

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)

1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 437

7 S.P. 146

In Senate, February 1, 1983

8 Referred to the Committee on Judiciary, sent down for concurrence and
9 ordered printed pursuant to Joint Rule 24.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Trafton of Androscoggin.

Cosponsor: Representative Hobbins of Saco.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Establish a Chief Justice of
18 the Superior Court.
19

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

22 Sec. 1. 4 MRSA §17, sub-§2, as amended by PL
23 1977, c. 544, §1, is further amended to read:

24 2. Examine the status of dockets. Examine the
25 status of dockets of all courts so as to determine
26 cases and other judicial business that have been
27 unduly delayed. From such reports, the administrator
28 shall indicate which courts are in need of additional
29 judicial personnel and make recommendations to the
30 Chief Justice, to the Chief Justice of the Superior
31 Court and to the Chief Judge of the District Court
32 concerning the assignment or reassignment of person-
33 nel to courts that are in need of such personnel.

1 The administrator shall also carry out the directives
2 of the Chief Justice as to the assignment of person-
3 nel in these instances;

4 Sec. 2. 4 MRSA §17, sub-§5, as amended by PL
5 1977, c. 544, §2, is further amended to read:

6 5. Prescribe uniform administrative and business
7 methods, etc. Prescribe uniform administrative and
8 business methods, systems, forms, docketing and
9 records to be used in the Supreme Judicial Court, in
10 the Superior Court and, ~~with the written approval of~~
11 ~~the Chief Judge of the District Court,~~ in the Dis-
12 trict Court;

13 Sec. 3. 4 MRSA §17, sub-§7, ¶¶D and E, as
14 amended by PL 1977, c. 544, §4, are further amended
15 to read:

16 D. Collect statistical and other data and make
17 reports to the Chief Justice, to the Chief Jus-
18 tice of the Superior Court and to the Chief Judge
19 of the District Court relating to the expendi-
20 tures of public moneys for the maintenance and
21 operation of the Judicial Department;

22 E. Develop a uniform set of accounting and bud-
23 getary accounts for the Supreme Judicial Court,
24 for the Superior Court and, ~~with the written~~
25 ~~approval of the Chief Judge of the District~~
26 ~~Court,~~ for the District Court and serve as audi-
27 tor of the Judicial Department;

28 Sec. 4. 4 MRSA §17, sub-§12, as amended by PL
29 1977, c. 544, §5, is further amended to read:

30 12. Prepare and plan clerical offices. Prepare
31 and plan for the organization and operation of cleri-
32 cal offices serving the Superior Court and, ~~at the~~
33 ~~request of the Chief Judge of the District Court,~~ the
34 District Court ~~within each county,~~ provide for a cen-
35 tral clerk of court office at each county seat with
36 satellite clerk in each court;

37 Sec. 5. 4 MRSA §19, last 2 ¶¶, as enacted by PL
38 1975, c. 408, §6, are repealed.

1 Sec. 6. 4 MRSA §24, first ¶, as enacted by PL
2 1975, c. 408, §7, is amended to read:

3 The State Court Administrator shall, subject to
4 the approval of the Chief Justice, prepare biennially
5 a consolidated operating budget for all courts in the
6 State to be known as the Judicial Department oper-
7 ating budget. He shall be assisted in this task by
8 the ~~regional presiding justices~~ Chief Justice of the
9 Superior Court and the Chief Judge of the District
10 Court.

11 Sec. 7. 4 MRSA §101-A is enacted to read:

12 §101-A. Chief Justice of the Superior Court

13 The Chief Justice of the Supreme Judicial Court
14 shall designate one of the Justices of the Superior
15 Court as the Chief Justice of the Superior Court. He
16 shall serve at the pleasure and under the supervision
17 of the Chief Justice of the Supreme Judicial Court
18 and shall be responsible for the operation of the
19 Superior Court. Any authority relating to the opera-
20 tion of the Superior Court, that is vested by law in
21 the Chief Justice of the Supreme Judicial Court, may
22 be delegated by him to the Chief Justice of the Supe-
23 rior Court acting under his supervision. The Chief
24 Justice of the Superior Court shall also perform such
25 additional duties as may be assigned to him from time
26 to time by the Chief Justice of the Supreme Judicial
27 Court. The term "Justice of the Superior Court"
28 includes the Chief Justice of the Superior Court.

29 Sec. 8. 4 MRSA §102, as amended by PL 1981, c.
30 486, §2, is further amended to read:

31 §102. Salary; expenses

32 Each Justice of the Superior Court shall receive
33 an annual salary of \$36,064 until June 30, 1981, and
34 an annual salary of \$37,868 until June 30, 1982, and
35 an annual salary of \$39,760 thereafter. The Chief
36 Justice of the Superior Court shall receive compensa-
37 tion of \$500 annually in addition to his annual
38 salary as a Justice of the Superior Court. Section 4,
39 relating to reimbursement of Justices of the Supreme
40 Judicial Court for expenses incurred by them, shall

1 apply to Justices of the Superior Court, including
2 reimbursement for expenses incurred in employing
3 clerical assistance but the Chief Justice of the
4 Supreme Judicial Court or his designee may specify by
5 order a maximum amount to be expended by any justice
6 for such clerical assistance.

7 Sec. 9. Effective date. This Act shall take
8 effect on January 1, 1984.

9 STATEMENT OF FACT

10 The intent of this bill is to establish a Chief
11 Justice of the Superior Court to serve the Superior
12 Court in a similar manner as the Chief Judge serves
13 the District Court.

14 1702010783