

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1272

S.P. 393

In Senate, March 23, 2011

### **An Act To Create a Family Ombudsman in the Judicial Branch and the Department of Corrections**

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Reference to the Committee on Judiciary suggested and ordered printed.

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator HOBBS of York.

Cosponsored by Senator: GERZOFKY of Cumberland, Representatives: DRISCOLL of  
Westbrook, FITTS of Pittsfield, McKANE of Newcastle.

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

2 **Sec. 1. 4 MRSA §17, sub-§16**, as amended by PL 1993, c. 675, Pt. C, §8, is  
3 further amended to read:

4 **16. Report on out-of-state travel.** Submit to the joint standing committee of the  
5 Legislature having jurisdiction over appropriations and financial affairs a quarterly report  
6 on out-of-state travel activity of the Judicial Department. The report must be submitted  
7 within 15 days after the end of each quarter and must include, for each individual who  
8 has been authorized to travel, the destination, purpose and cost by funding source of each  
9 trip; ~~and~~

10 **Sec. 2. 4 MRSA §17, sub-§17, ¶C**, as enacted by PL 1993, c. 675, Pt. C, §9, is  
11 amended to read:

12 C. The statement on proposed legislation prepared by the State Court Administrator  
13 must be considered in the preparation of the fiscal note included in a committee  
14 amendment or other amendment if the legislation or amendment has a fiscal impact  
15 on the judicial system, as determined by the State Court Administrator; and

16 **Sec. 3. 4 MRSA §17, sub-§18** is enacted to read:

17 **18. Appoint a family ombudsman.** Appoint a member of Judicial Department  
18 personnel as a family ombudsman, referred to in this section as "the ombudsman," to  
19 serve as an intermediary between the court system and the accused and their families.  
20 The ombudsman shall:

21 A. Respond to requests for information and assistance from the accused and their  
22 families;

23 B. Subject to other provisions of law governing its availability, provide information  
24 requested by the accused and their families when information cannot be or is not  
25 provided by court personnel or judges;

26 C. Serve as an intermediary between the accused and court personnel, and between  
27 family members of the accused and court personnel and judges, with respect to  
28 complaints and information requests affecting the family members of the accused that  
29 cannot be resolved with court personnel;

30 D. Establish a volunteer program under which volunteers are selected by the  
31 ombudsman to assist the ombudsman in carrying out the responsibilities under this  
32 subsection; and

33 E. Perform the duties of ombudsman in an unbiased manner.

34 **Sec. 4. 34-A MRSA §1214-A** is enacted to read:

35 **§1214-A. Family ombudsman**

36 **1. Establishment.** The position of the family ombudsman is established within the  
37 department to act as an intermediary between prisoners and their families, and between  
38 prisoners and their families and the department.

