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REPORT OF SPECIAL COMMITTEE TO STUDY
THE DISTRICT COURTS PURSUANT TO
LEGISLATIVE ORDER OF JUNE 30, 1967
(to 194th legislature)

On June 30, 1967 the Maine Senate requested the Judicial Council, in co-operation with the Chief Judge of the District Court, to study the District Court system with regard to present boundaries of districts and divisions. The request specifically referred to respective relative case loads, the availability of service to inhabitants of rural areas and problems posed by the present district lines separating several communities which were listed.

The Judicial Council appointed a special committee consisting of Ralph I. Lancaster, Jr., Chairman, Attorney General James S. Erwin, Judge Robert L. Browne, Dean Edward S. Godfrey, Mrs. Hugh Connor, Judge F. Davis Clark and Chief Judge Richard S. Chapman.

The Council envisioned its task as an examination of the present boundaries of the districts and divisions to recommend whether any changes should be made in them. In order to make this determination, the Council considered relative case loads, availability of service to inhabitants of rural areas, and problems posed by the present district lines separating certain communities.

The Council reviewed the statistics compiled by the District Court for the year ending June 30, 1967, the report of the Chief Judge of the District Court to the Chief Justice of the Supreme Judicial Court dated October 4, 1967, and statistics which were furnished to it by the Attorney General's office for the comparative periods November 1, 1965 to November 1, 1966 and July 1, 1966 to June 30, 1967 in the Superior and District Courts respectively. While the District Court Report for 1968 is not yet available, the Chief Judge of the District Court has informed the Committee that the statistics remain relatively unchanged.

The Council elicited comments from all of the District Court Judges in regard to the several problem areas mentioned above. The responses of the Judges were reflected in the Committee's Report and are reflected in the following report of the Council.

1. Relative Case Loads

The above mentioned statistics were considered by the Council sufficient to enable it to make gross value judgments in regard to relative case loads. It is obviously impossible from those statistics to determine the amount of time consumed by any particular case. The Council is aware that case loads, appearing statistically well balanced, may, in fact, be out of proportion because of the nature of the cases themselves. The scope of this Council's activities, however, and time limitations preclude the intensive examination required to make that determination. The Council suggests that such internal problems are best resolved through the administration of the Chief Justice by assignment of the Judges at Large where the problems exist.

Taking as a norm a per-judge case load of approximately 5,000 cases per year, and recognizing that the statistics which were available did not accurately reflect the length of time which might be spent on any particular case, the Council noted possible overloading in District 8, District 10 and District 12. The Council is informed that the utilization of an additional judge-at-large has accomplished some lessening of the case load in these problem areas. Since the Judicial Council has now recommended the appointment of another judge-at-large, it is assumed that this aspect of the problem will be resolved if a further judgeship is created.

2. Service to Inhabitants of Rural Areas

Representatives of the Council met with various people, including members of the Legislature, who felt that additional service should be given to inhabitants of rural areas. Some of these people also suggested that where an overload situation existed a new resident judge should be named rather than attempting to solve the problem by using a judge-at-large.

Except as reflected in the following section of this report, the Council discovered no further substantial complaints in regard to service to inhabitants of rural areas.

3. Present Division Lines

As the District Court system was originally created and now exists, no part of any division crosses county lines. In shaping the divisions in this manner, the Legislature obviously had in mind the existing statutory structure which relates venue, at least, and perhaps jurisdiction, the duties of County Attorneys and appellate procedures to county lines. We must assume that the Legislature also had in mind the fact that following county lines would present some inconvenience, and perhaps hardship, to residents of certain rural areas of the State.

During the course of its study, the Council was informed that inconvenience does, in fact, exist in certain communities and the Council received suggestions from various sources as to a realignment of division lines which would alleviate this inconvenience. By way of example the following changes were suggested to the Council to alleviate this inconvenience.

a. Township 8, Range 3, Township 8, Range 4, Township 9, Range 4 North, Township 19, Range 3 North, Danforth and Brookton to be transferred from Calais in the Northern Washington Division of District IV to Houlton in the Southern Aroostook Division of District II.

b. Bowdoin and Bowdoinham to be transferred from Bath in the Sagadahoc Division of District VI to Augusta in the Southern Kennebec Division of District VII.

c. Richmond to be transferred from Bath in the Sagadahoc Division of District VI to Brunswick in the Eastern Cumberland Division of District VIII.

d. Richmond to be transferred from Bath in the Sagadahoc Division of District VI to Augusta in the Southern Kennebec Division of District VII.

e. Topsham to be transferred from Bath in the Sagadahoc Division of District VI to Brunswick in the Eastern Cumberland Division of District VIII.

f. Brownfield and Fryeburg to be transferred from South Paris in the Southern Oxford Division of District XI to Bridgton in the Northern Cumberland Division of District IX.

g. Jay to be transferred from Farmington in the Franklin Division of District XII to Livermore Falls in the Northern Androscoggin Division of District XI.

h. Fairfield to be transferred from Skowhegan in the Somerset Division of District XII to Waterville in the Northern Kennebec Division of District VII.

i. Pittsfield to be transferred from Skowhegan in the Somerset Division of District XII to Newport in the Western Penobscot Division of District III.

At least one of the District Court Judges has suggested strongly that no changes should be made in divisions which would allow the division lines to cross county lines.

4. Conclusion and Recommendation

It is recognized by the Council that any system will have some problems unless, of course, a District Court is established wherever there is a certain

minimum amount of traffic. It must be recognized that this is impractical from an economic point of view. None of the foregoing problems appears to be of major significance at the moment. It must also be recognized that each division is now located totally within county lines and that clerical confusion as well as problems at the county attorney level may ensue if divisions are created which cross county lines. Based upon its study, therefore, the Council is of the opinion that there presently exist no compelling reasons for making changes in district or division lines. The Council is of the opinion that the District Court system has not been in effect long enough to warrant any major revision and any changes short of that would simply be piecemeal legislation which would be detrimental to the system.

Further, there are obvious venue problems which would require substantial statutory amendments. See, e.g., 14 M.R.S.A. Secs. 503, 505, 506 and 507; 14 M.R.S.A. Secs. 2, 3, and 7; 19 M.R.S.A. Secs. 214, 301 and 584 and Rules 73, 73B and 82 of the District Court Rules of Civil Procedure and Rules 18 and 37 of the District Court Rules of Criminal Procedure.

It is, therefore, the recommendation of the Council that no changes be made in the organization of the District Court system at this time and not before a thorough-going professional study is made of the District Court system to determine as closely as possible where all the problem areas lie, so that statutory changes, if necessary, can be made on an overall rather than a piecemeal basis. The Judicial Council of Maine would, of course, be glad to cooperate in supervising such a study by some recognized professional organization.

Respectfully submitted for
the Judicial Council by



Bruce W. Chandler
Executive Secretary