

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1944

S.P. 714

In Senate, January 4, 1988

Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Secretary of the Senate on December 30, 1987. Referred to the Committee on Judiciary and 1400 ordered printed pursuant to Joint Rule 14.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator GAUVREAU of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT Clarifying the Authority of Superior  
Court Justices to Sit in District Court.

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

4 MRSA §120 is enacted to read:

§120. Justice or Active Retired Justice of the Superior Court to sit in District Court

A Justice or Active Retired Justice of the Superior Court may be assigned by the Chief Justice of the Supreme Judicial Court to sit in the District Court in any district and, when so directed, the justice or active retired justice shall have the same

1 authority and jurisdiction in the District Court as a  
2 regular Judge of the District Court; and whenever the  
3 Chief Justice of the Supreme Judicial Court so  
4 directs, the assigned justice may hear all matters and  
5 issue all orders, notices, decrees and judgments that  
6 any Judge of the District Court may hear and issue.

7 The order of the Chief Justice of the Supreme  
8 Judicial Court directing a Justice or an Active  
9 Retired Justice of the Superior Court to sit in the  
10 District Court shall be filed with the Executive Clerk  
11 of the Supreme Judicial Court, but need not be  
12 docketed or otherwise recorded in any case heard by  
13 the assigned justice.

14 STATEMENT OF FACT

15 This bill clarifies the authority of a Justice or  
16 Active Retired Justice of the Superior Court to sit in  
17 the District Court to facilitate judicial  
18 administration.

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