

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 92

S. P. 35

In Senate, January 7, 1975

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Clifford of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

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

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

15 MRSA, § 2114, as last repealed and replaced by PL 1973, c. 520, is repealed and the following enacted in place thereof:

§ 2114. Defendant may appeal without trial

In all prosecutions before the district court, the defendant may plead not guilty and waive a hearing, whereupon the same proceedings shall be had as to sentence and appeal as if there had been a full hearing.

STATEMENT OF FACT

The Legislature, in regular session by chapter 520 of the public laws of 1973, attempted to eliminate duplicate hearings on misdemeanor proceedings first before a judge of the district court and then before a Superior Court jury. In practice, the law has not lessened the caseload in the district court, has markedly increased the backlog in Superior Court and has not accomplished the purpose for which it was passed.