

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 466

6  
7 S.P. 174

In Senate, February 7, 1985

8 Referred to the Committee on Judiciary. Sent down for concurrence and  
9 ordered printed.

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

Presented by Senator Chalmers of Knox.

11 Cosponsored by Representative Kane of So. Portland and Senator Sewall  
of Lincoln.

12 STATE OF MAINE  
13

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

17 AN ACT to Amend Certain Judicial Divisions  
18 and Districts of the Maine District  
19 Court Statutes.  
20

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

23 Sec. 1. 4 MRSA §153, first ¶ is amended to read:

24 The State is divided into ~~31~~ 30 judicial divi-  
25 sions, named and defined as follows, and with places  
26 for holding court therein as follows: .

27 Sec. 2. 4 MRSA §153, sub-§3, as amended by PL  
28 1981, c. 201, is further amended to read:

29 3. Western Aroostook. Western Aroostook consists  
30 of the municipalities and unorganized territory known  
31 as ~~Hamlin Pkt., Cyr Pkt.,~~ Grand Isle, T17 R3, T17 R4,  
32 T16 R5, T15 R6, Winterville Pkt., T15 R8, T15 R9, T14  
33 R10, T14 R11, T14 R12, T14 R13, T14 R14, T14 R15, T14  
34 R16, and all municipalities and unorganized territory

1 in Aroostook County lying to the west and north of  
2 these. The District Court for Western Aroostook  
3 shall be held at Madawaska for eriminal and civil  
4 business and at Fort Kent and Van Buren solely for  
5 eriminal business, traffic infractions and civil  
6 violations.

7 Sec. 3. 4 MRSA §153, sub-§11, as amended by PL  
8 1969, c. 458, is further amended to read:

9 11. Hancock. ~~Central~~ Hancock consists of the en-  
10 tire County of Hancock except Bar Harbor, Mount  
11 Desert, Cranberry Isles, Southwest Harbor, Trenton,  
12 Swan's Island, Long Island Plantation and Tremont.  
13 The District Court for ~~Central~~ Hancock shall be held  
14 at Ellsworth, except that one session per week may be  
15 held at Bucksport at the discretion of the presiding  
16 judge.

17 Sec. 4. 4 MRSA §153, sub-§12 is repealed.

18 Sec. 5. 4 MRSA §154, sub-§1, as amended by PL  
19 1965, c. 228, §2, is further amended to read:

20 1. First District. The first district consists  
21 of the divisions of Eastern Aroostook (Caribou) and  
22 Western Aroostook (Madawaska, Fort Kent and Van  
23 Buren).

24 Sec. 6. 4 MRSA §154, sub-§5 is amended to read:

25 5. Fifth District. The 5th district consists of  
26 the divisions of ~~Central~~ Hancock (Ellsworth), ~~South-~~  
27 ~~ern Haneek~~ (Bar Harbor) and Waldo (Belfast).

2           Aroostook County is currently served by a total  
3 of 6 District Court locations, 3 of which are located  
4 in the St. John Valley, all within a single Judicial  
5 Division. Van Buren is the smallest court in the  
6 State, reporting only 301 case filings during 1983.  
7 Collectively, Fort Kent, Madawaska and Van Buren pro-  
8 cessed 2,833 cases during 1983, representing a 53.6%  
9 decrease from the 4,352 cases in 1979. Based upon  
10 data collected for the first 11 months of 1984, it  
11 appears that the 1984 filing will not exceed 2,400.  
12 These courts employ 3.5 employees, resulting in a  
13 cases-per-employee ratio in 1983 of 809, compared to  
14 a statewide average of 1,802 cases per employee. All  
15 3 court facilities are inadequate and are not acces-  
16 sible to the handicapped.

17           Fort Kent appears to be the logical site for the  
18 consolidation of Madawaska's caseload. It is cen-  
19 trally located, would be convenient to the bulk of  
20 the valley's population and is only 20 miles from  
21 Madawaska. Since Van Buren is only 22 miles from  
22 Caribou, its caseload could readily be transferred to  
23 Caribou. The addition of Van Buren's small caseload  
24 should have no impact upon Caribou's staff or facili-  
25 ty.

26           In 1983, Bar Harbor became the 2nd smallest court  
27 in the State, reporting a total of 1,186 case filings  
28 for the entire year, with the summer months of June,  
29 July and August accounting for almost 40% of the  
30 year's caseload. The clerk of court in Ellsworth al-  
31 so serves as the Bar Harbor clerk, although an as-  
32 sociate clerk who is supervised by the Ellsworth  
33 clerk of court actually staffs the Bar Harbor office.

1 With only one employee, the number of cases in 1983,  
2 1,186, still was well below the statewide average of  
3 1,802 cases per employee. The court facility is not  
4 accessible to the handicapped. Bar Harbor is located  
5 20 miles from Ellsworth, and over 1 1/2 of all liti-  
6 gants in the Bar Harbor court were represented by  
7 members of the Ellsworth bar. It does not appear  
8 that closing the Bar Harbor court location and trans-  
9 ferring its caseload to Ellsworth will adversely af-  
10 fect the citizens of Hancock County.

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