

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1213

H.P. 896

House of Representatives, February 25, 1997

An Act to Create a Family Division within the State's District Court.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Speaker MITCHELL of Vassalboro. (GOVERNOR'S BILL)
Cosponsored by Senator AMERO of Cumberland and
Representative DONNELLY of Presque Isle, Senator: RAND of Cumberland.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 4 MRSA §183 is enacted to read:**

5 **§183. Family Division of District Court**

6
7 There is established within the District Court a Family
8 Division that has jurisdiction over family matters filed in
9 District Court. The Family Division shall provide a system of
10 justice that is responsive to the needs of families and the
11 support of their children. The Supreme Judicial Court may adopt
12 administrative orders and court rules governing the practice,
13 procedure and administration of the Family Division. These
14 practices and procedures must include, but are not limited to,
15 education for the parties, case management and referral services
16 and mediation and other alternate dispute resolution techniques.

17 1. Family case management officers. The Chief Judge of the
18 District Court, with the approval of the Chief Justice of the
19 Supreme Judicial Court, shall appoint family case management
20 officers.

21
22 A. Family case management officers must be members of the
23 Bar of this State and must have experience in the area of
24 family law. They must also have interest, training or
25 experience in mediation and other alternate dispute
26 resolution techniques, domestic violence, child development,
27 family dynamics and case management.

28
29 B. Family case management officers shall devote themselves
30 solely to the official duties of the position. They may not
31 engage in the private practice of law or in any employment,
32 occupation or business interfering with or inconsistent with
33 the discharge of their duties. The Chief Judge of the
34 District Court shall determine the salary of the family case
35 management officers.

36
37 C. Family case management officers are governed by the
38 Maine Code of Judicial Conduct. Family case management
39 officers serve at the pleasure of the Chief Judge of the
40 District Court.

41
42 D. Family case management officers shall employ appropriate
43 case management techniques and have jurisdiction to hear and
44 dispose of the following matters:

45
46 (1) Interim orders in actions involving the
47 establishment, modification or enforcement of child
48 support;

2 positions. They will be authorized to hear and decide certain
types of actions and motions, including child support cases.

4 Because the family case management officers and support
6 staff focus their efforts on cases involving child support,
federal matching funds will be available to cover 66% of the cost
of these positions.

8 The Family Division begins operating on January 1, 1998.
10