MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "**B**" to H.P. 635, L.D. 838, Bill,

"AN ACT Concerning Administration of the Judicial Department."

Amend the Bill by striking out everything after the

enacting clause and inserting in its place the following:

'Sec. 1.   4 MRSA §15,/~~as enacted by~~ PL 1975, c. 408, §5-A,

        first sentence,

is repealed and the following enacted in its place:

'There shall be an Administrative Office of the Supreme

Judicial Court and the Superior Courts,directed by a

Court Administrator who shall be appointed by and serve at the

pleasure of the Chief Justice of the Supreme Judicial Court.'

Sec. 2.   4 MRSA §16,/~~as enacted by~~ PL 1975, c. 408, §5-A,

        first ¶,

is amended to read:

'With the approval of the Chief Justice and within the limits

of appropriations made therefor the ~~State~~ Court Administrator

may appoint such assistants and other employees and purchase

or lease such equipment, services and facilities as may be

needed for the performance of the duties of said administrator

with respect to the Supreme Judicial Court and the Superior

Courts.

Sec. 3.   4 MRSA §17, as enacted by PL 1975, c. 408, §5-A,

is repealed and the following enacted in its place:

§17.   Duties of ⸺> Court Administrator

The ⸺> Court Administrator under the supervision of the

Chief Justice of the Supreme Judicial Court shall:

1. Continuous survey and study. Carry on a continuous
survey and study of the organization, operation, condition of
business, practice and procedure of the Supreme Judicial Court
and Superior Courts and make recommendations to the Chief
Justice concerning the number of judges and other judicial
personnel required for the efficient administration of justice
in the courts; Assist in long and short range planning for
the courts;

2. Examine the status of dockets. Examine the status of
dockets of the Supreme Judicial Court and Superior Courts so as
to determine cases and other judicial business that have been
unduly delayed. From such reports, the administrator shall
indicate which of the courts are in need of additional judicial
personnel and make recommendations to the Chief Justice concerning
the assignment or reassignment of personnel to courts that
are in need of such personnel. The administrator shall also
carry out the directives of the Chief Justice as to the assignment
of personnel in these instances with respect to the Supreme
Judicial Court and Superior Courts;

3. Investigate complaints. Investigate complaints with
respect to the operation of the Supreme Judicial Court and
Superior Courts;

4. Examine statistical system. Examine the statistical system
of the Supreme Judicial Court and Superior Courts and make
recommendations for a uniform system of judicial statistics
therein. The administrator shall also collect and analyze
statistical and other data relating to the business of the
courts;

5. Prescribe uniform administrative and business methods, etc.
Prescribe uniform administrative and business methods, systems,
forms, docketing and records to be used in the Supreme Judicial Court
and Superior Courts;

6. Implement standards and policies set by the Chief Justice.
Implement standards and policies set by the Chief Justice regarding
hours of court, the assignment of term parts and justices of the
Supreme Judicial Court and Superior Courts;

7. Act as fiscal officer. Act as fiscal officer of the
Supreme Judicial Court and the Superior Courts and in so doing:

   A. Maintain fiscal controls and accounts of funds appropriated
   for the courts;

   B. Prepare all requisitions for the payment of state moneys
   appropriated for the maintenace and operation of the courts;

   C. Prepare budget estimates of state appropriations necessary
   for the maintenance and operation of the courts and make
   recommendations with respect thereto;

   D. Collect statistical and other data and make reports
   to the Chief Justice relating to the expenditures of public
   moneys for the maintenance and operation of the courts; and

   E. Develop a uniform set of accounting and budgetary accounts
   for the courts and serve as auditor of the courts;

8. Examine arrangements for use and maintenance of court
facilities. Examine arrangements for use and maintenance of
facilities for the Supreme Judicial Court and the Superior Courts

|← —   — and supervise the purchase, distribution,

exchange and transfer of judicial equipment and supplies thereof;

9.   Submit an annual report.   Submit an annual report to

the Chief Justice, Legislature and the Governor of the activities

and accomplishments of the office for the preceding   calendar

year;

10.   Maintain liaison.   Maintain liaison with the executive

and the legislative branches and other public and private agencies

whose activities impact the courts;

11.   Prepare and plan clerical offices.   Prepare and plan for

the organization and operation of clerical offices serving

the Superior Courts within each county;

12.   Implement preservice and inservice educational and

training programs.   Develop and implement preservice and inservice

educational and training programs for judicial and nonjudicial

personnel of the Supreme Judicial Court and Superior Courts; and

13.   Perform duties and attend other matters.   Perform

such other duties and attend to such other matters consistent with

the powers delegated herein assigned to him by the Chief Justice

and the Supreme Judicial Court with respect to the Supreme Judicial

Court and the Superior Courts.

Sec. 4.   4 MRSA §19, first ¶, as enacted by PL 1975, c. 408,

§6, is amended to read:

The Chief Justice of the Supreme Judicial Court shall by

order divide the State into judicial regions for administrative

and venue purposes of the Superior Court, each judicial region

to contain one or more counties, but in no event shall counties

be divided for the creation of judicial regions.

                          2nd ¶,
   Sec. 5.   4 MRSA §19,/first sentence, ⟨ — ⟩ as enacted

by PL 1975, c. 408, §6, is amended to read:

The Chief Justice shall designate within each region a location

to be the regional court center for the Superior Courts.

                          last ¶,
   Sec. 6.   4 MRSA §19,/first sentence, ⟵ — ⟶ as enacted by

PL 1975, c. 408, §6, is amended to read:

Regional presiding justices shall be appointed by, serve

at the pleasure of and be responsible to the Chief Justice

of the Supreme Judicial Court for the operation of the Superior

Court and for the administration of justice within-each-region

therein with respect to the Superior Court.

                     first, 2nd and 3rd ¶¶, first sentences,
   Sec. 7.   4 MRSA §24,/as enacted by PL 1975, c. 408, §7,

are amended to read:

The State Court Administrator shall, subject to the approval

of the Chief Justice, prepare biennially a consolidated operating

budget for all courts in the State to be known as the Judicial

Department operating budget.

The State Court Administrator shall prepare the consolidated

court budget according to procedures prescribed by the State

Budget Officer.

The ~~State~~ Court Administrator, subject to the approval
of the Chief Justice, shall prescribe the financial management
procedures to be used in ~~all-courts-of-the-Judicial-Department~~
the Supreme Judicial Court and the Superior Courts.

Sec. 8.   4 MRSA §164, sub-§§6, 7 and 8, as amended by PL
1975, c. 408, §15, are repealed and the following enacted in
their place:

6.   Records and reports.   Prescribe, subject to the approval
of the Chief Justice, the records to be kept and destroyed and
the reports to be made by each district judge;

7.   Statistics.   Collect and publish such statistics and other
information pertaining to the business of the District Court
as are requested by the Chief Justice;

8.   Budget.   Prepare and submit a proposed annual budget
for the District Court to the Chief Justice.'

Statement of Fact

This amendment provides that the Court Administrator shall work
only in the Superior Court and the Supreme Judicial Court.
The District Court shall be administered by the Chief Judge.

Reported by Report "B" of the Committee on Judiciary.

Reproduced and distributed under the direction of the Clerk of
the House.
6/20/77
                        (Filing No. H-699)