

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 671

H. P. 533

House of Representatives, February 18, 1975

Speaker laid before the House and referred to the Committee on Performance and Audit. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Najarian of Portland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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AN ACT Relating to the Appointment of Clerks of the Judicial Courts.

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

Sec. 1. 4 MRSA § 551, as last repealed and replaced by PL 1969, c. 229, § 1, is repealed and the following enacted in place thereof:

§ 551. Clerks of the judicial courts, clerical assistants; appointments; compensation

For each county, or if the Supreme Judicial Court shall have by rule established judicial regions, for each judicial region, and for the office of the Chief Justice of the Supreme Judicial Court, the Chief Justice shall appoint such clerks and employ such clerical assistants as may be necessary to serve the Supreme Judicial Court and the Superior Court. County clerks shall be compensated in accordance with Title 30, section 2. Other clerks and clerical assistants shall be compensated as determined by the Chief Justice. If the business of any county or judicial region does not require the full-time service of a clerk, the Chief Justice may appoint a part-time clerk for such county or region. Whenever a clerk is absent or temporarily unable to perform his duties as clerk and an existing or immediate session of the court renders it necessary, the Chief Justice may designate a clerk pro tempore who shall have the same powers and duties as the clerk.

Sec. 2. 4 MRSA § 552 is repealed.

Sec. 3. 4 MRSA § 554, as last amended by PL 1971, c. 544, § 9, is repealed.

Sec. 4. 4 MRSA § 562, as last amended by PL 1969, c. 504, § 3-A, is repealed.

Sec. 5. 30 MRSA § 201 is repealed and the following enacted in place thereof:

§ 201. Designation; powers and duties; records

The county commissioners in each county shall appoint some suitable person to serve as clerk to the county commissioners, such service to be at the pleasure of the county commissioners. The clerk of the county commissioners shall be known as the county clerk. When a clerk is absent, the clerk may appoint a clerk pro tempore to the commissioners for whose doings he is responsible. Such clerks shall be sworn and shall make a daily record of the doings of the county commissioners, and said commissioners shall examine such records and, when correct, shall certify them, and they shall be adopted into the records of the county commissioners by the stated clerk.

STATEMENT OF FACT

The purpose of this bill is to provide that clerks and clerical personnel to serve the Superior and Supreme Judicial Courts shall be appointed and employed by the Chief Justice of the Supreme Judicial Court rather than elected by popular vote.