MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 592

H.P. 425

House of Representatives, February 3, 2005

An Act To Allow Case Management Officers To Conduct Hearings in Divorce Court

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TARDY of Newport. Cosponsored by Representatives: BRYANT-DESCHENES of Turner, CARR of Lincoln, MILLS of Farmington, PELLETIER-SIMPSON of Auburn, Senator: DAVIS of Piscataquis.

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

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Sec. 1. 4 MRSA §183, sub-§4 is enacted to read:

4. Pilot project. Notwithstanding the jurisdictional limitations of subsection 1, the Chief Justice of the Supreme Judicial Court may establish a pilot project in which one or more family case management officers have jurisdiction to hear and dispose of all elements of a divorce action when both parties consent. Orders of the family case management officer are subject to appellate review in the same manner as any final order of the District Court.

Sec. 2. Report. The State Court Administrator shall report to the joint standing committee of the Legislature having jurisdiction over judiciary matters by January 15, 2007 explaining the results of any pilot project implemented under the Maine Revised Statutes, Title 4, section 183, subsection 4.

SUMMARY

Current law limits the jurisdiction of family case management officers in divorce actions to interim orders and final orders when uncontested. This bill authorizes the Chief Justice of the Supreme Judicial Court to establish a pilot project in which one or more family case management officers have jurisdiction to hear and dispose of all elements of a divorce action when both parties to the divorce consent. By January 15, 2007, the State Court Administrator is required to report the results of any pilot project to the joint standing committee of the Legislature having jurisdiction over judiciary matters.