

# MAINE STATE LEGISLATURE

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**Legislative Record**  
**House of Representatives**  
**One Hundred and Twenty-Fifth Legislature**  
**State of Maine**

**Daily Edition**

**Second Regular Session**

January 4, 2012 – May 31, 2012

pages 1084 - 1604

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE  
SECOND REGULAR SESSION  
13th Legislative Day  
Thursday, February 9, 2012

The House met according to adjournment and was called to order by the Speaker.

Prayer by Pastor Wally Staples, Maine District Church of the Nazarene, Wiscasset.

Pledge of Allegiance.

Doctor of the day, Sydney Sewall, M.D., Hallowell.

At this point, a message came from the Senate borne by Senator COURTNEY of YORK of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 10:30 in the morning for the purpose of extending to the Honorable Leigh I. Saufley, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, an invitation to attend the Joint Convention and to make such communication as pleases the Chief Justice.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 10:30 in the morning and the Speaker appointed Representative CURTIS of Madison to convey this message to the Senate.

The Journal of yesterday was read and approved.

**COMMUNICATIONS**

The Following Communication: (H.C. 306)

**STATE OF MAINE  
SUPREME JUDICIAL COURT**

January 6, 2012

The Honorable Kevin L. Raye

President of the Senate

3 State House Station

Augusta, Maine 04333

The Honorable Robert W. Nutting

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

I am pleased to accept your invitation to address a Joint Session of the 125th Maine Legislature on Thursday, February 9, 2012, at 11:00 a.m. I appreciate the courtesy of the Legislative Branch of government in inviting me to address the cause of justice in Maine.

I look forward to seeing you on February 9, 2012.

Sincerely,

S/Leigh I. Saufley

Chief Justice

**READ and ORDERED PLACED ON FILE.**

**ORDERS**

On motion of Representative HAMPER of Oxford, the following House Order: (H.O. 38)

ORDERED, that Representative Charles B. Kruger of Thomaston be excused January 31 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Ann E. Peoples of Westbrook be excused January 31 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Meredith N. Strang Burgess of Cumberland be excused February 2 for legislative business.

**READ and PASSED.**

Subsequently, Representative CURTIS of Madison reported that he had delivered the message with which he was charged.

**REPORTS OF COMMITTEE**

**Ought to Pass Pursuant to Resolve**

Representative EDGECOMB for the **Joint Standing Committee on Agriculture, Conservation and Forestry** on Resolve, To Promote the Expansion of the Maine Maple Sugar Industry (EMERGENCY)

(H.P. 1338) (L.D. 1814)

Reporting **Ought to Pass** pursuant to Resolve 2011, chapter 48, section 8.

Report was **READ and ACCEPTED.**

The Resolve was **READ ONCE** and was assigned for **SECOND READING** Tuesday, February 14, 2012.

**Divided Report**

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-692)** on Bill "An Act To Reduce Deer Predation"

(H.P. 298) (L.D. 372)

Signed:

Senators:

MARTIN of Kennebec

PATRICK of Oxford

SAVIELLO of Franklin

Representatives:

DAVIS of Sangerville

BRIGGS of Mexico

CLARK of Millinocket

CRAFTS of Lisbon

ESPLING of New Gloucester

GUERIN of Glenburn

SARTY of Denmark

SHAW of Standish

WOOD of Sabattus

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

EBERLE of South Portland

**READ.**

On motion of Representative DAVIS of Sangerville, the Bill and all accompanying papers were **COMMITTED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and sent for concurrence.

**CONSENT CALENDAR**

**First Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 533) (L.D. 1623) Bill "An Act To Simplify Toll Discounts and Amend Certain Powers and Procedures of the Maine Turnpike Authority" (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-373)**

(H.P. 1206) (L.D. 1599) Bill "An Act To Amend Deferred Disposition under the Maine Juvenile Code" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

**CONSENT CALENDAR**

**Second Day**

In accordance with House Rule 519, the following item appeared on the Consent Calendar for the Second Day:

(H.P. 1198) (L.D. 1593) Resolve, To Name Route 1-A between Brewer and Ellsworth the Korean War Veterans Highway (C. "A" H-693)

No objections having been noted at the end of the Second Legislative Day, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

**ENACTORS**

**Acts**

An Act To Enhance the Duties and Responsibilities of the Director of the Division for the Deaf, Hard of Hearing and Late Deafened

(H.P. 1228) (L.D. 1638)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

The following item was taken up out of order by unanimous consent:

**SENATE PAPERS**

The following Joint Order: (S.P. 626)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 14, 2012, at 10:00 in the morning.

Came from the Senate, **READ** and **PASSED**.

**READ** and **PASSED** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

At this point, the Senate came and a Joint Convention was formed.

**In Convention**

The President of the Senate, the Honorable Kevin L. Raye in the Chair.

The Convention was called to order by the Chair.

On motion by Senator COURTNEY from York, it was ORDERED, that a Committee be appointed to wait upon the Honorable Leigh Ingalls Saufley, Chief Justice of the Supreme Judicial Court, the Honorable Paul R. LePage, Governor of the State of Maine, the Justices of the Supreme Judicial Court and members of the Judiciary and inform them that the two branches of the Legislature are in Convention assembled, ready to receive such communications as pleases the Chief Justice.

The Order was READ and PASSED.

The Chair appointed the following:

The Senator from Oxford, Senator Hastings  
The Senator from Cumberland, Senator Woodbury  
The Senator from Cumberland, Senator Dill  
The Representative from Acton, Representative Nass  
The Representative from Bridgton, Representative Waterhouse  
The Representative from Auburn, Representative Beaulieu  
The Representative from Denmark, Representative Sarty  
The Representative from York, Representative Moulton  
The Representative from Alna, Representative Fossel  
The Representative from Brunswick, Representative Priest  
The Representative from Cape Elizabeth, Representative Monaghan-Derrig  
The Representative from Augusta, Representative Maloney  
The Representative from Biddeford, Representative Rochelo

Subsequently, Senator HASTINGS from Oxford, for the Committee, reported that the Honorable Leigh Ingalls Saufley, Chief Justice of the Maine Supreme Judicial Court, the Honorable Paul R. LePage, Governor of the State of Maine, and the Honorable members of the Judiciary would attend forthwith.

The Chair welcomed to the Convention the Honorable members of the Judiciary.

The Chair recognized the Justices of the Maine Supreme Judicial Court: Associate Justice Jon D. Levy, Associate Justice Ellen A. Gorman, Associate Justice Joseph M. Jabar, Associate Justice Donald Alexander, Associate Justice Warren Silver, and Associate Justice Andrew Mead. The Chair also recognized the Chief Justice of the Superior Court, the Honorable Thomas E. Humphrey; the Chief Judge of the District Court, the Honorable Charles C. LaVerdiere; and Deputy Chief Judge of the District Court, the Honorable Robert E. Mullen.

The Chair welcomed to the Convention the Honorable Leigh Ingalls Saufley, Chief Justice of the Maine Supreme Judicial Court, accompanied by Governor Paul R. LePage.

The Chair recognized in the rear of the House Chamber the Honorable Attorney General of the State of Maine, William Schneider. The Chair also recognized in the House Gallery: William E. Saufley, Esq., husband of Chief Justice Saufley; Richard and Janet Ingalls, parents of Chief Justice Saufley; Probate Judge Joseph Mazziotti, President of the Maine Probate Judges Assembly; Chief Judge Eric M. Mehnert, Penobscot Tribal Court; Chief Judge Rebecca A. Irving, Passamaquoddy Tribal Court; James T. Glessner, State Court Administrator; and Mary Ann Lynch, Director of Information for the state court system.

The Chair requested the Honorable Leigh Ingalls Saufley, Chief Justice of the Maine Supreme Judicial Court, to please step forward and address the Joint Convention.

Chief Justice **SAUFLEY**: Thank you so much. Good morning, and thank you, President Raye. Good morning, Governor LePage, Speaker Nutting, members of the 125th Maine Legislature, colleagues from the Maine bench, colleagues from the Tribal and Probate Courts, visitors in the gallery and, as always, my supportive family. I think that my husband Bill is not accustomed to hearing his name without the phrase "long suffering" in front of it, so it's a pretty exciting morning for him.

I am honored to have this opportunity to report to you on the State of Maine's Judiciary in 2012. I begin with this: your individual commitment to improving justice in Maine has made a real difference in the lives of Maine people.

As difficult as the challenges have been for the 125th Maine Legislature and for a new Governor, you and the Governor have taken the time to understand the effects of these challenges on your constituents' needs for justice.

The Governor supported a baseline budget for the Judicial Branch and is addressing the challenges of Domestic Violence in our courts.

In the Legislature, many of you have worked very closely with us. In Washington County, President Raye, and Representatives Maker, Tilton, and Burns all visited the county courthouse. They will be working with us to improve that beautiful, but aging facility. Every time I use that phrase I'm hoping that some day people will refer to me in that particular fashion. Emphasis on the beautiful.

In Aroostook County, Senator Sherman, Representative Martin, and Representative Fredette all presented a session on legislative process to lawyers in the region.

In Oxford County, Senator Hastings helped gather lawyers for a Legislative/Bench/Bar meeting.

In Hancock County, Senator Rosen, and Representatives Malaby, Flemings, and Luchini joined us to recognize Hancock County Judicial Branch employees followed by a Legislative/Bench/Bar meeting.

In Newport, Representative Fredette assembled a large group of lawyers for a Legislative/Bench/Bar meeting.

Representative Cushing met with the Law Court in Portland.

Senator Katz has gathered stakeholders and is working passionately with the Courts, led by Justice Jabar, to build a consolidated, safe, energy-efficient courthouse in Augusta that will serve Kennebec County for centuries to come.

Representative Haskell has worked tirelessly to help improve the lives of juveniles, resulting in the State obtaining an Annie E. Casey Grant to help design detention alternatives to youth who would otherwise move from detention centers into our revolving doors of the county jails.

Representative Strang Burgess — who, by the way, can't speak today; this would be the day to engage in an argument with her — accepted our request to join the Children's Justice Task Force, bringing her knowledge from the Health and Human Services Committee to the table.

And many of you have taken time to visit the courts and talk with the judges, including: Senator Mason, and Representatives Stevens, Richardson, Monaghan-Derrig, Willette, Rochelo, Volk, and Pilon. Speaker Nutting spent an entire day in the Augusta courts.

On the Judiciary Committee, Senators Hastings and Dill, Representatives Priest, Waterhouse, Sarty, and Maloney, all assisted in reviewing the conflicting and unmanageable legislatively established priorities of courts, and they've made recommendations for change.

In the challenges of Domestic Violence, Representative Cain has worked closely with the courts to address an issue that I will talk about in greater detail in a minute.

And with your support, we brought real appellate court sessions to three Maine high schools: we sat at Lisbon High School at the invitation of Senator Mason, Deering High at the invitation of Senator Alford, and Richmond High at the invitation of Senator Goodall and Representative Berry.

Now these are just a few examples of the collaborative work you have undertaken, and I recognize that it is dangerous to identify specific people, for fear of leaving others out. So I hope that those I have missed today will forgive me and, if you can't forgive me, blame Mary Ann Lynch. I think she is in the gallery, so I could be safe.

But I want you to know that I've taken the time today to identify so many of you to make a very important point. Maine benefits greatly from your cooperative and bi-partisan support for justice and it doesn't happen in every State.

I am proud to tell the public that, despite the challenges of the economy, and the demands on all of you, in the Maine State House, Justice is not forgotten. Thank you.

So here is one small way that I will reward those efforts today. Last year, I began my report with a discussion of events in 1820. This year, rather than reaching back and beginning maybe with the Magna Carta, in 1215, I'm actually going to focus my comments on the last six months.

July 2011 marked the first occasion in many years in which the Judicial Branch began the fiscal year with a baseline budget that had not been significantly cut. The long-held clerk and marshal vacancies, dark courtrooms, and resulting delays and frustration for the public, caused by several years of deep cuts, led you to support the court budget proposed by the Governor that allowed us to restore critical positions.

In a time of extraordinary fiscal challenges, we are grateful for your recognition of the public's need for basic access to justice. And you know that even the current baseline budget doesn't provide sufficient funding for the full caseload to be addressed in a safe, timely, and efficient manner.

But, rather than dwell on what we still cannot do, today I'm going to tell you what can be accomplished with a baseline budget, and I begin with a snapshot of the Judicial Branch on July 1, 2011.

Every day, almost 600 new non-traffic cases are filed in our courts. These cases represent real people, your constituents. They include victims of crimes, people with serious disputes regarding their families, their housing, and their businesses. To address these cases, the baseline budget for this Fiscal Year totals \$55 million, representing just 1.9% of the General Fund. That \$55 million includes just over \$6 million for debt service, leaving us with \$48 million for operations. That includes \$33 million for all of our personnel, including judges; and \$14 million — \$14 million — for the operation of a statewide system of justice that serves all Maine people, rural and urban alike.

We started the fiscal year with 39 courthouses; we will end the year with 38, having consolidated court facilities in Dover-Foxcroft, eliminating the need for duplicative entry screening staff, two separate technologies, and a clerk's office that had to move back and forth between two buildings. The renovated court facilities for Piscataquis County opened this Monday, on time and under budget.

And in this year, we will have completed our long-term goal of consolidating all Superior and District Court clerks' offices that were located in the same town or city. From 46 clerks' offices existing several years ago, we have eliminated 15 separate

offices, creating a current total of 31 clerks' offices. Not only is this more efficient and cost-effective for the taxpayer, it is less confusing for the public.

In July of 2011, approximately 40 non-judge vacancies existed. We viewed the opportunity to fill the vacancies that had so plagued the system as both a responsibility and a challenge to engage in innovations that could improve our public justice services, and make the very best use of every available dollar. Daughter? My daughter is using all of my dollars, so that may have been Freudian. She recently used the phrase "grad school" in my presence and I'm still getting over it.

Before filling the vacancies, we reviewed the potential for reorganization, and, rather than return to business as usual, we looked at the vacancies to determine whether the positions could be streamlined, centralized, or consolidated to improve public service.

Some of that reorganization and innovation is still in the works today. But much of it is in place. So let me tell you what a baseline budget allows within the Judicial Branch.

First and foremost, we were able, finally, to fill all of the ten additional security positions that the Legislature created five years ago but that had remained mostly unfilled as a result of budget cuts.

That change alone has allowed us to provide entry screening, similar to the screening now in place in the State House, on nearly 30% of our court days. In December 2011, for example, we were able to provide entry screening on 35% of the court days. This represents a substantial improvement. Much more frequently, people coming to courthouses will see staffed metal detectors and x-ray machines.

The potential for stressed, angry, or out-of-control litigants to arrive in a courtroom with lethal weapons is slowly but surely diminishing. For this, on behalf of all the people who find themselves in Maine courts, I thank you.

We will continue to provide you with updates on current entry screening, along with the amount that would be necessary for every courthouse to have entry screening 100% of the time. Today, that number is just over \$3 million dollars. Incrementally, every approximately \$120,000 dollars added to the Judicial Branch budget allows for the equivalent of annual screening of one additional courthouse.

Our second objective in filling vacancies has been to centralize and streamline the trial courts' administrative services. With three formerly vacant clerk positions, we have initiated a pilot project, creating for the first time a Judicial Branch Service Center.

Primarily, the pilot project will provide centralized telephone services for the public. There will be a real human voice at the end of a phone line to answer questions that would otherwise have gone to busy courthouses.

We have borrowed, not stolen, borrowed this idea from our New Hampshire neighbors. Chief Justice Dalianis reports that the New Hampshire courts undertook a study of centralized telephone services and concluded that as many as 70% of the calls to the local clerks' offices could be answered centrally.

Now New Hampshire has significantly more staff than the Maine Judicial Branch, and they were able to commit 20 staff positions to a statewide telephone service. We will begin more modestly in Maine, but in our pilot project, if even half of the phone calls to the clerks' offices can be answered by the centralized staff, the public will receive more prompt and thorough service, and clerks in the targeted courthouses will be freed up to work directly with the public and provide more efficient services.

We also anticipate that the Service Center will provide centralized return-of-bail services, which will improve the Judicial Branch's capacity to assure that bail funds are not released to a person who has failed to pay court fines.

And ultimately, we hope that the Service Center will take on the additional responsibility of responding to record requests. Those requests, in many instances, come from businesses that need information from the courts in order to hire employees and make other business decisions. The centralization of this effort has the potential to provide much swifter responses to businesses. Representative Rotundo has sought for years to have this service available for her constituents, and I am pleased to say, the first steps to making it happen are now in place!

The Service Center balances our efforts to maintain rural courthouses, and at the same time streamline and improve administrative services to the public, thus reducing the costs of duplicated staffing.

The baseline budget has also allowed us to re-energize several different areas of public service. We've been able to reinvigorate the Business and Consumer Docket Clerk's Office. That office struggled with staffing vacancies, causing our response to businesses to fall short of our initial expectations. In the last six months, the Business and Consumer Docket has been restored to health, and Chief Justice Humphrey, who leads that docket, reports a return to expeditious services for businesses and consumers alike.

Also, in these last six months, with the return of staff to many of our beleaguered clerks' offices, we no longer have rolling closings in the smaller courts. When I spoke to you last year, courthouses in several rural areas were routinely experiencing reduced public hours. That has stopped.

And finally, we have taken a vacant staff position that used to support the Supreme Judicial Court and we've changed that position for the first time to establish, in Maine, an Access to Justice Coordinator. This position will be responsible for assuring that people with disabilities don't find those disabilities to be a barrier to their efforts to find justice. Similarly, the coordinator will address language barriers, and compliance with state and federal law, and will help organize our assistance for the growing number of litigants who are unrepresented during some of the most important events in their lives. Some states have entire departments within their Judicial Branches focused on access to justice issues. Until now, Maine has not had a single staff person dedicated to addressing these critical issues.

All of these improvements occurred within current staffing levels, with no new dollars beyond baseline funding. In addition, we have continued with several other important innovations.

Our efforts to streamline the antiquated and overlapping criminal dockets of the District and Superior Courts, which caused delays and duplication of staff, have been completed in two of our largest consolidated courthouses, in Bangor and Portland. Innovative trial judges, district attorneys, and defense attorneys worked creatively with Justices Gorman and Silver to accomplish these achievements.

With those Unified Criminal Dockets in place, we can confidently report that the improved process cuts the resolution time for serious felony cases in half. Felony resolution time cut in half. Thank you for that. I noticed that the Governor got quite a few rounds of applause. In matters of domestic violence prosecutions, swift responses and prompt trials are critically important and we can get there.

This year also saw the launch of a new effort, referred to as the Katahdin Counsel project, led by Justice Levy, to recognize the important work of Maine lawyers who provide free legal

services to Maine people caught up in the legal system who can't afford an attorney. As you know, Maine lawyers donate their time and dollars in substantial amounts, putting them second in the entire country for generosity.

Recent research has revealed how critically important legal services are in one key area. The availability of legal assistance programs has been identified as one of the best predictors of decreases in Domestic Violence.

In all of our work with Maine lawyers, we are fortunate to have Justice Alexander's commitment to supporting and training new and experienced lawyers. We must continue to support our lawyers in these crucial efforts.

And I am pleased to report that the successful Kennebec County Co-Occurring Disorders Court has now added a Veterans component. Once again, Justice Nancy Mills, working with community providers, has found a way to address a serious community need. I want to thank the Veterans Administration at Togus for working with us to find resources for struggling veterans. In addition, I want to thank T.J. Wheeler, who is a Case Manager in the Co-Occurring Disorders Court, a veteran himself, for his persistence and commitment in moving this new Veterans docket forward. This year, with the assistance of a grant, an extension of the Co-Occurring Disorders Court into Cumberland County is being considered.

Now as I've said, all of these improvements and innovations have been accomplished within the authorized budget. Imagine what we could do to improve justice services with just a little more funding. You knew I had to ask. First and foremost, security — again, every additional \$120,000 allows us to provide the annual equivalent of full-time entry screening in one more courthouse. Technology — We have to move the courts into the twenty-first century, not just for efficiency, but also for improved public service. With the assistance of Justice Mead's technological skills, thank heaven, we will be reporting to you in July on a plan for creating a fully electronic court system.

And perhaps the most exciting news of all, I am pleased to report that this April, April of 2012, the Maine Supreme Judicial Court will pilot live-streaming oral arguments. With some serious creativity, we believe that we can accomplish this without new resources. So just imagine. Mark your calendars: April 10, 2012, you will be able to sit at your computers for the whole day if you'd like and listen to every oral argument of the Law Court. In case you cannot dedicate your entire day to this activity, if you go online, you will find case summaries and you can just listen to those cases that interest you the most.

My last topic this morning is very serious and it will not surprise you. The Domestic Violence tragedies of this last year have made it clear that we must continue the search for solutions, and we must do so together. The statistics are chilling: the Attorney General reports that, in the past five years, 57 people were killed in Domestic Violence related assaults. Fifty-seven people — including children — died at the hands of people close to them. And that does not address the thousands who have been injured, isolated, or sexually assaulted, many of whom live in daily fear.

To be clear, our efforts to eradicate domestic violence, may not allow us to rush to judgment and sweep in the innocent. We must preserve and enforce the guarantees of the Maine and federal constitutions. And we must carefully balance the rights of the accused against public safety and protection for alleged victims.

But, while the courts are neutral fact-finders, courts are not neutral on the fact of, or the solutions for, Domestic Violence. Chief Justices across the country are looking for ways to better identify the potentially lethal cases. Several years ago, the

Conference of Chief Justices identified several principles that guide us today, and here are just a few of the most critical principles: Families in crisis must have easy access to the courts; judges must have comprehensive information on prior court orders and histories of violence in the family; convicted abusers must be held accountable; and judges can and will be catalysts to enhance intergovernmental collaboration for improvement.

In Maine, all three branches of government are focused on taking concrete actions that will reduce and eliminate family and intimate partner violence and sexual assault.

Governor LePage has taken a critical step forward in emphasizing that the tragedy of Domestic Violence is not only a women's issue. It affects children, women, men, and increasingly, the elderly.

In the next weeks, you will have before you a number of bills aimed at improving governmental response to this terrible problem. Today, I suggest several actions you can take to improve Maine's response to Domestic Violence in all its forms.

First, community involvement. You've heard this from others. Think long-term, think globally. Violence in any form cannot be stopped through one single approach. We need to assure that children grow up in healthy and loving settings, that bullying and violence are swiftly addressed wherever they occur, and that everyone understands that violence is unacceptable.

Our responses must include community programs such as the Coordinated Community Response program that works with local police; organizations that support healthy teen years — like Hardy Girls Healthy Women, and Boys to Men; and men speaking out against violence, as the Governor has done so candidly.

Next, in the context of judicial proceedings, we must improve the quality of information available to bail commissioners, judges, and legal advocates when Domestic Violence charges are filed. Criminal history information, prior Protection Orders, and Risk Assessment information should be available for all bail and sentencing decisions. Some of these efforts will require new legislation and they will require fiscal resources. Thoughtful responses and improved attention to risks of continued violence may ultimately require more resources for the courts, prosecutors, indigent legal services, and pre-trial services.

Next, you can support the development of Unified Criminal Dockets when we are able to bring them to your districts. As I noted earlier, this change alone can cut felony resolution time in half. Justice delayed is not only justice denied, in some cases it is a recipe for tragedy.

However, it is not a simple task to streamline criminal procedures. The unification of a region's criminal docket is a complex process. It involves counties, law enforcement, prosecutors, and defenders. Each new Unified Criminal Docket requires its own design, an initial infusion of scarce judicial resources, along with the input of all of the stakeholders to make it work.

We are beginning the design of a Unified Criminal Docket in York County, and I am looking to the York County Representatives. We will be talking with you and we will be working with all of the stakeholders to assure success in the second largest criminal docket in the entire State.

Finally, we know that one of the most important tools in averting repeated violence is for judicial officers to have criminal history records of the person charged with Domestic Violence. Without that history, informed decisions cannot be made.

We have recently learned that there are substantial impediments to Bail Commissioners receiving that important information. The problem stems from a variety of issues,

including varying legal interpretations, technological limitations, law enforcement staffing problems, and miscommunication.

But frankly, it doesn't matter why Bail Commissioners don't have the records. By law, you have mandated policies by which those records have to be relayed to Bail Commissioners. To make well-informed decisions, they must have that information. And too often, they are not receiving the reports. This is simply unacceptable.

Today, on behalf of the Chief Judge of the District Court, I am announcing that, effective immediately, Bail Commissioners will be instructed not to set bail in Domestic Violence related charges unless they have received access, at a minimum, to the Maine Criminal History Record Information of the defendant. We recognize that this step may strain resources, and there are potential constitutional considerations that must be addressed. But we can't ignore the problem any longer.

To address these problems quickly, I've charged the Trial Court Chiefs with bringing together a collaborative task force to solve the problem of obtaining criminal history records in Domestic Violence cases. Attorney General Schneider and Commissioner Morris of the Department of Public Safety are already at work on the problems and, with us, are committed to finding a solution. In the end, we must all work together to find a way for critical information to reach judges or bail commissioners quickly, and to ensure that domestic violence cases are resolved promptly.

To conclude this morning, I want to thank all of you again for your efforts to support the courts to improve access to justice for Maine people. We continue to invite you to visit courts and to invite the Law Court to your local schools.

We must remember as we grapple with some of the most difficult social and economic issues we have faced, that Maine is a wonderful place to live and work. We can and we will work together to make it an even better place for our children and for the people of this great State.

I leave you with this: Mahatma Gandhi reminded us that "The future depends on what we do in the present." We cannot wait for a better time, a better economy, or an easier path. We must follow Teddy Roosevelt's advice — "Do what you can, with what you have, where you are." Thank you very much for everything you do.

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The Chief Justice withdrew amid the applause of the Convention, the audience rising.

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The purpose for which the Convention was assembled having been accomplished, the Chair declared the same dissolved.

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The Senate then retired to its Chamber amid the applause of the House, the audience rising.

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(After the Joint Convention)

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The House was called to order by the Speaker.

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By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH.**

On motion of Representative PLUMMER of Windham, the House adjourned at 11:41 a.m., until 10:00 a.m., Tuesday, February 14, 2012 pursuant to the Joint Order (S.P. 626).