

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of  
the Maine Attorney General as transferred to  
the Maine State Law and Legislative Reference  
Library on January 19, 2022**

no.

October 14, 1955

To Colonel Robert Marx, Chief, Maine State Police  
Re: Reports on Juvenile Delinquents

Your memo requesting an interpretation of Chapter 120 of the Public Laws of 1955 has been referred to me for consideration.

You state that Judge Isaacson of the Lewiston Municipal Court has asked you to obtain a ruling from this department as to whether or not Chapter 120 requires all courts to report to the State Police on findings of juvenile delinquency.

This statute is a direction to every court and trial justice in the State, in every case wherein a person is convicted of a violation of any criminal statute, and provides that such court and trial justice

"shall forthwith transmit to the State Bureau of Identification an abstract, duly certified, setting forth therein the names of the parties, the nature of the offense, the date of hearing, the plea, the judgment and the result."

It is the duty of the courts and trial justices to interpret for themselves those statutes which relate directly to their behavior or activities, and such interpretation will stand unless a higher court finds that the interpretation is erroneous. This office, by statute, advises and gives opinions to the Governor and Council, the respective branches of the legislature, and to department heads on questions of law which affect them. The division of government as defined in our Constitution would seem clearly to prohibit this office from expressing an opinion which would purport to guide the various courts. We, therefore, reluctantly advise that in the present instance, and in compliance with the Constitution, we may not issue an opinion on the question propounded.

James Glynn Frost  
Deputy Attorney General