1,102	62	14	17	151	244	1,346
Rumford	1,283	493	53	1,829	118	62	70	483	733	2,562
So. Paris	<u>588</u>	<u>411</u>	<u>44</u>	<u>1,043</u>	<u>217</u>	<u>51</u>	<u>41</u>	<u>352</u>	<u>661</u>	<u>1,704</u>
	2,739	1,107	128	3,974	397	127 (158)	128	986	1,638	5,612
DISTRICT 12										
Farmington	1,433	597	41	2,071	271	64	66	887	1,288	3,359
Skowhegan	<u>2,347</u>	<u>1,207</u>	<u>36</u>	<u>3,640</u>	<u>621</u>	<u>157</u>	<u>196</u>	<u>816</u>	<u>1,790</u>	<u>5,430</u>
	3,780	1,804	127	5,711	892	221 (188)	262	1,793	3,078	8,789
DISTRICT 13										
Dover-Foxcroft	704	863	46	1,613	83	62	46	263	454	2,067
Lincoln	1,031	377	24	1,432	56	33	15	354	458	1,890
Millinocket	<u>1,046</u>	<u>727</u>	<u>39</u>	<u>1,812</u>	<u>129</u>	<u>49</u>	<u>31</u>	<u>279</u>	<u>488</u>	<u>2,300</u>
	2,781	1,967	109	4,857	268	144 (243)	92	896	1,400	6,257
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TOTALS	62,584	26,652	2,240	91,476	11,895	3,749	2,807	12,257	30,708	122,184
	TRAFFIC	OTHER	JUVENILE	TOTAL CRIMINAL	CIVIL	DIVORCE	MOTIONS	SMALL CLAIMS	TOTAL CIVIL	TOTAL CASES

DIVORCE PENDING -- 3,724

TOTAL INCREASE IN CASELOADS FOR 1971 5,304

TOTAL INCREASE IN CASELOADS FOR 5 YEARS 34,745

DISTRICT COURT -- APPEALS FILED -- YEAR ENDING, June 30, 1971

	TRAFFIC	OTHER	JUVENILE	TOTALS
<b>DISTRICT 1</b>				
Caribou	43	17	6	66
Fort Kent	19	5	-	24
Madawaska	9	16	-	25
Van Buren	<u>10</u>	<u>1</u>	<u>-</u>	<u>11</u>
	81	39	6	126
<b>DISTRICT 2</b>				
Houlton	51	14	2	67
Presque Isle	<u>53</u>	<u>25</u>	<u>1</u>	<u>79</u>
	104	39	3	146
<b>DISTRICT 3</b>				
Bangor	100	68	28	196
Newport	<u>23</u>	<u>21</u>	<u>1</u>	<u>45</u>
	123	89	29	241
<b>DISTRICT 4</b>				
Calais	22	22	4	48
Machias	<u>14</u>	<u>6</u>	<u>-</u>	<u>20</u>
	36	28	4	68
<b>DISTRICT 5</b>				
Bar Harbor	23	34	-	57
Belfast	15	23	3	41
Ellsworth	<u>35</u>	<u>13</u>	<u>-</u>	<u>48</u>
	73	70	3	146
<b>DISTRICT 6</b>				
Bath	113	34	-	147
Rockland	47	16	3	66
Wiscasset	<u>142</u>	<u>60</u>	<u>1</u>	<u>203</u>
	302	110	4	416
<b>DISTRICT 7</b>				
Augusta	63	12	1	76
Waterville	<u>28</u>	<u>13</u>	<u>-</u>	<u>41</u>
	91	25	1	117

DISTRICT COURT -- APPEALS FILED -- YEAR ENDING, June 30, 1971

	TRAFFIC	OTHER	JUVENILE	TOTALS
DISTRICT 8				
Brunswick	43	54	-	97
Lewiston	<u>75</u>	<u>40</u>	<u>11</u>	<u>126</u>
	118	94	11	223
DISTRICT 9				
Bridgton	17	21	-	38
Portland	<u>209</u>	<u>87</u>	<u>2</u>	<u>298</u>
	226	108	2	336
DISTRICT 10				
Saco	168	90	11	269
Sanford	84	56	-	140
Kittery	<u>60</u>	<u>68</u>	<u>5</u>	<u>133</u>
	312	214	16	542
DISTRICT 11				
Livermore Falls	37	12	-	49
Rumford	70	29	-	99
So. Paris	<u>41</u>	<u>13</u>	<u>-</u>	<u>54</u>
	148	54	-	202
DISTRICT 12				
Farmington	41	27	-	68
Skowhegan	<u>71</u>	<u>82</u>	<u>-</u>	<u>153</u>
	112	109	-	221
DISTRICT 13				
Dover-Foxcroft	24	21	3	48
Lincoln	6	24	-	30
Millinocket	<u>15</u>	<u>6</u>	<u>1</u>	<u>22</u>
	45	51	4	100
TOTALS	1,771	1,030	83	2,884
	TRAFFIC	OTHER	JUVENILE	TOTAL APPEALS

YEAR COUNTY	1964	1965	1966	1967	1968	1969	1970	1971	1972 (10 Months)
Androscoggin	\$ 2,554	\$ 3,260	\$ 3,378	\$ 3,735	\$10,339	\$ 6,120		\$14,334	\$18,939
Aroostook	4,606	3,276	6,179	6,195	3,595	13,485		7,736	12,225
Cumberland	6,850	5,125	8,275		15,160	28,685		30,918	52,672
Franklin	300	566	2,918	1,036	2,750	1,450		7,860	2,575
Hancock	2,285	575	922	1,600	1,865	2,395		6,711	2,207
Kennebec	3,905	5,027	8,105	7,353	9,244	12,757		18,328	21,068
Knox	1,148	1,525	2,900					2,610	6,759
Lincoln	525	2,200	2,385	1,550	2,743	1,563		11,292	1,598
Oxford			1,968	3,700	1,575	3,199		8,305	5,371
Penobscot	5,689	16,508	3,085	7,776	16,365	9,791		20,108	17,760
Piscataquis			635	550		4,316		3,829	500
Sagadahoc	975	635	2,300	2,268	1,114	1,227		2,166	1,918
Somerset	1,963	3,044	2,193	6,505	5,327	5,411		10,572	5,116
Waldo	1,035	6,709	2,310	1,510	1,670	2,299		2,846	9,258
Washington	3,491	630	1,209	1,818	2,539	8,999		6,967	3,500
York	6,840	4,170	1,970	11,855	12,071	24,934		24,751	
TOTALS	42,128	52,252	50,452	57,451	86,357	126,631	140,514	176,391	

(W/O York County) 172,066

Estimated 1972 Total	\$230,000
Actual District Court	60,000
Actual Supreme Court	40,000
Total Annual Estimated Cost Defense Services	<u>\$330,000</u>

Appendix A