

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1266

H. P. 1035

House of Representatives, March 24, 1977

On motion of Mr. Spencer of Standish, referred to Committee on Judiciary.
Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Henderson of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Improve the Juvenile Judicial System by Authorizing Juvenile Court Intake Workers in the Department of Mental Health and Corrections.

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

Sec. 1. 15 MRSA § 2601, sub-§ 1, 2nd sentence is amended to read:

Upon such application, the juvenile court **intake worker** shall make a preliminary inquiry, examining the applicant and witnesses, if any, to determine whether the interests of the public or of the juvenile complained against require that further action be taken.

Sec. 2. 15 MRSA § 2602-A is enacted to read:

§ 2602-A. Juvenile court intake workers

A juvenile court intake worker provided to a court pursuant to Title 34, section 1592, subsection 3-A, shall perform the following duties as an agent of the court:

1. Acceptance of petitions. Accept complaints or petitions concerning juvenile acts or offenses covered by chapters 401 to 409;
2. Screening. Screen these complaints to eliminate those which do not require actions by the court;
3. Disposition of petitions. Provide for disposition of a complaint or petition without court action when appropriate to serve the best interests of the juvenile and the other persons involved, including referral of the juvenile to another public or private agency; and
4. Court action. Instigate court action on those complaints or petitions not otherwise disposed of pursuant to this section.

Sec. 3. 34 MRSA § 1592, sub-§ 3-A is enacted to read:

3-A. Juvenile Court Intake Workers. The Commissioner of Mental Health and Corrections shall appoint, subject to the Personnel Law, and provide to the court, juvenile court intake workers and shall assign them to the various court districts of the State.

A. Juvenile court intake workers shall be designated officers of the court and responsible to the Commissioner of Mental Health and Corrections.

STATEMENT OF FACT

In 1975, there were 10,000 children and youth arrested in Maine of which some 4,000 appeared in our juvenile courts.

Juvenile court intake officers, at the intake point of the juvenile justice system, shall screen, prior to any court appearance, all juveniles brought to their attention. This will involve screening out those who probably will be released by the judge, and making referrals where advisable to other agencies for remedial services. Those necessitating court action may, if deemed to be a threat to society or themselves, or for other reasons, be referred to secure detention facilities pending a court hearing.

The rationale of the above is that of the 10,000 juveniles arrested, over 4,000, 41%, were referred to the courts, compared to a national average of 25%. During that same period many of the juveniles, 1,340 were unnecessarily detained in secure facilities at a cost of \$129,000.

This system will reduce the loads on our overcrowded detention facilities and courts and, ultimately, will eliminate the long delay in disposing of those cases brought to juvenile courts.

This legislation is supported by the Commission to Revise the Statutes Relating to Juveniles and is to be addressed in their report.

The total projected cost shall be:

10 workers at \$13,124	\$131,240
1 manager	14,198
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Subtotal	\$145,438
Overhead at 24%	34,905
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Total	\$180,343
Federal (75%) = \$135,257	State \$45,086