PINE TREE LEGAL ASSISTANCE, INC.
CURRENT STAFF ROSTER (55 full or part-time employees)
February 2007

Administration: Pine Tree's administrative staff now includes the following full-time positions: Executive Director, Program Administrator, Fiscal Manager, Litigation Director and book-keeper and a part-time (60%) Webmaster/Legal Services Technology Director. In addition, Pine Tree houses two information technology specialists who also provide technical support for Maine's other legal aid programs and whose work is reimbursed on a *pro rata* basis by each provider.

Basic Field Offices (Portland, Lewiston, Augusta, Bangor, Machias, and Presque Isle) and outreach at the York County Shelters in Alfred

- 8.4 full-time equivalent (FTE) attorneys for general legal services(this is down 2 FTE attorneys since 2005)
- 7 FTE attorneys supported with special grant projects/funding (including, domestic violence, and tax advocacy in Portland, Augusta and/or Bangor)
- 2 Coffin Fellows (attorneys specializing in family law for poor residents of Cumberland County, funded by Portland law firms)
- .6 FTE client education/*pro se* coordinator
- 10.8 FTE paralegal/advocates for general legal services and intake
- 1.8 paralegals supported with special grant projects/funding (including domestic violence and disability projects in Portland and Bangor)

Migrant Farmworker Unit (Bangor-based but statewide outreach)
- 1.5 FTE attorneys
- .6 FTE paralegal

Native American Unit (Bangor-based but regular outreach to the four ME tribes)
- 1.2 FTE attorneys
- .4 FTE paralegal

Kids Legal Aid of Maine Project (Portland and Bangor offices, statewide services):
- 2.6 FTE attorneys
- 1 paralegal/advocate

Volunteer Lawyers Project (Portland offices & Bangor outreach site, statewide services)
- 2 attorneys
- 1 volunteer coordinator/paralegal
- 3.4 paralegal/advocate

STAFF LAYOFFS

In the mid-1990's, massive federal and state funding cuts led to the elimination of 32 staff positions at Pine Tree. While subsequent funding has allowed some new staff to be hired, most of those positions involve new services and work not previously done. The following positions existed at Pine Tree Legal Assistance prior to 1995, and remain "unfilled" in 2007 because of insufficient funding:

- Development Director
- Administrative Office secretary
- Data entry/analyst
- 8 attorneys providing general legal services
- 1.6 FTE attorneys specializing in migrant services
- 10.5 paralegal/advocates providing general legal services
- 1 administrative assistant supporting migrant/Native American staff

Pine Tree Legal Assistance
calendar 2007 program budget

Revenue

1,981,704*	General legal services (Legal Services Corporation [LSC], State appropriation, MCLSF, IOLTA, donations & other)
172,100	Legal services to migrant farmworkers (for all of New England, from LSC, State, MCLSF, IOLTA and donations)
132,000	Legal services to Native Americans (for Maine and CT, from LSC, State, MCLSF, IOLTA and donations)
580,704	Volunteer Lawyers Project (LSC, IOLTA, donations and other)
490,040	Legal services to victims of domestic violence (United Way, STOP and other)
162,830	Legal Services to low-income children (federal and foundation grants, State, MCLSF, IOLTA and donations)
312,439	Special services/discrete grants (fair housing, fellowships, tax, medical/legal, technology, etc.)

$3,990,785 total projected revenue for 2007

* Not adjusted for inflation, this is virtually the same dollar amount that was available for general legal services at Pine Tree in the early 1990's.

Expenses

3,172,662	Personnel costs for salary and benefits for 55 employees
1,071,815	Overhead costs (for 6 office locations, telephones, malpractice insurance, etc.)

$4,244,477 total projected expenses for 2007

$253,692 projected operating deficit for calendar 2007

Testimony on LD 499
Appropriations and Financial Affairs Committee
March 5, 2007
Chair, Maine Indian Tribal-State Commission
Paul Bisulca

Senator Rotundo, Representative Fischer, distinguished members of the Appropriations and Financial Affairs Committee. My remarks will be brief.

In 1980 the Maine Indian Tribal-State Commission (MITSC) was formed to continually review the effectiveness of the Maine Indian Claims Settlement Act and the social, economic and legal relationship between the state and tribal signatories to that Act. From the beginning and for a quarter century, MITSC struggled with how to accomplish its mission. It was a part-time organization, under-funded with low expectations, and no one took MITSC seriously. The Indians wanted MITSC to succeed, but knew it was ineffective. I know this because I spent five years with that MITSC.

After the Settlement, there was no Indian policy in Maine. With the closure of the Maine Department of Indian Affairs, the Executive and Legislative branches became disconnected from Indian policy and there was no effective dialog between the Settlement parties about that which mattered most – the Settlement and the new jurisdictional relationship that it created. This is where MITSC was supposed to rise to the occasion. It wasn't able to do that.

Years of frustration with MITSC's inability to repair a tribal-state relationship that had been characterized as being at loggerheads resulted in a tribal walkout in 2003, and later during the 122nd Legislature LD 1569 was introduced, which, despite the good intentions of my old seatmate, Representative Moore, would have eliminated MITSC, and in my opinion, created another ineffective MITSC equivalent. MITSC didn't really need a structural change but needed a whole new set of operating procedures and full-time staff support.

In December 2006, I was asked to serve as MITSC's chair. I felt that MITSC could make a difference, but only if it truly understands its clients' needs, pursues those needs in an action-oriented manner, spends less time worrying about Robert's Rules of Order and simply finds ways to make things happen, which we now do. Not surprisingly, the Maliseets, who long resisted MITSC membership, now want to be part of MITSC; the Passamaquoddies, who have serious financial problems and previously wanted to dismember MITSC, paid their annual assessment – a significant sign of confidence; and the Governor recently supported a $25,000 payment to MITSC to offset this year's expected budget shortfall caused by certain increased activity, which he supported.

What MITSC does ranges from dealing with simple problems like the revelation that certain governments still use place names containing the word Squaw. That is being and will be fixed because we intervened. A bigger issue is Indian higher education. We are working with the tribes to help them bring a tribal college to Maine – they just received support from the United South and Eastern Tribes to do this; we initiated discussions with Bowdoin, Bates and Colby colleges to increase opportunities for Indian students to attend their institutions – a meeting between the college presidents and the tribal chiefs to memorialize an agreement is scheduled for May; we are seeking to realize greater effectiveness in the tribal-University of Maine relationship – a meeting between the tribal chiefs and the Provost is anticipated in April; we sought a first-time-ever Wabanaki appointment to the University of Maine System Board of Trustees – a Passamaquoddy has just been nominated; we recommended that the tribes establish a Wabanaki Education Task Force to monitor all of this – it happened. And, we are taking a look at the Maine law requiring the teaching of Maine Native American History and Culture to see if we can do something to make that actually be done. Currently, we are working with the state and the tribes to develop an economic model that will consolidate and focus economic development opportunities, will allow an economy of scale to better access federal money, will provide better security in the selection of economic development activities and will provide oversight. This will be costly for MITSC but will be greatly beneficial to the tribes and their surrounding communities.

This type of intervention is new to MITSC, it works, and produces benefit to both the state and the tribes. But, it requires greater investment. Maine agreed in 1980 to fund this commission. In 1984 the Penobscots and the Passamaquoddies agreed to supplement Maine's funding. Those tribes now carry on a per capita basis a hugely disproportionate share of the financial load, so MITSC morally cannot turn to them and ask for a higher level of funding. And, our costs will increase with the expected addition of two new state commissioners, and we expect to be dealing on behalf of the state with a new set of problems brought about by the accession of the Maliseets who have a different Settlement Agreement. We can't ask the tribes to cover those added costs.

Simply, Maine's old funding level of $34,277 is not sufficient to satisfy what the state and the tribes expect from MITSC. It needs the $72,277 that has been assigned to Maine as its annual assessment. I appreciate your support.

Maine Indian Tribal-State Commission

Projected Annual Budget for Fiscal Year 2008 (7/1/07 - 6/30/08)
3/2/2007

	Projected **State Support** MITSC Req FY 2008		Projected **State Support** previous levels FY 2008		**Projected** ED 25 hrs wk FY 2007		**Actuals** ED 20 - 30 hrs/wk FY 2006
INCOME							
Houlton Band of Maliseet Indians	11,900		11,900		0		0
Passamaquoddy Assessment	11,900		11,900		11,900		0
Penobscot Assessment	11,900		11,900		11,900		11,900
State of Maine Assessment	72,277		34,277		59,277	[1]	34,277
Federal Govt Assessment	0		0		0		0
Sales Wabanaki: A New Dawn	750		750		750	[2]	397
Interest Income KeyBank Accts	250		250		250		220
Grants	0		0		4,475		0
Miscellaneous	50		50		50		1
Total Income	109,027		71,027		88,602		46,795
EXPENSES							
ED Contract Svcs	91,786	[3]	53,786	[4]	57,200		46,797
Chair Per Diem	1,500		1,500		1,500	[5]	1,200
Commissioner MITSC Mtg Per Die	2,700		2,700		2,250	[6]	4,050
Commissioner Mtg Other	900		900		525		450
ED Travel	2,500		2,500		2,500		2,135
Chair Travel	1,500		1,500		1,500	[7]	998
Commissioner MITSC Mtg Travel	2,500		2,500		2,000		2,842
Commissioner Other Travel	250		250		250		54
Bank Services Charges	36		36		36	[8]	152
Food for Meetings	400		400		400		425
Legal Advertising	750		750		750		0
Lodging	500		500		500		387
Office Supplies	150		159		150		144
Meeting Fees	300		300		300		75
Phone	1,500		1,500		1,250		1,444
Postage	150		150		150		118
Post Office Box Rental	46		46		46		
Printing/Copying	750		750		750		222
Video/Educational Materials	50		50		50		0
Wabanaki: A New Dawn Dup	0		0		4,475		84
Website	500		500		479	[9]	0
Miscellaneous	250		250		250		229
Total Expenses	109,018		71,027		77,311		61,806
Balance	9		0		11,291		(15,011)
Balance from previous FY	2,000	[10]	2,000		2,803		17,814
TOTAL	2,009		2,000		14,094		2,803

Notes
[1] Initial State assessment of $34,277 allocated through regular biennial budget for FY 07 Additional $25,000 credited to MITSC from Governor's Contingent Account.
[2] All VHS format videos sold in FY 05/06 except two office copies. In November 2006, 1000 DVDs were made.
[3] Purchases approximately 40 hrs per wk ED time @ current contracting rate
[4] Purchases approximately 23.5 hrs per wk ED time @ current contracting rate
[5] Days devoted to MITSC work outside of Commission meetings
[6] Assume 6 MITSC mtgs FY 07 with 5 Commissioners claiming per diem
[7] Chair travel on MITSC business outside regular Commission meetings
[8] Bank service charges greatly reduced due to conversion of money market acct, opening free checking acct
[9] Rainstorm to charge $179.40 annually to host site, other work on site billed @ $75/hr budget contemplates 4 hrs
[10] MITSC assumes much of the currently projected FY 07 balance of $14,094 will be used up by additional contracting for staff time, ED & Commissioner travel

SEXUAL ASSAULT FORENSIC EXAMINER PROGRAM
OFFICE OF THE ATTORNEY GENERAL

HOSPITAL NAME	CITY	SAFE'S-IN-TRAINING	SAFE'S CERTIFIED
Acadia Hospital	Bangor	1	0
Aroostook Medical Center	Presque Isle	4	1
Blue Hill Memorial Hospital	Blue Hill	2	0
Bridgton Hospital	Bridgton	1	0
C.A. Dean Memorial Hospital	Greenville	0	0
Calias Regional Hospital	Calias	0	0
Cary Medical Center	Caribou	3	1
Central Maine Medical Center	Lewiston	3	1
Down East Community Hospital	Machias	0	1
Eastern Maine Medical Center	Bangor	5	2
Franklin Memorial Hospital	Farmington	1	2
Goodall Hospital	Sanford	1	1
Houlton Regional Hospital	Houlton	2	1
Inland Hospital	Waterville	0	1
Maine Coast Memorial Hospital	Ellsworth	3	2
Maine General Medical Center	Augusta	8	5
Maine Medical Center	Portland	13	1
Mayo Regional Hospital	Dover-Foxcroft	0	0
Mercy Hospital	Portland	1	0
Mid Coast Hospital	Brunswick	4	2
Miles Memorial Hospital	Damariscotta	2	1
Millinocket Regional Hospital	Millinocket	0	0
Mount Desert Island Hospital	Bar Harbor	1	0
Northern Maine Medical Center	Fort Kent	2	2
Parkview Adventist Medical Center	Brunswick	1	0
Parkview Hospital	Brunswick	0	1
Penobscot Bay Medical Center	Rockport	1	1
Penobscot Valley Hospital	Lincoln	0	0
Redington-Fairview General Hospital	Skowhegan	3	3
Rumford Hospital	Rumford	1	1
Sebasticook Valley Hospital	Pittsfield	1	0
Southern Maine Medical Center	Biddeford	2	1
St. Andrews Hospital & Healthcare Center	Boothbay Harbor	0	0
St. Joseph Hospital	Bangor	2	2
St. Mary's Regional Medical Center	Lewiston	0	0
Stephens Memorial Hospital	Norway	2	0
Waldo County General Hospital	Belfast	0	2
York Hospital	York	0	0
TOTAL WORKING IN HOSPITALS		**70**	**35**

NOTE: Highlighted hospitals have no participating SAFEs.

Family Crisis Services

Working to end domestic abuse in Cumberland and Sagadahoc Counties
P.O. Box 704, Portland, ME 04104 • (207) 767-4952 • FAX (207) 767-8109
E-mail: familycrisis@familycrisis.org • www.familycrisis.org

Senator Hobbins, Senator Rotundo, Representative Fischer, Representative Simpson and Members of the Joint Standing Committees on Judiciary and Appropriations.

My name is Lois Galgay Reckitt and I am a resident of South Portland, Maine. I am also the Executive Director of Maine's largest domestic violence prevention and services agency, Family Crisis Services.

I rise today to speak on behalf of the proposal put forth by Chief Justice Saufley to increase the safety and security of not only court personnel – but of litigants in Maine's courthouses by increasing entry screening to exclude weapons from the courthouses.

This is a particular issue when family matters of whatever sort come before the court. Let me give you an example of a case that came to our attention –

A woman was waiting outside of the Courtroom for a meeting with the Case Management Officer assigned to her case. Her ex-partner, showed her the knife he had brought into the courthouse in his backpack and said to her – "This is what I expect you to say......."

Needless to say, she was very very nervous – and I have to believe that her testimony may well have been altered as a result.

At one point we had a victim whose abuser told her "*you are not getting to court alive*". Her case involved both Portland and Westbrook police – and although she lived in Westbrook – the Portland police sent a 6-officer contingent to Westbrook to bring her in – and surround her as she entered the courthouse – as they feared, in this instance, possible sniper fire. **And there was no weapons screening at the courthouse that day!** He didn't show up – but what if he had!

Women are very apprehensive about the court process in general. Most have never before been in that venue – and there are many scary aspects. We have spoken to reluctant litigants who felt unsafe even when their abuser was coming to court in handcuffs from the jail! And although Court Security Officers in the Portland courts are very good at spotting clients who are looking scared even in the atrium area of the courthouse, I am not sure if that can always be the case, especially in courts with less support staff than Portland.

I know this is not New York City – but if we don't find the resolve and the means to make our courtrooms safe for both litigants – and judges – we may well find our own stories ready to be "ripped from the headlines......."

LEGAL SERVICES FOR THE ELDERLY, INC.

136 U.S. Route 1, Scarborough, Maine 04074
(207) 396-6502 • 1-800-427-7411 • Fax (207) 883-8249 • TTY (207) 883-0532
Offices in Augusta, Bangor, Lewiston, Portland, and Presque Isle
• • •
LSE Hotline 1-800-750-5353 (Voice/TTY)
www.mainelse.org

March 5, 2007

Senator Margaret Rotundo, Senate Chair
Representative, Jeremy R. Fischer, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

Senator Barry J. Hobbins, Senate Chair
Representative Deborah L. Simpson, Chair
Joint Standing Committee on Judiciary

Testimony of Leo J. Delicata, Esq., Legal Services for the Elderly in support of funds for Court security.

Senator Rotundo, Representative Fischer, Senator Hobbins, Representative Simpson and members of the Joint Standing Committee on Appropriations and Financial Services and members of the Joint Standing Committee on Judiciary.

When we represent our clients in a court hearing it is most often a case of financial exploitation or a matter that will determine their mental competence and level of freedom. The idea of going to court at all is an immensely disquieting notion for most older people and in almost every case it takes a substantial act of courage. Testifying in public about very persona l matters presents great physical and emotional challenges to our clients and the last thing that they should have to consider is that their personal safety will be at risk. In fact, I believe that if our courts were perceived to be unsafe, our clients would be even more reluctant to use them. This would unfortunately favor individuals who take unfair advantage.

There is no doubt that our courthouses are unsafe. There is also no doubt that the general public has not only indicated that they want them to b e safe but has directed that they wanted their money spent for this purpose. For evidence of this, we have only to look at the voter approved bond in 2002 that invested $540,000 for screening devices. There could be no clearer indication of voter intent. Unfortunately, these devices are now gathering dust at the entrance of each courthouse. They were used just 420 out of 8,820 court days in 2006. But even with that limited use, 27 guns or bullet clips were uncovered by entry screening. It has been reported that more would surely have been detected but at least 250 people left courthouses when they discovered that an entry screen was required.

The conscious decision not to fund the people to operate these voter approved screening devices is an unwise gamb le. It is only a matter of time before someone will use a weapon inside a courthouse to hurt or kill a member of the public, a court staff member or a judge. Once that happens, the public will undoubtedly ask why the machines that they voted to buy didn't protect them. They will then realize that what was obvious to them - that their vote meant that the machines should be used - was not obvious to all.

The idea that access to justice requires taking a physical risk is an idea that Maine people have rejected. It is universally unacceptable that courthouses should be unsafe. Please take the actions necessary to ensure that the machines that were bought to protect the public can actually be used for that purpose.

Thank you for giving me the opportunity to address you today and I hope that you will give serious considerations to including funds for court security in this budget.

HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002
(207) 287-1400
TTY: (207) 287-4469
Email: RepRichard.Cleary@legislature.maine.gov

Richard C. Cleary
P. O. Box 9
Houlton, ME 04730
Residence: (207) 532-2905
Fax: (207) 532-3308

Senator Rotundo, Representative Fisher and honorable members of the Appropriations and Financial Affairs Committee, thank you for allowing me to submit the following information to you relating to the Judiciary's request for funding for renovations to the Houlton District / Superior Courthouse.

You will hear from the judicial department regarding the need for renovations to the Houlton Courthouse. I would like to add my (hopefully) unique perspective as a legislator, an attorney and, more specifically as an attorney practicing in Houlton, a frequent user of the Houlton Courthouse.

The District Court building in Houlton suffered significant water damage on two occasions, the last occasion necessitating abandonment of the building for health and safety reasons. The District Court judge and staff have been operating out of the Superior Courthouse building ever since. The building is over 100 years old and has one courtroom. The library is in disrepair and the clerk's office, located on the first floor, is far removed from the judge's chambers and courtroom. I believe the renovations proposed are a good investment in and for the State of Maine for many reasons I will highlight three of them.

First, a number of court's are attempting to operate with one courtroom, creating scheduling conflicts, security concerns and a "cheapening" of the solemn nature that is often an individual's only contact with the State of Maine Judicial system. The clerks attempt to avoid conflicts as much as possible, however; there is on occasion unavoidable conflicts between the Superior Court, District Court and Family Law Court (with Magistrate Lagner). On these occasions, one or the other judge either vacates the building, leaving many litigants mulling around in the courthouse, or holds "court" in a small conference room with little security or the usual solemn trappings of an appropriate courtroom.

Second, the funds sought by the judiciary, will revise the Houlton Courthouse library. The books located therein have not been updated for years and are essentially of no value in providing the judges, the attorneys or the public relevant legal information. Further, the electronic research tools are of limited value as well. The current system is in need of upgrades to hardware and software. The librarian is hesitant to expend funds at this time until it is clear where the library will be moved and the space available.

Third, beyond the limited assistance the resources within the library can provide, there is a safety and health concern as well. The floor contains asbestos which will need to be removed. Further, the ceiling is in poor repair and has begun to fall. There is a real danger that someone could be struck by this falling material.

The funding sought by the judiciary is fair and reasonable. The Houlton Courthouse (and the courthouse in Dover-Foxcroft as well) are in desperate need of repair. I urge the Appropriations and Financial Affairs Committee to approve the request
Thank you for your consideration

Richard C. Cleary

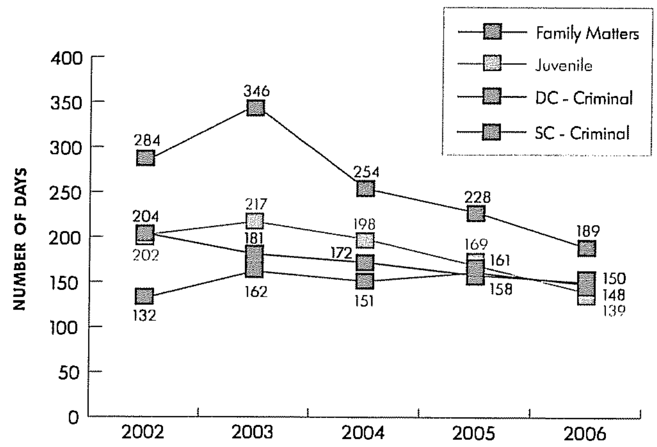
Richard C. Cleary

MAINE JUDICIAL BRANCH 2006

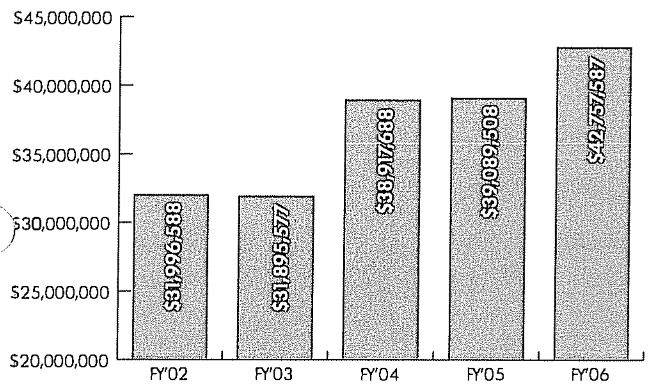
Chief Justice Leigh Saufley

AVERAGE AGE OF PENDING CASELOAD

Since the implementation of the Regional Scheduling Model for case management in 2004, the "age" of cases pending before the courts has decreased steadily and significantly.



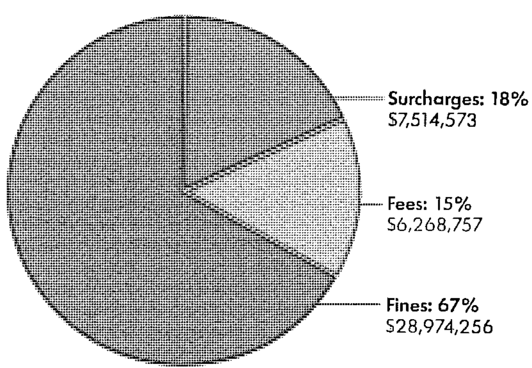
REVENUE COLLECTED by the Judicial Branch



FY'06 revenue collection was the greatest ever, **34% higher than 5 years ago, and nearly 10% greater than last year.** The General Fund received 83% of the FY'06 revenue, $35,382,602. The rest was dedicated to several other departments and agencies, as required by statute.

Judicial Branch REVENUE BY TYPE, FY '06

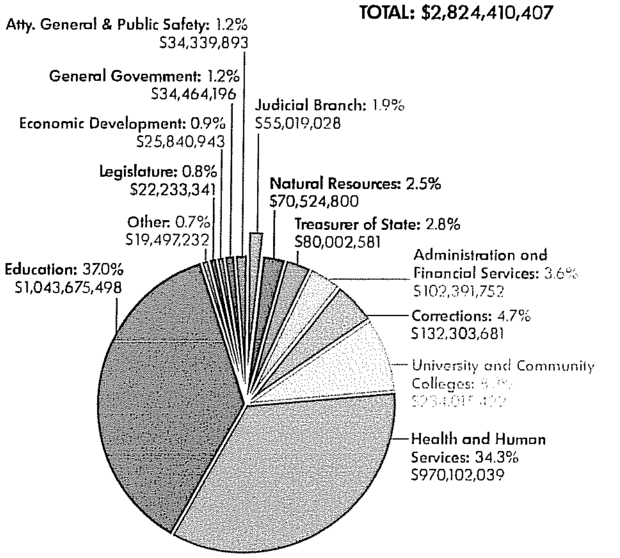
TOTAL: $42,757,587



About 2/3rds of FY'06 revenue came from payment of civil and criminal fines. Surcharges are assessed in addition to fines, and are dedicated to the general fund, county jail operations, law enforcement education, and civil legal services.

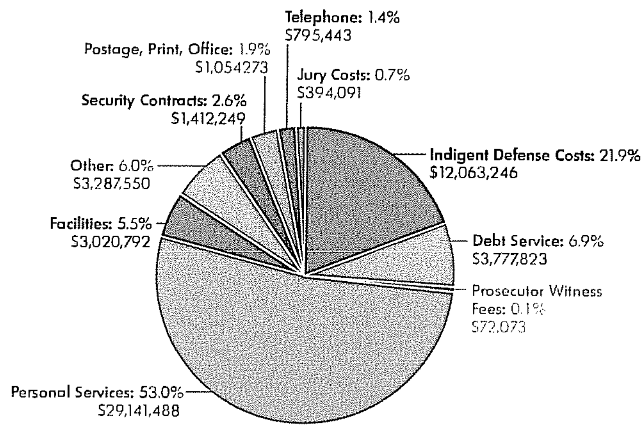
Statewide GENERAL FUND EXPENDITURES, FY '06

TOTAL: $2,824,410,407



Judicial Branch GENERAL FUND EXPENDITURES

TOTAL: $55,019,028



Appropriations and Financial Affairs
Public Hearing on Judicial Branch Budget, March 5, 2007

Current Services Included in Governor's Proposed General Fund Budget

	'06	'07	'08	'09
Personal Services	29,498,642	31,695,495	33,994,149	35,329.980
All Other	25,116,935	25,857,168	27,321,043	29,841,168
Capital	200,000	200,000	0	0
	54,815,577	57,752,663	61,315,192	65,171,148

PERSONAL SERVICES Fully funded > 500 GF Employees

The Personal Services biennial budget covers salaries and benefits for 500 State Judicial Branch employees, including a small budget for Active Retired judges.

ALL OTHER - Flat Funded, with 3 exceptions.

The JB All Other Budget, with an '08 baseline of approximately $27 million, includes $12 million for Court Appointed Counsel, and unlike the Legislative budget and the agency budgets, contains debt service for Judicial Branch facilities.

Most of the All Other budget is flat funded again this year.

- the budget does includes the necessary increase to cover debt service for the biennium;
- the budget does not contain the ordinary CPI increases for leases and contracts. * See Attachment
- the budget does not contain the necessary increases for the ongoing improvements in our Information system. *

CAPITAL Wholly Unfunded

The Governor's budget includes no Capital budget whatsoever for the JB. The deferred maintenance from last year's reduction to $200,000 in Capital funding has now increased the ordinary needs, and we have requested $726,000 for capital improvements.

Judicial Branch Request for Current Services

To avoid reducing funding available for ordinary current services, the JB requests an additional $603,798 and $637,492 in All Other funds, and $736,000 and $726,000 in Capital funds. **(Total - '08: $1,339,798; '09: $1,363,492)**

	FY'08	FY'09
Judicial Branch		
FY'08 & FY'09 Biennial Budget		
Current Services Not in Governor's Budget		
3/1/07	**FY'08**	**FY'09**
Increase in Interpreter Costs	**35,000**	**37,500**
As the Judicial Branch develops a Limited English Proficiency (LEP) program costs for interpreters are increasing significantly. It is estimated the number of interpreted events will increase by 25%. The cost per hour to secure those interpreters is also increasing. A formal testing program is required to ensure interpreters are qualified at an additional cost to the courts. It is estimated the cost for remote telephonic interpretation (Languageline) will increase significantly in order to respond to requests for rare languages/dialects and to accommodate immediate requests for interpretation. Ongoing training is also required.		
Lease Obligations	**102,001**	**128,127**
This represents the estimated increases in rent costs for lease obligations in the 2008-2009 biennium.		
Increase in Current Security Costs	**22,124**	**60,362**
This represents an anticipated 3% increase for county sheriff contracts and temporary security employment costs to maintain courthouse security in 6.5 counties.		
Increase in Facility Costs	**41,583**	**84,413**
This represents a 3% CPI inflationary factor in each year of the biennium to cover the increased costs of utilities, fuel and other facility operating costs. The average CPI percent change for all consumer items for each of the last three years was 3%.		
Increase in Technology Costs	**358,340**	**282,340**
The Judicial Branch continues to run on a meager technology budget. The cost to the general fund to build the MEJIS system was only $1.5 million over 10 years. Since it was developed in house, high costs for application and site licenses have been avoided and we have been able to customize as required at little or no cost. Funds are now necessary to bring this case management system up to date. Internal and external contract programmers will develop a new interface that will assist end users and allow us to share data electronically directly with our partners at all levels of government. If this development is curtailed due to lack of funding, it will not only adversely affect the courts, but the entire criminal justice community and those who depend on Judicial Branch information to successfully fulfill their responsibilities.		
Computer Maintanence Cost Increase	**44,750**	**44,750**
This represents the ordinary cost increases to maintain computers in the Judicial Branch.		
Capital	**736,000**	**726,000**
The Judicial Branch operates from 44 facilities statewide. The capital budget proposal represents the amount that is estimated to maintain and improve those facilties through the next two year cycle. The Capital budget has ordinarily run between $400,000 and $500,000 per year. In FY '07 the budget was reduced to $200,000. The reduction of the JB capital budget in FY '07 has resulted in greater costs related to deferred maintenance.		
TOTAL CURRENT SERVICES ITEMS REQUESTED BUT NOT IN GOVERNOR'S BUDGET	**1,339,798**	**1,363,492**

Marshal Service Compensation

Current Starting Salary
State Judicial Branch Marshal: Pay Grade 7
Salary Range: $23,840 – $31,051

Labor/Management Agreement

Reclassification to Pay Grade 8
$25,086 - $32,738
Increase hours from 37.5 to 40

Cost of New Agreement

	'08	'09	
Reclassification	$86,511	$86,511	
2.5 Hours	$112,628	$117,133	
	$199,139	$203,644	

JUDICIAL BRANCH				
FY' 08 & FY'09 "PART II" BIENNIAL BUDGET REQUESTS				
NOT IN GOVERNOR'S BUDGET				
1/07				
Description		**FY'08**	**FY'09**	**Total Biennium**
Entry Security Screening				
Deputy Marshals	Position Count	18	18	
	Personal Svs	828,486	873,738	1,702,224
	All Other	147,600	75,600	223,200
	Total	976,086	949,338	1,925,424
Sergeants	Position Count	2	2	
	Personal Svs	99,330	101,754	201,084
	All Other	16,400	8,400	24,800
	Total	115,730	110,154	225,884
	Position Count			
Total Entry Security Screening	Personal Svs	927,816	975,492	1,903,308
	All Other	164,000	84,000	248,000
	Total	1,091,816	1,059,492	2,151,308
Facilties				
The Judicial Branch is seeking authority to issue securities in the amount of $9,500,000 for the purpose of constructing a new courthouse in Dover-Foxcroft and $2,500,000 for the purpose of renovating the Houlton courthouse. These funds represent the debt service payments associated with these projects.				
Dover-Foxcroft Debt Service	All Other	0	249,375	249,375
Houlton Debt Service	All Other	0	262,500	262,500
Total		0	511,875	511,875
Chief Information Officer				
The Chief Information Officer is required to fill a large void in the ability of the Judicial Branch to provide information to the public, other governmental entities and within the Judicial Branch itself. This position will oversee the entire Judicial Branch information program including Information Technology, Public Relations, Records Access, Court Libraries, Judicial Branch website and all other means used to disseminate information generated by the courts or respond to requests.				
	Position Count	1	1	1
	Personal Svs	105,503	110,743	216,246
	All Other	11,500	3,000	14,500
	Total	117,003	113,743	230,746
MulticulturalAccess Coordinator				
The MulticulturalAccess Coordinator will implement and support the Judicial Branch's Limited English Proficiency program, work to provide access to the courts for Maine citizens by complying with ADA standards and provide a multicultural resource to allow for enhanced communication and understanding of new American cultures and issues.				
	Position Count	1	1	1
	Personal Svs	66,670	70,219	136,889
	All Other	12,500	4,000	16,500
	Total	79,170	74,219	153,389

Description		FY'08	FY'09	Biennium
Family Drug Treatment Coordinator				
The Family Drug Treatment Coordinator will continue to monitor the operation of the three Family Drug Treatment Courts ensuring statewide consistency with protocols, forms, procedures, treatment quality, data collection and information sharing. The Coordinator will develop training to meet drug court team needs and recommend program improvements where needed. This position will also provide representation from the Administrative Office of the Courts to Juvenile Treatment Drug Courts, acting as a liaison between stakeholders and ensuring ongoing program activities.				
	Position Count	1	1	
	Personal Svs	66,670	70,219	136,889
	All Other	2,500	2,500	5,000
	Total	69,170	72,719	141,889

March 5, 2007

Testimony in Support of Funding for Courthouse Security

Senator Rotundo, Representative Fisher, Members of the Appropriations and Financial Affairs Committee and esteemed members of the Judiciary Committee.. My name is Kathryn Pears and I am Director of Public Policy for the Maine Alzheimer's Association. The Maine Alzheimer's Association is a member of the Elder Issues Partnership. The Elder Issues Partnership is a coalition of 42 Maine organizations concerned with advocating, educating and communicating the needs of older Maine citizens. It is on their behalf that I testify today in support of funding for courthouse security.

Whether young or old, a trip to one of Maine's courthouses can be a stressful and intimidating experience. Making matters worse is the lack of basic protective measures that would ensure the safety and security of Maine citizens who, regardless of reason, rely on the courts and our system of justice.

Elders are especially vulnerable when it comes to navigating the court system. Mobility impairments, transportation problems, hearing impairments and memory disorders make appearing in court especially challenging. On top of this they must cope with the added stress of knowing that our courts are not adequately screening for dangerous weapons and that their appearance in court may place them in jeopardy.

Maine is currently one of the oldest states in the nation. As the baby boomers begin to enter their retirement years in 2011 Maine's proportion of elderly will begin to rise dramatically. As a result of the September 2006 Blaine House Conference on Aging, Governor Baldacci has expressed his interest in hearing from the Commissioners of all state agencies on how their agencies are preparing for the increase in older Maine residents. Courthouse safety deserves to be placed on the agenda so that Maine seniors can take part in the judicial process in confidence.

The Elder Issues Partnership urges your support of increased funding for courthouse security. Thank you.

Elder Issues Partnership

Purpose

The Elder Issues Partnership is a partnership of Maine organizations concerned with advocating, educating, and communicating the needs of older Maine citizens.

Participant Organizations

- AARP
- ALDA-Maine
- Alpha-One
- Community Concepts, Inc.
- Community Counseling Center
- Consumers for Affordable Health Care
- Disability Rights Center
- Eastern Agency on Aging
- Eastern Maine Health Care
- Global Wellness and A Woman's Touch
- Home Care and Hospice Alliance of Maine
- Home Care for Maine
- Joint Advisory Committee on Select Services for Older Persons
- Keeping Seniors Home, a program of Western Maine Community Action
- Legal Services for the Elderly
- Maine Adult Day Services Association
- Maine Alzheimer's Association
- Maine Assisted Technology Program
- Maine Association of Area Agencies on Aging
- Maine Association of Retirees
- Maine Center for Economic Policy
- Maine Council of Senior Citizens
- Maine Equal Justice Partnership
- Maine Health Care Association
- MaineHealth's Partnership for Healthy Aging
- Maine Long-term Care Ombudsman Program
- Maine Personal Assistance Services Association (PASA)
- Maine State Nurses Association
- Maine Women's Lobby
- Mid-Coast Hospital
- Moose Ridge
- National Senior Service Corp (NSSC)
- Office of Elder Affairs, Portland Health and Human Services Department
- PROP (People's Regional Opportunity Program)
- Residential Resources
- Sandy River Home Resources
- Senior Spectrum
- SeniorsPlus, Agency on Aging
- Southern Maine Agency on Aging
- Tri-County Mental Health Services
- Village Elders
- Washington Hancock Community Agency

Secretariat / Contact for more information

Craig Freshley, Good Group Decisions, 98 Maine Street, Brunswick, ME 04011
207-729-5607 ElderIssues@GoodGroupDecisions.com

February 21, 2007

March 5, 2007

Testimony in Support of Funding for Courthouse Security

Senator Rotundo, Representative Fisher, Members of the Appropriations and Financial Affairs Committee and esteemed members of the Judiciary Committee.. My name is Kathryn Pears and I am Director of Public Policy for the Maine Alzheimer's Association. The Maine Alzheimer's Association is a member of the Elder Issues Partnership. The Elder Issues Partnership is a coalition of 42 Maine organizations concerned with advocating, educating and communicating the needs of older Maine citizens. It is on their behalf that I testify today in support of funding for courthouse security.

Whether young or old, a trip to one of Maine's courthouses can be a stressful and intimidating experience. Making matters worse is the lack of basic protective measures that would ensure the safety and security of Maine citizens who, regardless of reason, rely on the courts and our system of justice.

Elders are especially vulnerable when it comes to navigating the court system. Mobility impairments, transportation problems, hearing impairments and memory disorders make appearing in court especially challenging. On top of this they must cope with the added stress of knowing that our courts are not adequately screening for dangerous weapons and that their appearance in court may place them in jeopardy.

Maine is currently one of the oldest states in the nation. As the baby boomers begin to enter their retirement years in 2011 Maine's proportion of elderly will begin to rise dramatically. As a result of the September 2006 Blaine House Conference on Aging, Governor Baldacci has expressed his interest in hearing from the Commissioners of all state agencies on how their agencies are preparing for the increase in older Maine residents. Courthouse safety deserves to be placed on the agenda so that Maine seniors can take part in the judicial process in confidence.

The Elder Issues Partnership urges your support of increased funding for courthouse security. Thank you.

Elder Issues Partnership

Purpose
The Elder Issues Partnership is a partnership of Maine organizations concerned with advocating, educating, and communicating the needs of older Maine citizens.

Participant Organizations

- AARP
- ALDA-Maine
- Alpha-One
- Community Concepts, Inc.
- Community Counseling Center
- Consumers for Affordable Health Care
- Disability Rights Center
- Eastern Agency on Aging
- Eastern Maine Health Care
- Global Wellness and A Woman's Touch
- Home Care and Hospice Alliance of Maine
- Home Care for Maine
- Joint Advisory Committee on Select Services for Older Persons
- Keeping Seniors Home, a program of Western Maine Community Action
- Legal Services for the Elderly
- Maine Adult Day Services Association
- Maine Alzheimer's Association
- Maine Assisted Technology Program
- Maine Association of Area Agencies on Aging
- Maine Association of Retirees
- Maine Center for Economic Policy
- Maine Council of Senior Citizens
- Maine Equal Justice Partnership
- Maine Health Care Association
- MaineHealth's Partnership for Healthy Aging
- Maine Long-term Care Ombudsman Program
- Maine Personal Assistance Services Association (PASA)
- Maine State Nurses Association
- Maine Women's Lobby
- Mid-Coast Hospital
- Moose Ridge
- National Senior Service Corp (NSSC)
- Office of Elder Affairs, Portland Health and Human Services Department
- PROP (People's Regional Opportunity Program)
- Residential Resources
- Sandy River Home Resources
- Senior Spectrum
- SeniorsPlus, Agency on Aging
- Southern Maine Agency on Aging
- Tri-County Mental Health Services
- Village Elders
- Washington Hancock Community Agency

Secretariat / Contact for more information
Craig Freshley, Good Group Decisions, 98 Maine Street, Brunswick, ME 04011
207-729-5607 ElderIssues@GoodGroupDecisions.com

February 21, 2007

MAINE STATE LEGISLATURE
Joint Standing Committee on Appropriations & Financial Affairs
Augusta, Maine 04333

April 26, 2007

TO: Honorable Barry Hobbins, Senate Chair
Honorable Deborah Simpson, House Chair
Joint Standing Committee on Judiciary

FROM: Margaret Rotundo, Senate Chair
Jeremy Fischer, House Chair
Joint Standing Committee on Appropriations & Financial Affairs

SUBJECT: Request for Additional Information Regarding the 2008-2009 Biennial Budget

The Joint Standing Committee on Appropriations and Financial Affairs has accepted a number of the recommendations of the Judiciary Committee as regards the 2008-2009 Biennial Budget Bill (LD 499). Due to limited resources we will not be able to fund all requests that fall under your jurisdiction. We would appreciate your assistance in prioritizing the remaining "tabled" items and identifying any resources.

Attached you will find a "tabled" items report and an "amendment" we received from the Judicial Department. The initiative on the left hand side of the report is the Governor's proposal and the initiative on the right is either your Committee's recommendation or a separate request we received from the Judicial Department. The Appropriations Committee will meet on Tuesday, May 1st at 1:00 p.m. to next discuss this bill. It would be most helpful if representatives of your Committee could be available to present your further recommendations to us at that time.

Please contact us if you have questions or concerns.

cc: Members, Joint Standing Committee on Appropriations and Financial Affairs
Members, Joint Standing Committee on Judiciary
Committee Staff and Clerks

ATTORNEY GENERAL, DEPARTMENT OF THE

Chief Medical Examiner - Office of 0412

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

ATTORNEY GENERAL, DEPARTMENT OF THE

Chief Medical Examiner - Office of 0412

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Establishes 1 limited-period Field Investigator position, that is scheduled to end June 13, 2009, in the Chief Medical Examiner's Office to investigate deaths.

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	$0	$61,099	$64,198
All Other	$0	$13,880	$7,380
GENERAL FUND TOTAL	$0	$74,979	$71,578

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for development of Limited English Proficiency (LEP) program, including per hour interpreter costs, testing to determine interpreter qualification, remote telephonic interpretation (Languageline) and training.

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
All Other	$0	$35,000	$37,500
GENERAL FUND TOTAL	$0	$35,000	$37,500

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for an anticipated 3% increase for county sheriff contracts and temporary security employment costs to maintain courthouse security in 6.5 counties.

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
All Other	$0	$22,124	$60,362
GENERAL FUND TOTAL	$0	$22,124	$60,362

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
Capital Expenditures	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides a 2% increase for standard facility costs such as fuel.

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$27,722	$55,998
GENERAL FUND TOTAL	$0	$27,722	$55,998

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for updating case management system, internal and external programmers to develop new interface that will assist end users and allow sharing of data electronically with all levels of government.

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$358,340	$282,340
GENERAL FUND TOTAL	$0	$358,340	$282,340

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for maintenance and improvement of 44 judicial facilities operated by the Judicial Branch statewide. Covers the deferred maintenance due to reductions to $200,000 in FY 07.

GENERAL FUND	2006-07	2007-08	2008-09
Capital Expenditures	$0	$360,000	$350,000
GENERAL FUND TOTAL	$0	$360,000	$350,000

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for 18 Entry Security Screening Deputy Marshals.

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	18.000	18.000
Personal Services	$0	$828,486	$873,738
All Other	$0	$147,600	$75,600
GENERAL FUND TOTAL	$0	$976,086	$949,338

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for 2 Entry Security Screening Sargeants.

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	2.000	2.000
Personal Services	$0	$99,330	$101,754
All Other	$0	$16,400	$8,400
GENERAL FUND TOTAL	$0	$115,730	$110,154

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: The Judicial Branch is seeking authority to issue securities in the amount of $9,500,000 for the purpose of constructing a new courthouse in Dover-Foxcroft and $2,500,000 for the purpose of renovating the Houlton courthouse. These funds represent the debt service payments associated with the projects.

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$0	$511,875
GENERAL FUND TOTAL	$0	$0	$511,875

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Creates a position count without funding for a Chief Information Officer to oversee the Judicial Branch Information program including Information Technology, Public Relations, Records Access, Court Libraries, Judicial Branch website and all other means used to disseminate information generated by the courtsor respond to requests.

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Creates a position without funding for a Multicultural Access Coordinator to implement and support the Judicial Branch's Limited English Proficiency Program, work to provide access to the courts for Maine citizens by complying with ADA standards and provide a multicultural resource to allow for enhanced communication and understanding of new American cultures and issues.

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for the Family Drug Treatment Coordinator to continue to monitor the operation of the 3 Family Drug Treatment Courts to provide statewide consistency with protocols, forms, procedures, treatment quality, data collection and information sharing. The Coordinator will develop training to meet drug court team needs and recommend program improvements where needed. The Coordinator will also provide representation from the Administrative Office of the Courts to Juvenile Drug Treatment Courts, acting as a liaison between stakeholders and ensuring ongoing program activities. The current federally funded limited-period position may continue until September 30, 2007. The General Fund position is authorized to begin on or about October 1, 2007.

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	$0	$50,003	$70,219
All Other	$0	$2,500	$2,500
GENERAL FUND TOTAL	$0	$52,503	$72,719

FEDERAL EXPENDITURES FUND	2006-07	2007-08	2008-09
Personal Services	$0	$0	$0
FEDERAL EXPENDITURES FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for electronic data lines to provide for video court hearings.

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$76,500	$76,500
GENERAL FUND TOTAL	$0	$76,500	$76,500

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for per diem costs required for an increased use of active retired judges to process cases in the courts.

GENERAL FUND	2006-07	2007-08	2008-09
Personal Services	$0	$72,118	$72,118
GENERAL FUND TOTAL	$0	$72,118	$72,118

FHM - Judicial Department 0963

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	1.000	1.000
Personal Services	$0	$94,808	$100,025
All Other	$0	$2,726	$2,726
FUND FOR A HEALTHY MAINE TOTAL	$0	$97,534	$102,751

FEDERAL EXPENDITURES FUND	2006-07	2007-08	2008-09
Personal Services	$0	$36,245	$0
FEDERAL EXPENDITURES FUND TOTAL	$0	$36,245	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for electronic data lines to provide for video court hearings.

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$76,500	$76,500
GENERAL FUND TOTAL	$0	$76,500	$76,500

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for per diem costs required for an increased use of active retired judges to process cases in the courts.

GENERAL FUND	2006-07	2007-08	2008-09
Personal Services	$0	$72,118	$72,118
GENERAL FUND TOTAL	$0	$72,118	$72,118

FHM - Judicial Department 0963

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	$0	$94,808	$100,025
All Other	$0	$2,726	$2,726
FUND FOR A HEALTHY MAINE TOTAL	$0	$97,534	$102,751

ATTORNEY GENERAL, DEPARTMENT OF THE

Chief Medical Examiner - Office of 0412

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

ATTORNEY GENERAL, DEPARTMENT OF THE

Chief Medical Examiner - Office of 0412

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Establishes 1 limited-period Field Investigator position, that is scheduled to end June 13, 2009, in the Chief Medical Examiner's Office to investigate deaths.

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	$0	$61,099	$64,198
All Other	$0	$13,880	$7,380
GENERAL FUND TOTAL	$0	$74,979	$71,578

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for development of Limited English Proficiency (LEP) program, including per hour interpreter costs, testing to determine interpreter qualification, remote telephonic interpretation (Languageline) and training.

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
All Other	$0	$35,000	$37,500
GENERAL FUND TOTAL	$0	$35,000	$37,500

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for an anticipated 3% increase for county sheriff contracts and temporary security employment costs to maintain courthouse security in 6.5 counties.

GENERAL FUND	**2006-07**	**2007-08**	**2008-09**
All Other	$0	$22,124	$60,362
GENERAL FUND TOTAL	$0	$22,124	$60,362

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
Capital Expenditures	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides a 2% increase for standard facility costs such as fuel.

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$27,722	$55,998
GENERAL FUND TOTAL	$0	$27,722	$55,998

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for updating case management system, internal and external programmers to develop new interface that will assist end users and allow sharing of data electronically with all levels of government.

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$358,340	$282,340
GENERAL FUND TOTAL	$0	$358,340	$282,340

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for maintenance and improvement of 44 judicial facilities operated by the Judicial Branch statewide. Covers the deferred maintenance due to reductions to $200,000 in FY 07.

GENERAL FUND	2006-07	2007-08	2008-09
Capital Expenditures	$0	$360,000	$350,000
GENERAL FUND TOTAL	$0	$360,000	$350,000

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for 18 Entry Security Screening Deputy Marshals.

GENERAL FUND

	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND

	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND

	2006-07	2007-08	2008-09
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND

	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	18.000	18.000
Personal Services	$0	$828,486	$873,738
All Other	$0	$147,600	$75,600
GENERAL FUND TOTAL	$0	$976,086	$949,338

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for 2 Entry Security Screening Sargeants.

GENERAL FUND

	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	2.000	2.000
Personal Services	$0	$99,330	$101,754
All Other	$0	$16,400	$8,400
GENERAL FUND TOTAL	$0	$115,730	$110,154

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: The Judicial Branch is seeking authority to issue securities in the amount of $9,500,000 for the purpose of constructing a new courthouse in Dover-Foxcroft and $2,500,000 for the purpose of renovating the Houlton courthouse. These funds represent the debt service payments associated with the projects.

GENERAL FUND

	2006-07	2007-08	2008-09
All Other	$0	$0	$511,875
GENERAL FUND TOTAL	$0	$0	$511,875

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Creates a position count without funding for a Chief Information Officer to oversee the Judicial Branch Information program including Information Technology, Public Relations, Records Access, Court Libraries, Judicial Branch website and all other means used to disseminate information generated by the courtsor respond to requests.

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: Vote: AFA Committee: Vote:

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	0	0.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Creates a position without funding for a Multicultural Access Coordinator to implement and support the Judicial Branch's Limited English Proficiency Program, work to provide access to the courts for Maine citizens by complying with ADA standards and provide a multicultural resource to allow for enhanced communication and understanding of new American cultures and issues.

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	$0	$0	$0
All Other	$0	$0	$0
GENERAL FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for the Family Drug Treatment Coordinator to continue to monitor the operation of the 3 Family Drug Treatment Courts to provide statewide consistency with protocols, forms, procedures, treatment quality, data collection and information sharing. The Coordinator will develop training to meet drug court team needs and recommend program improvements where needed. The Coordinator will also provide representation from the Administrative Office of the Courts to Juvenile Drug Treatment Courts, acting as a liaison between stakeholders and ensuring ongoing program activities. The current federally funded limited-period position may continue until September 30, 2007. The General Fund position is authorized to begin on or about October 1, 2007.

GENERAL FUND	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	$0	$50,003	$70,219
All Other	$0	$2,500	$2,500
GENERAL FUND TOTAL	$0	$52,503	$72,719

FEDERAL EXPENDITURES FUND	2006-07	2007-08	2008-09
Personal Services	$0	$0	$0
FEDERAL EXPENDITURES FUND TOTAL	$0	$0	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for electronic data lines to provide for video court hearings.

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$76,500	$76,500
GENERAL FUND TOTAL	$0	$76,500	$76,500

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for per diem costs required for an increased use of active retired judges to process cases in the courts.

GENERAL FUND	2006-07	2007-08	2008-09
Personal Services	$0	$72,118	$72,118
GENERAL FUND TOTAL	$0	$72,118	$72,118

FHM - Judicial Department 0963

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0	1.000	1.000
Personal Services	$0	$94,808	$100,025
All Other	$0	$2,726	$2,726
FUND FOR A HEALTHY MAINE TOTAL	$0	$97,534	$102,751

FEDERAL EXPENDITURES FUND	2006-07	2007-08	2008-09
Personal Services	$0	$36,245	$0
FEDERAL EXPENDITURES FUND TOTAL	$0	$36,245	$0

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for electronic data lines to provide for video court hearings.

GENERAL FUND	2006-07	2007-08	2008-09
All Other	$0	$76,500	$76,500
GENERAL FUND TOTAL	$0	$76,500	$76,500

Courts - Supreme, Superior, District and Administrative 0063

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: Provides funding for per diem costs required for an increased use of active retired judges to process cases in the courts.

GENERAL FUND	2006-07	2007-08	2008-09
Personal Services	$0	$72,118	$72,118
GENERAL FUND TOTAL	$0	$72,118	$72,118

FHM - Judicial Department 0963

Policy Committee: IN Vote: 12-0 AFA Committee: TBL Vote:

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2006-07	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	$0	$94,808	$100,025
All Other	$0	$2,726	$2,726
FUND FOR A HEALTHY MAINE TOTAL	$0	$97,534	$102,751

Amendment No. JUD-1

Proposed Amendment to LD 499
Biennial Budget Bill

Current Initiative

Initiative: Continues one limited-period Court Appointed Special Advocate Regional Coordinator position through June 6, 2009. This position was previously authorized in Public Law 2005, chapter 386.

GENERAL FUND	2007-08	2008-09
Personal Services	$71,016	$75,300
All Other	($71,016)	($75,300)
GENERAL FUND TOTAL	$0	$0

Proposed Initiative

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative 0063

Initiative: Continues one limited-period Court Appointed Special Advocate Regional Coordinator position through June 6, 2009. This position was previously authorized in Public Law 2005, chapter 386.

GENERAL FUND	2007-08	2008-09
Personal Services	$23,122	$24,479
All Other	($23,122)	($24,479)
GENERAL FUND TOTAL	$0	$0

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	$49,000	$49,000
All Other	$1,000	$1,000
OTHER SPECIAL REVENUE FUNDS TOTAL	$50,000	$50,000

TABLE OF CONTENTS

Maine Governmental Facilities Authority
Proposed New Money
Level Debt Service
Market Rates as of 5/9/2007

To: GFA Members
FROM: Judicial Dept.

MGFA Bond proposal
Re. Bangor Court
House.

Jus D.

SOURCES AND USES OF FUNDS

Maine Governmental Facilities Authority
Proposed New Money
Level Debt Service
Market Rates as of 5/9/2007

Sources:	
Bond Proceeds:	
Par Amount	37,000,000.00
Premium	1,909,598.35
	38,909,598.35

Uses:	
Other Fund Deposits:	
Capitalized Interest	4,616,558.82
Other Uses of Funds:	
Additional Proceeds	34,293,039.53
	38,909,598.35

BOND SUMMARY STATISTICS

Maine Governmental Facilities Authority
Proposed New Money
Level Debt Service
Market Rates as of 5/9/2007

Dated Date	06/01/2007
Delivery Date	06/01/2007
Last Maturity	10/01/2027
Arbitrage Yield	4.080612%
True Interest Cost (TIC)	4.293408%
Net Interest Cost (NIC)	4.459655%
All-In TIC	4.293408%
Average Coupon	4.854095%
Average Life (years)	13.085
Duration of Issue (years)	9.711
Par Amount	37,000,000.00
Bond Proceeds	38,909,598.35
Total Interest	23,500,050.00
Net Interest	21,590,451.65
Total Debt Service	60,500,050.00
Maximum Annual Debt Service	3,089,625.00
Average Annual Debt Service	2,975,412.30
Underwriter's Fees (per $1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	105.161077

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Serials	37,000,000.00	105.161	4.854%	13.085	28,244.15
	37,000,000.00			13.085	28,244.15

	TIC	All-In TIC	Arbitrage Yield
Par Value	37,000,000.00	37,000,000.00	37,000,000.00
+ Accrued Interest			
+ Premium (Discount)	1,909,598.35	1,909,598.35	1,909,598.35
- Underwriter's Discount			
- Cost of Issuance Expense			
- Other Amounts			
Target Value	38,909,598.35	38,909,598.35	38,909,598.35
Target Date	06/01/2007	06/01/2007	06/01/2007
Yield	4.293408%	4.293408%	4.080612%

BOND PRICING

Maine Governmental Facilities Authority
Proposed New Money
Level Debt Service
Market Rates as of 5/9/2007

l Component	Maturity Date	Amount	Rate	Yield	Price		Yield to Maturity	Call Date	Call Price	Premium (-Discount)
ls:										
	10/01/2010	1,375,000	4.000%	3.700%	100.928					12,760.00
	10/01/2011	1,430,000	4.000%	3.720%	101.107					15,830.10
	10/01/2012	1,490,000	4.000%	3.760%	101.145					17,060.50
	10/01/2013	1,550,000	4.000%	3.800%	101.112					17,236.00
	10/01/2014	1,610,000	4.000%	3.830%	101.073					17,275.30
	10/01/2015	1,680,000	4.000%	3.870%	100.914					15,355.20
	10/01/2016	1,745,000	4.000%	3.920%	100.615					10,731.75
	10/01/2017	1,825,000	5.000%	3.960%	108.519	C	3.985%	06/01/2017	100.000	155,471.75
	10/01/2018	1,920,000	5.000%	4.010%	108.090	C	4.100%	06/01/2017	100.000	155,328.00
	10/01/2019	2,020,000	5.000%	4.050%	107.748	C	4.189%	06/01/2017	100.000	156,509.60
	10/01/2020	2,125,000	5.000%	4.090%	107.407	C	4.265%	06/01/2017	100.000	157,398.75
	10/01/2021	2,230,000	5.000%	4.120%	107.153	C	4.325%	06/01/2017	100.000	159,511.90
	10/01/2022	2,345,000	5.000%	4.150%	106.899	C	4.377%	06/01/2017	100.000	161,781.55
	10/01/2023	2,465,000	5.000%	4.180%	106.646	C	4.424%	06/01/2017	100.000	163,823.90
	10/01/2024	2,590,000	5.000%	4.210%	106.393	C	4.466%	06/01/2017	100.000	165,578.70
	10/01/2025	2,725,000	5.000%	4.230%	106.225	C	4.497%	06/01/2017	100.000	169,631.25
	10/01/2026	2,865,000	5.000%	4.240%	106.142	C	4.520%	06/01/2017	100.000	175,968.30
	10/01/2027	3,010,000	5.000%	4.250%	106.058	C	4.540%	06/01/2017	100.000	182,345.80
		37,000,000								1,909,598.35

Dated Date	06/01/2007	
Delivery Date	06/01/2007	
First Coupon	10/01/2007	
Par Amount	37,000,000.00	
Premium	1,909,598.35	
Production	38,909,598.35	105.161077%
Underwriter's Discount		
Purchase Price	38,909,598.35	105.161077%
Accrued Interest		
Net Proceeds	38,909,598.35	

BOND DEBT SERVICE

Maine Governmental Facilities Authority
Proposed New Money
Level Debt Service
Market Rates as of 5/9/2007

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
06/01/2007					
10/01/2007			580,400	580,400	
04/01/2008			870,600	870,600	
06/30/2008					1,451,000
10/01/2008			870,600	870,600	
04/01/2009			870,600	870,600	
06/30/2009					1,741,200
10/01/2009			870,600	870,600	
04/01/2010			870,600	870,600	
06/30/2010					1,741,200
10/01/2010	1,375,000	4.000%	870,600	2,245,600	
04/01/2011			843,100	843,100	
06/30/2011					3,088,700
10/01/2011	1,430,000	4.000%	843,100	2,273,100	
04/01/2012			814,500	814,500	
06/30/2012					3,087,600
10/01/2012	1,490,000	4.000%	814,500	2,304,500	
04/01/2013			784,700	784,700	
06/30/2013					3,089,200
10/01/2013	1,550,000	4.000%	784,700	2,334,700	
04/01/2014			753,700	753,700	
06/30/2014					3,088,400
10/01/2014	1,610,000	4.000%	753,700	2,363,700	
04/01/2015			721,500	721,500	
06/30/2015					3,085,200
10/01/2015	1,680,000	4.000%	721,500	2,401,500	
04/01/2016			687,900	687,900	
06/30/2016					3,089,400
10/01/2016	1,745,000	4.000%	687,900	2,432,900	
04/01/2017			653,000	653,000	
06/30/2017					3,085,900
10/01/2017	1,825,000	5.000%	653,000	2,478,000	
04/01/2018			607,375	607,375	
06/30/2018					3,085,375
10/01/2018	1,920,000	5.000%	607,375	2,527,375	
04/01/2019			559,375	559,375	
06/30/2019					3,086,750
10/01/2019	2,020,000	5.000%	559,375	2,579,375	
04/01/2020			508,875	508,875	
06/30/2020					3,088,250
10/01/2020	2,125,000	5.000%	508,875	2,633,875	
04/01/2021			455,750	455,750	
06/30/2021					3,089,625
10/01/2021	2,230,000	5.000%	455,750	2,685,750	
04/01/2022			400,000	400,000	
06/30/2022					3,085,750
10/01/2022	2,345,000	5.000%	400,000	2,745,000	
04/01/2023			341,375	341,375	
06/30/2023					3,086,375
10/01/2023	2,465,000	5.000%	341,375	2,806,375	
04/01/2024			279,750	279,750	
06/30/2024					3,086,125
10/01/2024	2,590,000	5.000%	279,750	2,869,750	
04/01/2025			215,000	215,000	
06/30/2025					3,084,750
10/01/2025	2,725,000	5.000%	215,000	2,940,000	
04/01/2026			146,875	146,875	
06/30/2026					3,086,875
10/01/2026	2,865,000	5.000%	146,875	3,011,875	

BOND DEBT SERVICE

Maine Governmental Facilities Authority
Proposed New Money
Level Debt Service
Market Rates as of 5/9/2007

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
04/01/2027			75,250	75,250	
06/30/2027					3,087,125
10/01/2027	3,010,000	5.000%	75,250	3,085,250	
06/30/2028					3,085,250
	37,000,000		23,500,050	60,500,050	60,500,050

NET DEBT SERVICE

Maine Governmental Facilities Authority
Proposed New Money
Level Debt Service
Market Rates as of 5/9/2007

Period Ending	Total Debt Service	Capitalized Interest	Net Debt Service
06/30/2008	1,451,000	1,451,000	
06/30/2009	1,741,200	1,741,200	
06/30/2010	1,741,200	1,741,200	
06/30/2011	3,088,700		3,088,700
06/30/2012	3,087,600		3,087,600
06/30/2013	3,089,200		3,089,200
06/30/2014	3,088,400		3,088,400
06/30/2015	3,085,200		3,085,200
06/30/2016	3,089,400		3,089,400
06/30/2017	3,085,900		3,085,900
06/30/2018	3,085,375		3,085,375
06/30/2019	3,086,750		3,086,750
06/30/2020	3,088,250		3,088,250
06/30/2021	3,089,625		3,089,625
06/30/2022	3,085,750		3,085,750
06/30/2023	3,086,375		3,086,375
06/30/2024	3,086,125		3,086,125
06/30/2025	3,084,750		3,084,750
06/30/2026	3,086,875		3,086,875
06/30/2027	3,087,125		3,087,125
06/30/2028	3,085,250		3,085,250
	60,500,050	4,933,400	55,566,650

PROOF OF ARBITRAGE YIELD

Maine Governmental Facilities Authority
Proposed New Money
Level Debt Service
Market Rates as of 5/9/2007

Date	Debt Service	Present Value to 06/01/2007 @ 4.0806122%
10/01/2007	580,400.00	572,637.21
04/01/2008	870,600.00	841,780.91
10/01/2008	870,600.00	824,949.42
04/01/2009	870,600.00	808,454.48
10/01/2009	870,600.00	792,289.35
04/01/2010	870,600.00	776,447.44
10/01/2010	2,245,600.00	1,962,700.57
04/01/2011	843,100.00	722,152.61
10/01/2011	2,273,100.00	1,908,080.46
04/01/2012	814,500.00	670,034.98
10/01/2012	2,304,500.00	1,857,853.01
04/01/2013	784,700.00	619,964.09
10/01/2013	2,334,700.00	1,807,682.76
04/01/2014	753,700.00	571,897.10
10/01/2014	2,363,700.00	1,757,680.69
04/01/2015	721,500.00	525,789.86
10/01/2015	2,401,500.00	1,715,089.20
04/01/2016	687,900.00	481,457.19
10/01/2016	2,432,900.00	1,668,725.39
04/01/2017	653,000.00	438,936.85
06/01/2017	26,337,666.67	17,584,994.75
	52,885,466.67	38,909,598.35

Proceeds Summary

Delivery date	06/01/2007
Par Value	37,000,000.00
Premium (Discount)	1,909,598.35
Target for yield calculation	38,909,598.35

PROOF OF ARBITRAGE YIELD

Maine Governmental Facilities Authority
Proposed New Money
Level Debt Service
Market Rates as of 5/9/2007

Assumed Call/Computation Dates for Premium Bonds

Bond Component	Maturity Date	Call Date	Call Price	Net Present Value (NPV) to 06/01/2007 @ 4.0806122%
SER	10/01/2017	06/01/2017	100.000	-18,655.47
SER	10/01/2018	06/01/2017	100.000	-11,389.78
SER	10/01/2019	06/01/2017	100.000	-5,074.60
SER	10/01/2020	06/01/2017	100.000	1,907.87
SER	10/01/2021	06/01/2017	100.000	7,666.35
SER	10/01/2022	06/01/2017	100.000	14,017.99
SER	10/01/2023	06/01/2017	100.000	20,971.78
SER	10/01/2024	06/01/2017	100.000	28,587.96
SER	10/01/2025	06/01/2017	100.000	34,656.07
SER	10/01/2026	06/01/2017	100.000	38,814.51
SER	10/01/2027	06/01/2017	100.000	43,307.35

Rejected Call/Computation Dates for Premium Bonds

Bond Component	Maturity Date	Call Date	Call Price	Net Present Value (NPV) to 06/01/2007 @ 4.0806122%	Increase to NPV
SER	10/01/2017			-15,051.86	3,603.61
SER	10/01/2018			3,683.31	15,073.09
SER	10/01/2019			22,183.11	27,257.71
SER	10/01/2020			42,099.79	40,191.92
SER	10/01/2021			61,452.14	53,785.79
SER	10/01/2022			82,300.78	68,282.79
SER	10/01/2023			104,584.09	83,612.31
SER	10/01/2024			128,383.40	99,795.44
SER	10/01/2025			151,721.40	117,065.33
SER	10/01/2026			174,080.09	135,265.58
SER	10/01/2027			197,714.58	154,407.23

RESERVE FUND

Maine Governmental Facilities Authority
Proposed New Money
Level Debt Service
Market Rates as of 5/9/2007

Capitalized Interest (CAPI)

Date	Deposit	Interest @ 4.0806122%	Principal	Scheduled Draws	Balance
06/01/2007	4,616,558.82				4,616,558.82
10/01/2007		62,583.00	517,817.00	580,400	4,098,741.82
04/01/2008		83,626.88	786,973.12	870,600	3,311,768.70
10/01/2008		67,570.22	803,029.78	870,600	2,508,738.92
04/01/2009		51,185.95	819,414.05	870,600	1,689,324.87
10/01/2009		34,467.40	836,132.60	870,600	853,192.27
04/01/2010		17,407.73	853,192.27	870,600	
	4,616,558.82	316,841.18	4,616,558.82	4,933,400	

Yield To Receipt Date:	4.0806121%
Arbitrage Yield:	4.0806122%
Value of Negative Arbitrage:	0.01

Judicial Branch Budget
Options
May 9, 2007

1. Items requiring no new dollars:	'08	'09
a. CASA coordinator authorization	$00	$00
b. Diversion Coordinator – authority to continue special funds position	$00	$00
SubTotal	**0**	**0**
2. New Dollars – Highest priorities		
a. Current Services		
(i) Contractual Obligations		
• Marshall Employees – Collective Bargaining	$199,139	$203,644
• County Sheriff Contracts, 6.5 Counties	$22,124	$60,362
(ii) Electronic Information/Case Management System	$358,340	$282,340
(iii) On-going capital repairs & improvements	$360,000	$350,000
(iv) Video Lines	$76,500	$76,500
SubTotal	**$1,016,103**	**$972,846**
b. Initiatives		
(i) 20 Marshall positions - entry screening - yr 2 start	$0	$1,091,816
(ii) Courthouse Improvements	$00	$393,750
Houlton		
Dover-Foxcroft		
(iii) Family Drug Treatment Coordinator	$50,003	$72,719
SubTotal	**$50,003**	**$1,558,285**
3. If Statutory language changes are approved, regarding non-lapsing funds and authority to move funds between accounts, the following Priorities could covered within the biennial budget		
a. Active Retired Judge funding	*$72,118*	*$72,118*
b. Interpreters	*$35,000*	*$37,500*
c. Fuel/Utility/Janitorial Increases	*$27,722*	*$55,998*
With improved management capacity - **SubTotal**	***0***	***0***
Total	**$1,066,106**	**$2,531,131**

Suggestions for Funding sources:

Revenue or Savings	'08	'09
1. Interest Rates have dropped (confirmed as of 4/30/07) 5.5 >4.3%	$246,950	$122,100
2. Increased Pro Hac Vice Fees From $200 to $600 (~#180/year)	$71,160	$71,160
3. Increased General Civil Filing Fees From $120 to $150 Conservatively #14K/year	$420,000	$420,000
SubTotal	**$738,110**	**$613,260**
4. Deferred Principal Payments on Debt Service *Caution: Will increase debt service in future biennia* *$1.1 million over 20 years*	**$498,758**	**$1,827,400**
	$1,236,868	**$2,440,660**
Difference	**+$170,762**	**($90,471)**

Wagstaff

Administrative Office of the Courts

James T. Glessner
State Court Administrator
62 Elm Street
P.O. Box 4820
Portland, Maine 04112-4820

Telephone: (207) 822-0792
FAX: (207) 822-0781
TTY: (207) 822-0701

MEMORANDUM

To: Members of the Judiciary Committee

From: Ted Glessner

Date May 1, 2007

Subj: Judicial Branch Priorities

The attached documents identify those budget items currently pending for the Judicial Branch.

1. Items Currently Tabled: These items have been presented to the Appropriations Committee and are currently tabled by the Committee. The items on this document are presented in the same order as they appear on the Appropriations Committee's tabled items document. It contains both the descriptive language contained on the Appropriations Committee's document as well as additional descriptive information provided by the Judicial Branch.

2. CASA Position Budget Amendment: This position has been moved into the budget by the Appropriations Committee, but it contains an error. As moved in, it does not include other Special Revenue funds that are available. The solution is the amendment which will require no additional General Fund dollars

3. The Marshals Reclassification and 40 Hour Workweek Request: This is an agreement that was negotiated with MSEA. Although we discussed this with the Judiciary Committee earlier in the session, and we believe it was approved by the Judiciary Committee, at the time it was not included in the material submitted to Appropriations. As such it is not currently pending with the Appropriations Committee.

4. Language: This language was prepared by the Judiciary Committee to reflect the Committee's recommendation with regard to the Judicial Branch's control of it budget.

We include it here to ensure that it is part of the material that will be submitted to the Appropriations Committee and ultimately is included in the budget bill.

We have gone through the difficult process of prioritizing these items and offer the following as the Judicial Branch's recommended priorities, which we categorize as follows:

1. Fulfilling Contractual Obligations
   - Marshals' Reclassification – Attachment #3
     '08 - $199,139 '09 - $203,644

   - County Sheriff Contracts – Attachment #1, Item 2
     '08 - $22,124 '09 - $60,362

2. Completion of Case Management System: This is a critical safety issue as this system supports, among other things, the protection from abuse and conditions of bail systems.
   - Updating Case Management System – Attachment #1, Item 4
     '08 - $358,340 '09 - $282,340

3. Capital Expenditures
   - Capital – Attachment #1, Item 5
     '08 - $360,000 '09 - $350,000

4. Video Communication
   - Electronic Data Lines for Video – Attachment #1, Item 12
     '08 - $76,500 '09 - $76,500

5. New Security Funding
   - 20 Entry Security Screening Deputy Marshals – Attachment #1, Item 6 & 7
     '08 - $1,091,816 '09 - $1,059,492

6. Courthouse Improvements
   - New Courthouse in Dover-Foxcroft – Attachment #1, Item 8
     '08 - $0 '09 - $249,375

   - Renovating the Houlton Courthouse – Attachment #1, Item 8
     '08 - $0 '09 - $262,500

7. Drug Court
   - Family Drug Treatment Coordinator – Attachment #1, Item 11
     '08 - $50,003 '09 - $72,719

8. No Cost Items with Non-Lapsing Funds
   If the proposed language regarding non-lapsing funds (see attachment #4) is enacted the Judicial Branch will be better able to manage existing funds in which case the Judicial Branch can absorb the costs of the following items:
   - Active Retired Judges – Attachment #1, Item 13
     '08 - $72,118 '09 - $72,118
   - Interpreters – Attachment #1, Item 1
     '08 - $35,000 '09 - $37,500
   - Facilities Costs such as Fuel – Attachment #1, Item 3
     '08 - $27,722 '09 - $55,998

In a memo dated April 27, 2007 the Appropriations Committee was advised of an interest rate reduction for debit service for the Bangor Courthouse Project, a copy of the memo is attached. The reduction is in the amount of $246,950 in FY '08 and $122,100 in FY '09. That is a total biennial reduction of $369,050. That amount represents a significant percentage of the amount required for updating the Case Management System.

1. **Limited English Proficiency:** Provides funding for development of Limited English Proficiency (LEP) program, including per house interpreter costs, testing to determine interpreter qualification, remote telephonic interpretation (Language line) and training.

'08 - $35,000 '09 - $37,500 Status - Tabled

The baseline budget for interpreters is $150,000. We believe that the demand for interpreters will increase during the biennium. Persons with Limited English Proficiency are entitled to interpreter services to ensure that they have access to justice. In response to a complaint filed against the Judicial Branch by the U.S. Department of Justice we have implemented a number of improvements including training of judges and staff to ensure that interpreters or telephonic interpreting services are provided to LEP individuals.

The lack of this funding will result in the inability to provide interpreter services at some point during each of the fiscal years of the biennium.

2. **County Sheriff Contracts:** Provides funding for an anticipated 3% increase for county sheriff contracts and temporary security employment costs to maintain courthouse security in 6.5 counties.

'08 - $22,124 '09 - $60,362 Status - Tabled

The cost of having Sheriffs provide court security services is increasing. We are in the process of negotiating contracts in those counties where Sheriffs provide security services. This increase can be the difference between continuing to work with the Sheriffs or having to consider more costly alternatives.

3. **Facilities Costs such as Fuel:** Provides a 2% increase for standard facility costs such as fuel.

'08 - $27,722 '09 - $55,998 Status - Tabled

The costs in this line include electricity, water, sewer, fuel oil, natural gas, janitorial, snow and trash removal, and minor repairs. 2% is a conservative estimate based on trends in these items in recent years.

The Committee asked how the Judicial Branch estimates for fuel increases compare to the rest of State Government. We are told that the Executive Branch has contracts for fuel and electricity and their costs are determined accordingly. Where they have no contracts they have concluded that it is not possible to develop estimates. Our estimate is based on experience with our facilities in recent years.

4. **Updating Case Management System:** Provides funding for updating case management system, internal and external programmers to develop new interface that will assist end users and allow sharing of data electronically with all levels of government.

'08 - $358,340 '09 - $282,340 Status - Tabled

The Judicial Branch has developed and maintained a well functioning case management system at a very low cost to the State. Not only do the Judicial Branch and the users of the courts benefit from this system but also those affected by the availability of criminal history record abstracts and the immediate availability to law enforcement of protection orders and conditions of bail.

The Judicial Branch has begun an upgrade of the system building on the existing technology and databases. The approach we are using is $1.4 million cheaper then the so-called co-development approach and $2.9 million cheaper than buying an off the shelf system. The upgrade is occurring over 5 years which minimizes the fiscal impact in any one year. The inability to continue with this plan will severely hamper the Judicial Branch's ability to schedule and track cases, to docket and communicate case activity, and to interface with law enforcement and other governmental entities.

5. **Capital:** Capital Expenditures

‘08 - $360,000 ‘09 - $350,000 Status - Tabled

The capital budget is used to fund repairs and improvements to court facilities. It has also been used to purchase more expensive technology items such as computer servers but no computers are included in the current request. The amount spent on capital has been as high as $749,000 in FY ‘97. In the 10 years prior to the current year the average amount spent in capital has been $333,000. This year it was reduced to $200,000.

Our original request for capital was $736,000 in each year of the biennium. After hearing from the Judiciary Committee and the Appropriations Committee that request was revised so that it only includes life-safety and potential code violations along with the highest priority item, namely, retrofitting the library to create a courtroom in the Androscoggin County Courthouse. The revised request is for $360,000 for FY ‘08 and $350,000 in FY ‘09. A list of every project to be addressed by this funding was included with the information previously provided to the Committee and is readily available. Continuing deferral of projects will increase costs at a later date.

6. **18 Entry Security Screening Deputy Marshals:** Provides funding for 18 Security Screening Deputy Marshals.

‘08 - $976,086 ‘09 - $949,338 Status - Tabled

7. **2 Entry Security Screening Sergeants:** Provides funding for 2 Entry Security Screening Sergeants

‘08 - $115,730 ‘09 - $110,154 Status – Tabled

8. **New Courthouse in Dover-Foxcroft & Renovating the Houlton Courthouse:** The Judicial Branch is seeking authority to issue securities in the amount of $9,500,000 for the purpose of

constructing a new courthouse in Dover-Foxcroft and $2,500,000 for the purpose of renovating the Houlton courthouse. These funds represent the debt service payments associated with the projects.

'08 - $0	'09 - $511,875	Status - Tabled

9. **Chief Information Officer:** Creates a position count without funding for a Chief Information Officer to oversee the Judicial Branch Information program including Information Technology, Public Relations, Records Access, Court Libraries, Judicial Branch website and all other means used to disseminate information generated by the courts or respond to requests.

'08 - $0	'09 - $0	Status - Tabled

10. **Multicultural Access Coordinator:** Creates a position without funding for a Multicultural Access Coordinator to implement and support the Judicial Branch's Limited English Proficiency Program, work to provide access to the courts for Maine citizens by complying with ADA standards and provide a multicultural resource to allow for enhanced communication and understanding of new American cultures and issues.

'08 - $0	'09 - $0	Status - Tabled

11. **Family Drug Treatment Coordinator:** Provides funding for the Family Drug Treatment Coordinator to continue to monitor the operation of the 3 Family Drug Treatment Courts to provide statewide consistency with protocols, forms, procedures, treatment quality, data collection and information sharing. The Coordinator will develop training to meet drug court team needs and recommend program improvements where needed. The Coordinator will also provide representation from the Administrative Office of the Courts to Juvenile Drug Treatment Courts, acting as a liaison between stakeholders and ensuring ongoing program activities. The current federally funded limited period position may continue until September 30, 2007. The General Fund position is authorized to begin on or about October 1, 2007.

'08 - $50,003	'09 - $72,719	Status - Tabled

This position is currently paid using federal funds. We are seeking authorization to continue this federally funded position for the first three months of fiscal year '08. We are seeking authorization to spend up to the $36,245 in federal funds for this purpose. When the federal funds expire the position is set to end and there are no prospects for additional federal funding. In order to continue the services provided by this position we are seeking the creation of a general fund position along with the necessary funding, effective October 1, 2007.

12. **Electronic Data Lines for Video:** Provides funding for electronic data lines to provide for video court hearings.

'08 - $76,500	'09 - $76,500	Status - Tabled

The Judicial Branch continues to role out the equipment that allows for video communication between courts and jails and for communication among the courts as well. The committee overseeing this project has not yet calculated cost savings but the opportunities to save, to avoid future costs, and to function more efficiently are numerous.

The first priority has been the implementation of video arraignment capability. This saves prison transportation costs, avoids the many security risks associated with taking prisoners from a jail or prison and allows judges to use their time more efficiently. This same technology can be used to avoid the cost of bringing experts witness out of state to avoid travel costs by conducting meetings by video and to provide training that might not otherwise be available in certain areas of the state. This funding pays for the ongoing line costs associated with the video system.

13. Active Retired Judges: Provides funding for per diem costs required for an increased use of active retired judges to process cases in the courts.

'08 - $72,118	'09 - $72,118	Status - Tabled

14. Diversion and Rehabilitation Coordinator: Fund for a Healthy Maine

Personal Services	'08 - $94,808	'09 - $100,025	Status – Tabled
All Other	'08 - $2,726	'09 - $2,726	

This position is paid through the fund for a Healthy Maine and has been in place since August of 2004. The incumbent works closely with the Chief Judges of the various courts and administrative staff dealing with various rehabilitation programs. This position serves as a liaison developing and implementing agreements and contracts with representatives of various governmental agencies. This position is a key component of the drug courts and the other diversion programs which have become so effective and so important within the criminal justice community.

The Judicial Branch is seeking the authorization to continue to use the available fund for Healthy Maine for this position.

4/24/07

Amendment No. <u>JUD-1</u>

Proposed Amendment to LD 499
Biennial Budget Bill

Current Initiative

Initiative: Continues one limited-period Court Appointed Special Advocate Regional Coordinator position through June 6, 2009. This position was previously authorized in Public Law 2005, chapter 386.

GENERAL FUND	**2007-08**	**2008-09**
Personal Services	$71,016	$75,300
All Other	($71,016)	($75,300)
GENERAL FUND TOTAL	$0	$0

Proposed Initiative

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative 0063

Initiative: Continues one limited-period Court Appointed Special Advocate Regional Coordinator position through June 6, 2009. This position was previously authorized in Public Law 2005, chapter 386.

GENERAL FUND	**2007-08**	**2008-09**
Personal Services	$23,122	$24,479
All Other	($23,122)	($24,479)
GENERAL FUND TOTAL	$0	$0

OTHER SPECIAL REVENUE FUNDS	**2007-08**	**2008-09**
Personal Services	$49,000	$49,000
All Other	$1,000	$1,000
OTHER SPECIAL REVENUE FUNDS TOTAL	$50,000	$50,000

Marshal Service Compensation

Current Starting Salary
State Judicial Branch Marshal: Pay Grade 7
Salary Range: $23,840 – $31,051

Contract Negotiations

Reclassification to Pay Grade 8
$25,086 - $32,738
Increase hours from 37.5 to 40

Cost of New Agreement

	'08	'09	
Reclassification	$86,511	$86,511	
2.5 Hours	$112,628	$117,133	
	$199,139	$203,644	

Proposed amendments accompanying Budget Recommendations of the Joint Standing Committee on Judiciary.

JUDICIAL BRANCH

Sec. JB-1. 5 MRSA §1522 is enacted to read:

§1522. Application to Judicial Branch; nonlapsing

Application of Part. Unless the language in this Part specifically states that it applies to the Judicial Branch, the Judicial Branch may not be required to comply with the provisions of this Part unless determined relevant and applicable by the Chief Justice.

Sec. JB-2. 5 MRSA §1591, sub-§3 is enacted to read:

5 § 1591. Remaining balances of nonlapsing funds

1. Department of Administrative and Financial Services. The Department of Administrative and Financial Services must apply:

A. Any balance remaining in the Salary Plan program in the Department of Administrative and Financial Services at the end of any fiscal year to be carried forward for the next fiscal year; and

B. Any balance remaining in the General Fund Capital, Construction, Repairs, Improvements - Administrative program in the Department of Administrative and Financial Services at the end of any fiscal year to be carried forward for the next fiscal year.

2. Department of Health and Human Services. The Department of Health and Human Services must apply:

A. Any balance remaining in the accounts of the Department of Health and Human Services, Bureau of Elder and Adult Services appropriated for the purposes of homemaker or home-based care services at the end of any fiscal year to be carried forward for use by either program in the next fiscal year.

3. Judicial Branch. The Judicial Branch must apply:

A. Fifty percent any balance remaining in the accounts of the Judicial Branch appropriated for any purposes at the end of any fiscal year to be carried forward for the next fiscal year.

SUMMARY

Proposed amendments accompanying Budget Recommendations of the Joint Standing Committee on Judiciary

Section JB 1 does 2 things. First, it puts the Judicial Branch on equal footing with the Legislative Branch with regard to the application of the State's budget laws to the Judicial Branch. Second, it provides that 50% of all unexpended and unencumbered appropriation and allocation balances within the Judicial Branch do not lapse and must be carried forward for use by the Judicial Branch.

Section JB-2 provides that any balances remaining in accounts at the end of the fiscal year must be carried forward.

G:\COMMITTEES\JUD\BUDGET 2007\proposed amendments rev 2.doc (3/12/07 2:23 PM)

Judicial Branch Budget
Joint Standing Committee on the Judiciary
May 1, 2007 (CJ Overview)

1. Items requiring no new dollars:	'08	'09
a. CASA – authority to shift $50,000 A) to PS	$00	$00
b. Diversion Coordinator – authority to continue special funds position	$00	$00
SubTotal	**0**	**0**
2. New Dollars – Highest priorities		
a. Current Services		
(i) Contractual Obligations		
• Marshall Employees – Collective Bargaining	$199,139	$203,644
• County Sheriff Contracts, 6.5 Counties	$22,124	$60,362
(ii) Electronic Information/Case Management System	$358,340	$282,340
(iii) On-going capital repairs & improvements	$360,000	$350,000
(iv) Video Lines tabled in Gov's budget	$76,500	$76,500
SubTotal	**$1,016,103**	**$972,846**
b. Initiatives		
(i) 20 Marshall positions - entry screening - yr 2 start	$1,091,816	~~$1,059,492~~
(ii) Courthouse Improvements	$00	~~$511,875~~ $400,000
Houlton		
Dover-Foxcroft		
(iii) Family Drug Treatment Coordinator	$50,003	$76,500
SubTotal	**$1,141,819**	**$1,647,867**
3. Priorities to be Managed Through improved JB accounting capacities, including		
Non-lapsing funds		
Authority to move funds between accounts		
a. Active Retired Judge funding	*$72,118*	*$72,118*
b. Interpreters	*$35,000*	*$37,500*
c. Fuel/Utility/Janitorial Increases	*$27,722*	*$55,998*
With improved management capacity - **SubTotal**	*0*	*0*
Total	**$2,157,922**	**$2,620,713**

Suggestions for Funding sources:

Revenue or Savings	'08	'09
1. Interest Rates have dropped (confirmed as of 4/30/07) 5.5 >4.3%	\$246,950	\$122,100
2. Increased Pro Hac Vice Fees From \$200 to \$600 (~#180/year)	\$71,160	\$71,160
3. Increased General Civil Filing Fees From \$120 to \$150 Conservatively #14K/year	\$420,000	\$420,000
SubTotal	**\$738,110**	**\$613,260**
4. Deferred Principal Payments on Debt Service *Caution: Will increase debt service in future biennia \$1.1 million over 20 years*	**\$498,758**	**\$1,827,400**
	\$1,236,868	**\$2,440,660**
Difference	~~**(\$921,054)**~~	~~**(\$180,053)**~~

\$170,762 (\$68,178)

Judicial Branch Budget
Options
May 9, 2007

1. Items requiring no new dollars:	'08	'09
a. CASA coordinator authorization	$00	$00
b. Diversion Coordinator – authority to continue special funds position	$00	$00
SubTotal	**0**	**0**
2. New Dollars – Highest priorities		
a. Current Services		
(i) Contractual Obligations		
• Marshall Employees – Collective Bargaining	$199,139	$203,644
• County Sheriff Contracts, 6.5 Counties	$22,124	$60,362
(ii) Electronic Information/Case Management System	$358,340	$282,340
(iii) On-going capital repairs & improvements	$360,000	$350,000
(iv) Video Lines	$76,500	$76,500
SubTotal	**$1,016,103**	**$972,846**
b. Initiatives		
(i) 20 Marshall positions - entry screening - yr 2 start	$0	$1,091,816
(ii) Courthouse Improvements	$00	$393,750
Houlton		
Dover-Foxcroft		
(iii) Family Drug Treatment Coordinator	$50,003	$72,719
SubTotal	**$50,003**	**$1,558,285**
3. If Statutory language changes are approved, regarding non-lapsing funds and authority to move funds between accounts, the following Priorities could covered within the biennial budget		
a. Active Retired Judge funding	*$72,118*	*$72,118*
b. Interpreters	*$35,000*	*$37,500*
c. Fuel/Utility/Janitorial Increases	*$27,722*	*$55,998*
With improved management capacity - **SubTotal**	*0*	*0*
Total	**$1,066,106**	**$2,531,131**

Suggestions for Funding sources:

Revenue or Savings	'08	'09
1. Interest Rates have dropped (confirmed as of 4/30/07) 5.5 >4.3%	$246,950	$122,100
2. Increased Pro Hac Vice Fees From $200 to $600 (~#180/year)	$71,160	$71,160
3. Increased General Civil Filing Fees From $120 to $150 Conservatively #14K/year	$420,000	$420,000
SubTotal	**$738,110**	**$613,260**
4. Deferred Principal Payments on Debt Service *Caution: Will increase debt service in future biennia* *$1.1 million over 20 years*	**$498,758**	**$1,827,400**
	$1,236,868	**$2,440,660**
Difference	**+$170,762**	**($90,471)**

SENATE

BARRY J. HOBBINS, DISTRICT 5, CHAIR
JOHN M. NUTTING, DISTRICT 17
DAVID R. HASTINGS III, DISTRICT 13

MARGARET J. REINSCH, LEGISLATIVE ANALYST
SUSAN M. PINETTE, COMMITTEE CLERK

HOUSE

DEBORAH L. SIMPSON, AUBURN, CHAIR
JANET T. MILLS, FARMINGTON
MARK E. BRYANT, WINDHAM
MICHAEL E. DUNN, BANGOR
ALAN M. CASAVANT, BIDDEFORD
CYNTHIA A. DILL, CAPE ELIZABETH
ABIGAIL HOLMAN, FAYETTE
JOAN M. NASS, ACTON
ROBERT A. BERUBE, LISBON
LAWRENCE E. JACOBSEN, WATERBORO
DONNA M. LORING, PENOBSCOT NATION

STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON JUDICIARY

March 13, 2007

TO: Sen. Margaret Rotundo, Senate Chair
Rep. Jeremy Fischer, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Sen. Barry Hobbins, Senate Chair
Rep. Deborah Simpson, House Chair
Joint Standing Committee on Judiciary

Re: Judiciary Committee 08-09 Budget Recommendations

The Judiciary Committee met several times to review the Governor's Biennial Budget and the requests of the following: The Judicial Branch, the Office of the Attorney General, the Maine Human Rights Commission, Pine Tree Legal Assistance and the Maine Indian Tribal-State Commission. We have included our completed work sheets in which we have indicated that the Committee recommends adoption of the Governor's proposed budget, with amendments with regard to the Judicial Branch and the Office of the Attorney General. We hope to be able to offer suggestions to the Appropriations Committee to assist in covering the additional costs included in our recommendations.

OFFICE OF THE ATTORNEY GENERAL

The Judiciary Committee unanimously (12-0, 2 absent) supports the Governor's recommendations with regard to the Office of the Attorney General, with the following changes:

- Fund the Sexual Assault Forensic Examiner training and education program from the Victim's Compensation Fund (up to $50,000 per year) *requires statutory language change, attached*;
- Fund the hiring on contract of a Part-Time Forensic Examiner in the Office of the Chief Medical Examiner by using the unexpended and unneeded balance in the Fair Drug Pricing Contingent Account (established to defend the Maine Rx Program); and

100 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0100 TELEPHONE 207-287-1327

- Fund from the General Fund one Field Investigator Position in the Office of the Chief Medical Examiner. An existing federal funds position (currently vacant) is moved to the General Fund, so there is no net increase in positions.

We note that we support the juvenile prosecutors program in the District Attorneys' offices. The Governor's budget funds these special prosecutors at 75% of their cost, the remainder to be paid through federal grants, which has been a diminishing source over the last few years. If the remainder of the funding is not provided through the anticipated federal grants, we have invited the Attorney General and the District Attorneys to revisit the funding issue with us in January 2008.

BAXTER COMPENSATION FUND

The Judiciary Committee unanimously (12-0, 2 absent) supports the Governor's recommendation.

MAINE HUMAN RIGHTS COMMISSION

The Judiciary Committee unanimously (12-0, 2 absent) supports the Governor's recommendation.

MAINE INDIAN TRIBAL-STATE COMMISSION

The Judiciary Committee voted unanimously (14-0) to approve the Governor's proposed budget for the Maine Indian Tribal-State Commission. We note that there is legislation introduced that would expand the membership of MITSC, which would result in additional contributions from the State. We are not prepared at this time to go forward with that recommendation.

JUDICIAL BRANCH

The Judiciary Committee unanimously (12-0, 2 absent) recommends the Governor's proposed budget for the Judicial Branch, with significant additions we believe are necessary to carry out the State's obligation to administer justice. We understand that some of the necessary funding for the Judicial Branch was not included in the Governor's budget, at least partly blamed on the new budget format. We therefore recommend rectifying that oversight.

- Current Services costs not included in the Governor's Budget - General Fund funding required:
  - Increase in interpreter costs;
  - Lease obligations;
  - Increase in court security costs (contracts with sheriffs);
  - Increase in facility costs;

    - Increase in technology costs;
    - Computer maintenance cost increase; and
    - Capital.
- Additional budget requests - General Fund funding required:
    - Entry security screening (20 positions);
    - Facilities (debt service for Dover-Foxcroft and Houlton courthouses); and
    - Family Drug Treatment Coordinator.
- Additional position request - not requesting funding at this time:
    - Chief Information Officer; and
    - Multicultural Access Coordinator .

Please note: The Family Drug Treatment Coordinator has been funded with federal funds up until now. Although the federal funding is proposed to be eliminated, we understand that there is still a possibility that at least some federal funds may yet be available for the position. If the Judicial Branch is successful in procuring those funds, we support the elimination of the General Fund appropriation included in this report.

The Judiciary Committee agrees with the Judicial Branch that the current budgeting procedures are inappropriately applied to the Judicial Branch as a separate and co-equal branch of government. We support changes in the statute to allow the Judicial Branch to use savings in any account or line to fund any other uses within the Judicial Branch. We also support the right of the Judicial Branch to carry forward 50% any balances unused at the end of the fiscal year. We therefore recommend amendments to the budget statutes to recognize the Judicial Branch as on the same equal footing as the Legislative Branch, and direct that the Judicial Branch accounts be nonlapsing. *See attached language.*

Thank you for your serious considerations of our recommendations. Please let us know if you need more information. We look forward to working with you.

G:\COMMITTEES\JUD\BUDGET 2007\memo to AFA rev5.doc (3/13/2007 3:29:00 PM)

ATTORNEY GENERAL

Payment of Sexual Assault Forensic Examiner training position from the Victim's Compensation Fund:

Sec. AG-1. 5 MRSA 3360-M, sub-§1 is amended to read:

1. Payment. The board shall pay the costs of forensic examiner training as well as the costs of forensic examinations for alleged victims of gross sexual assault from the Victims' Compensation Fund. The board shall track expenditures for forensic examinations separately from all other expenditures. Forensic examination payments are not subject to any other provision of this chapter.

Sec. AG-2. 5 MRSA §3360-M, sub-§2 is amended to read:

2. Forensic examination; forensic examiner training and education. The board shall determine by rule what a forensic examination may include for purposes of payment. An examination must include at least all services directly related to the gathering of forensic evidence and related testing and treatment for pregnancy and sexually transmitted diseases. The board shall pay a licensed hospital or licensed health care practitioner the actual cost of the forensic examination up to a maximum of $500.

The costs of sexual assault forensic examiner training and education provided by the State's Sexual Assault Forensic Examiner Program must be paid from the Victim's Compensation Fund. The amount may not exceed $50,000 per year.

SUMMARY

Sections AG-1 and AG-2 provide up to $50,000 funding per year from the Victim's Compensation Fund to pay the costs of sexual assault forensic examiner training and education provided by the State's Sexual Assault Forensic Examiner Program. This is a consistent extension of the Fund's payment for sexual assault examination costs paid to hospitals and licensed health care practitioners.

(Additional language is necessary to transfer the unexpended balance in the Maine Rx defense account to fund the contract for a part-time pathologist in the CME's Office. OFPR is drafting that part of the Judiciary Committee's report.)

JUDICIAL BRANCH

Sec. JB-1. 5 MRSA §1522 is enacted to read:

§1522. Application to Judicial Branch; nonlapsing

Unless the language in this Part specifically states that it applies to the Judicial Branch, the Judicial Branch may not be required to comply with the provisions of this Part unless determined relevant and applicable by the Chief Justice.

Sec. JB-2. 5 MRSA §1591, sub-§3 is enacted to read:

5 § 1591. Remaining balances of nonlapsing funds

1. Department of Administrative and Financial Services. The Department of Administrative and Financial Services must apply:

A. Any balance remaining in the Salary Plan program in the Department of Administrative and Financial Services at the end of any fiscal year to be carried forward for the next fiscal year; and

B. Any balance remaining in the General Fund Capital, Construction, Repairs, Improvements - Administrative program in the Department of Administrative and Financial Services at the end of any fiscal year to be carried forward for the next fiscal year.

2. Department of Health and Human Services. The Department of Health and Human Services must apply:

A. Any balance remaining in the accounts of the Department of Health and Human Services, Bureau of Elder and Adult Services appropriated for the purposes of homemaker or home-based care services at the end of any fiscal year to be carried forward for use by either program in the next fiscal year.

3. Judicial Branch. The Judicial Branch must apply:

A. Fifty percent of any balance remaining in the accounts of the Judicial Branch appropriated for any purposes at the end of any fiscal year to be carried forward for the next fiscal year.

Proposed amendments accompanying Budget Recommendations of
the Joint Standing Committee on Judiciary

SUMMARY

Section JB 1 puts the Judicial Branch on equal footing with the Legislative Branch with regard to the application of the State's budget laws to the Judicial Branch.

Section JB-2 provides that 50% of any balances remaining in Judicial Branch accounts at the end of the fiscal year must be carried forward.

G:\COMMITTEES\JUD\BUDGET 2007\proposed amendments rev 5.doc (3/13/2007 3:36:00 PM)