

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 1873

6  
7 H.P. 1428

House of Representatives, January 10, 1984

8 Approved for introduction by the Legislative Council pursuant to Joint  
9 Rule 26.

10 Reference to the Committee on Judiciary is suggested and ordered  
printed.

EDWIN H. PERT, Clerk

11 Presented by Representative Kelleher of Bangor.

12 STATE OF MAINE  
13

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

17 AN ACT Relating to Retirement  
18 Compensation for Judges.  
19

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

22 Sec. 1. 4 MRSA §157-A, first ¶, as amended by PL  
23 1983, c. 167, §3, is further amended to read:

24 Any Judge of the District Court who resigns his  
25 office or ceases to serve at the expiration of any  
26 term thereof, after attaining the age of 70 years and  
27 after having served as such judge for at least 7  
28 years, or after attaining the age of 65 years and af-  
29 ter having served as such judge for at least 12  
30 years, or after attaining the age of 60 years and af-  
31 ter having served as such judge for at least 20  
32 years, or after attaining the age of 65 years and  
33 having served at least 2 7-year terms as such judge  
34 prior to attaining the age of 65 years, shall receive  
35 annually during the remainder of his life an amount

1 equal to 3/4 of the currently effective annual salary  
2 of a Judge of the District Court, to be paid in the  
3 same manner as the salaries of the judges of that  
4 court are paid. Such judge shall terminate his ser-  
5 vice before his 71st birthday. Any judge who contin-  
6 ues to serve until or after his 71st birthday shall  
7 waive his right to the compensation mentioned and  
8 make no claim therefor at the termination of his ser-  
9 vice. The right of any judge drawing such compensa-  
10 tion to continue to receive it shall cease immediat-  
11 ely, if he acts as attorney or counsellor in any ac-  
12 tion or legal proceeding in which the State is an ad-  
13 verse party or has any interest adverse to the person  
14 or persons in whose behalf he acts.

15 Sec. 2. 4 MRSA §157-A, 4th ¶, as amended by PL  
16 1975, c. 701, §4, is further amended to read:

17 If such judge dies having terminated his or her  
18 service and having become entitled to compensation as  
19 provided in this section or having become entitled to  
20 compensation by virtue of having reached the age of  
21 65 years and having served at least 2 7-year terms as  
22 such judge prior to attaining the age of 65 years as  
23 provided in this section, his or her surviving  
24 spouse, as long he or she is not the dependent of an-  
25 other person, or if he or she leaves no surviving  
26 spouse, or at his or her death or at the time he or  
27 she becomes the dependent of another person, then his  
28 or her child or children under the age of 18 years  
29 and until they respectively reach their 18th ~~birthday~~  
30 ~~birthdays~~, shall annually be entitled to 3/8 of the  
31 currently effective annual salary of a Judge of the  
32 District Court. In case there is more than one child,  
33 the compensation shall be divided equally among them.

34 STATEMENT OF FACT

35 It is becoming increasing difficult to attract  
36 qualified people to serve in the judiciary of this  
37 State. It is possible that a lawyer who gives up a  
38 career in the practice of law to spend his most pro-  
39 ductive years on the bench can be left without re-  
40 tirement benefits because of a lack of reappointment.  
41 This bill cures that possible defect and assures a  
42 person contemplating a judicial career that he or she

1 will be investing in a retirement plan while serving  
2 even if, after 2 terms, he or she is not reappointed.

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