

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)

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1504

H. P. 1170

House of Representatives, March 15, 1973

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. McTeague of Brunswick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Election of Jury Trials in Misdemeanor Proceedings.

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 15, § 1201-A, additional. Title 15 of the Revised Statutes is amended by adding a new section 1201-A to read as follows:

§ 1201-A. Election of jury trial; misdemeanor proceedings

In any misdemeanor criminal action pending before a District Court, the defendant shall be required to elect between a nonjury trial in the District Court with any appeal to the Superior Court limited to questions of law, or a jury trial in the Superior Court.

STATEMENT OF FACT

The purpose of this bill is to limit the present practice of having duplicitous evidentiary hearings on misdemeanor proceedings first before a judge in the District Court and then before a jury in the Superior Court, which is expensive, inefficient and not reasonably related to any interest of the defendant or the State. It is anticipated that the Supreme Judicial Court would promulgate appropriate rules to implement the statute.