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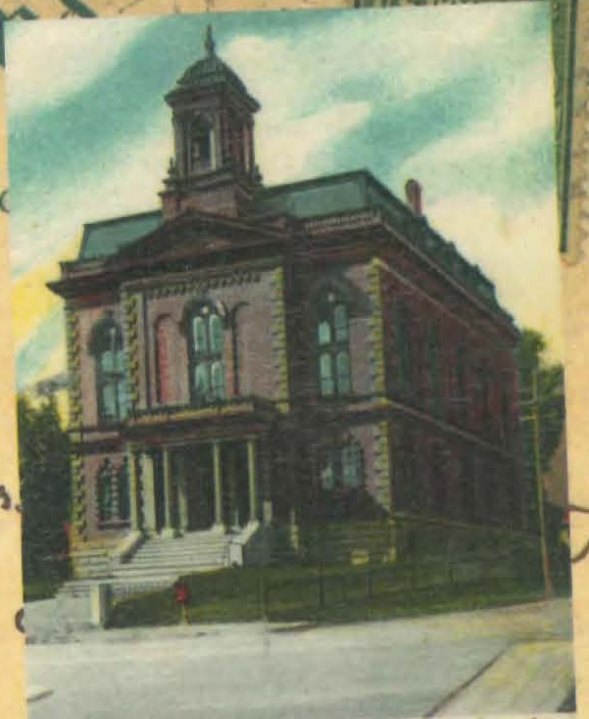
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# Post Card



Alfred, Maine, Court House.



COURT HOUSE, BATH, ME.  
*Pass here in half hour by boat.*

*Handwritten notes in cursive script, including the word 'showing' and other illegible words.*

Court House and Jail, Bangor, Me.



Auburn, Me.  
County Building.

ARROSTOOK COUNTY COURT HOUSE, HOULTON, MAINE



43 STATE HOUSE STATION  
AUGUSTA ME 04333-0043

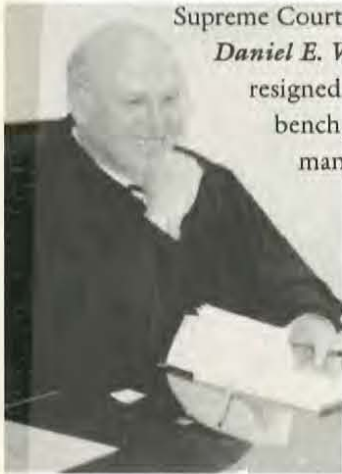
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2001  
Annual Report  
of the  
**Maine**  
Judicial Branch

## 2001: The Year in Review

### Chief Justice Wathen Completes His Tour of the Trial Courts, Ends His Journey as a Jurist

On October 3, 2001,  
Supreme Court Chief Justice  
*Daniel E. Wathen*



resigned from the bench, surprising many people within and outside the Judicial Branch. Chief Justice Wathen's judicial career began in 1977, when

Governor *James B. Longley* appointed him to the Superior Court. In 1981, Governor *Joseph E. Brennan* appointed him an Associate Justice of the Supreme Judicial Court; he was appointed Chief Justice by Governor *John R. McKernan*.

While serving as Chief Justice, Wathen was known as an effective and energetic administrator who was not afraid of innovative approaches. He was a champion for change and improvement within the system and an effective advocate outside the Judicial Branch. Under his administration, drug courts for both juveniles and adults were developed and implemented. The Family Division of the District Court, which substantially changed the processing of divorce cases, came into being, allowing for much expedited hearing and resolution for the benefits of children in particular.

Chief Justice Wathen chose to focus on the often-neglected areas of law such as child protection, domestic violence and juvenile crime. He was also successful in persuading the Legislature to provide funding for updated technology, improved salaries, and additional judicial and clerk resources.

Wathen's quest to visit and sit on the bench of every court throughout the state was accomplished in August of 2001, when he reported, "It has taken me 24 years, but I have worked at every one of our 50 court locations." In his e-mail "postcards" relating his life on the bench, he always praised the local clerks and court officers for helping him get through the daily work. Chief Wathen's days in court led him to promote improvements in court facilities, staffing and security. Witnessing the struggles of pro se litigants, he led the fight to provide more legal services for the poor. He also led the way for "unbundling" of legal services, allowing litigants to purchase specific legal advice without having to pay the cost of total case representation.

Within the "Judicial Family," Chief Wathen will be remembered for his recognition and appreciation for the people of the Judicial Branch. He initiated the annual Judicial Branch Awards for Excellence, and began the tradition of the all-employee meetings, an annual gathering of all judicial employees from across the state. He was known to solicit the input from all employees regarding important issues. His creation of the Performance Council, a "board of directors" for the Judicial Branch, as he called it, was designed to provide leadership from a cross-section of judicial employees, and he often used the forum to listen to perspectives that were different from his own. He regularly requested input for his "State of the Courts" annual address to the Legislature and even polled all employees for suggestions at times of budget cuts.

Moving on in his legal career, Wathen joined the Pierce-Atwood law firm in Portland in January 2002. In his announcement of this career

move, he noted that he especially missed the people who went along with his former position. And the people who were fortunate to work with him over the years, will miss his presence as well.

### Adult Drug Court: A Chance for Change

In April of 2001, the adult drug treatment court opened in five counties: Androscoggin, Cumberland, Penobscot, Washington, and York. According to Chief Justice Wathen, "Drug Courts are not only punishing criminal behavior. They are going beyond to break the cycle of crime by correcting the underlying problem — substance abuse." The connection between substance abuse and criminal behavior is the key foundation for drug courts. The program has given the criminal justice system an opportunity to acknowledge and act upon the fact that many, if not most, crimes would not be committed if not for substance abuse.

Participants are carefully screened for entrance through a multi-phase process. The local drug court team, including the drug court judge, court case manager, local treatment providers, the district attorney, and probation officer, decide if a potential client falls within the parameters of the program and if the defendant is motivated to change the addictive behavior. There are various crimes that make a referral automatically ineligible. Following a positive review of a defendant's criminal history, level of addiction and motivation to change, the defense and district attorneys develop a plea agreement to the offense or probation violation. The agreement includes provisions that the sentence, which is stayed during participation in the program, will be lighter if the

## Year in Review *continued*

defendant successfully completes the program.

Drug Court participants undergo intense supervision and receive assistance in solving problems that block them from leading a successful, substance-free life. The system involves a web of support and resources including the drug court case manager, prosecutors, defense attorneys, law enforcement, mental health services, and substance abuse counselors. The system monitors participants closely, conducting random drug tests, requiring frequent meetings with case managers and treatment providers, as well as regular attendance at Alcoholics or Narcotics Anonymous meetings. At the required weekly court appearances, progress or regression is reported and praise or sanctions are administered. Needs beyond recovery from addiction are also addressed; housing, transportation, employment, and education are among the fundamental building blocks to full rehabilitation.

The partnerships formed between the judiciary, attorneys, prosecutors, and community treatment agencies have created powerful forces that have enabled people with serious problems to recover and improve their lives. The key to success lies with the participants themselves. One graduate of "Project Exodus," the Portland drug court pilot program, summarized her experience: "You have to accept the help. There are people here who put a lot of energy into the program so you could have a chance at life. You have to be ready to work with them.... I honestly believe if it weren't for Drug Treatment Court I wouldn't be here today. My addiction had complete control over me. I couldn't make any decisions and I couldn't think of anything else.... I just can't believe how good my life is today. My

14-year-old son goes to school and talks about me because he's proud of me. That wasn't always the case." The positive impact of drug court reaches beyond the individual success story, even improving life into the next generation.

### Alternative Dispute Resolution in the Superior Court

In 1993 the Commission to Study the Future of Maine's Courts made this prophesy: "*In the 21st Century, Maine's Courts will offer citizens access to a variety of means for resolving their disputes, as well as assistance in identifying the dispute resolution methods most appropriate to their cases.*"

As we begin the third year of the 21st Century, with the adoption of new Rule 16B to the Maine Rules of Civil Procedure, the Superior Court will be helping to fulfill the Commission's prophesy. Unless exempt, all civil cases filed in or removed to the Superior Court after January 1, 2002, will be required to participate in an alternative dispute resolution (ADR) conference within 120 days of the scheduling order, which is entered soon after the defendant files the answer.

For 25 years the District Court has been offering mediators in small claims matters and for almost 20 years has been requiring mediation in most (and now all) contested domestic relations cases. As a result of our experience with ADR in the District Court and in two pilot projects in the Superior Court, the Supreme Judicial Court concluded that the advantages of offering non-binding ADR in the Superior Court justify the increase in expense for those

who do not benefit from the process.

Requiring parties and their lawyers, early in the discovery period, to discuss their case in the presence of a trained mediator or to present their case to an experienced evaluator or non-binding arbitrator will, we believe;

- a) increase party participation and satisfaction in the process,
- b) reduce overall costs,
- c) speed up the pace of case resolutions,
- d) increase the number of settlements,
- e) reduce the backlog, and
- f) permit the system to concentrate its judicial resources on those cases that are not likely to be resolved by agreement.

The Court is committed to evaluating this experiment to determine if it lives up to its promise.

### Bolstering Security

Throughout 2000, the Court Security Advisory Panel, established by State Court Administrator *Ted Glessner*, reviewed the status of court security throughout Maine, and submitted 13 recommendations for improvement. Their recommendations ranged from expanding training opportunities for court security officers and other Judicial Branch personnel, to establishing minimum standards of court security.

Two key recommendations of the Advisory panel were submitted as





budget requests to the Legislature. As part of its supplemental budget, the First Regular Session of the 120th Maine Legislature included funding to create two regional court security supervisor positions, allowing for more adequate supervisory support across the state. In addition, the legislature voted to replace 30 contracted security officers with permanent state positions. Changing these security positions into permanent state employees allows the Branch to offer more job security and benefits to those who have been employed through temporary agency contracts. These changes are scheduled to take effect in FY'03, beginning July 1, 2002.

Advocacy for further improvements to court security will continue, as the full needs for proper screening and protection of the public remain unmet.

### Judicial Transitions

Following Chief Justice Wathen's resignation, Associate

Justice *Robert W. Clifford*, Senior Associate Justice on the Supreme Judicial Court, became acting Chief Justice. He ably served in that capacity until December when Supreme Court Justice *Leigh I. Saufley* was appointed and sworn in as Maine's first Chief

Justice who has served at all three levels of the state court system. Chief Justice Saufley was appointed to the District Court in 1990 by Governor *John McKernan* who appointed her to the Superior Court in 1993. She was elevated to the Supreme Judicial Court in 1997 by Governor *Angus S. King, Jr.* Known as a keen legal scholar with both compassion and a good sense of humor, Chief Justice Saufley is the youngest chief justice as well as the first female chief justice in the history of the State of Maine.

Two Superior Court justices, *Francis C. Marsano*, who served primarily in Knox, Waldo, Hancock and Penobscot counties, and *Paul T. Pierson* of Aroostook county retired from the bench in 2001. Governor King nominated *Joseph Jabar* of Waterville and *E. Allen Hunter* of Caribou to fill the vacancies. Both were subsequently confirmed by the Maine Senate.

### Administrative Court "Abolished," Transition to District Court Goes Smoothly

The second session of the 119th Maine Legislature enacted legislation that "abolished" the Administrative Court, effective March 15, 2001. The Administrative Court was created in 1978 and given

jurisdiction over appeals from various agency decisions. Caseload for the Administrative Court, which has averaged 400-500 cases annually, has been primarily (95-98%) appeals from the Bureau of Liquor Enforcement. Over the years, the two judges of the Administrative Court have regularly served in the District Court. This fact made the transition of the clerk and two judges into the District Court staff go very smoothly. The Administrative caseload was transferred from Portland to Augusta, where the key offices of the Bureau of Liquor Enforcement and the Attorney General are located.

### Juvenile Drug Court

Following the principle foundation of Maine's juvenile code that emphasizes the responsibility of the judicial system to look toward rehabilitation of juvenile offenders, the Juvenile Drug Treatment Court continued to provide opportunities for juveniles to improve their lives. Collaboration between community service providers, treatment agencies, juvenile corrections workers, and law enforcement provide a support network for young offenders whose lives are complicated by substance abuse. The program includes intensive treatment and judicial review for participants. Although the system requires extra investment, the resulting changes in the youths' behavior and self-esteem yield a brighter future for the young people who are committed to the program.

### Maine Volunteers for Justice

Supported by a continuation grant from the State Justice Institute, the Maine Volunteers for Justice program continued its work to recruit, train and place volunteers to

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COUNTY COURT HOUSE, PORTLAND, MAINE

## Year in Review *continued*

assist in the work of the Courts. As of early spring 2002, 49 MVJ volunteers have provided assistance to the Judicial Branch, from clerical work to PowerPoint design, making useful contributions through commitments as short as a few hours, and as long as several years.

One of the most rewarding aspects of the program has been discovering the potential of the courts to serve as places of education as well as service. While much of Maine's population understand little of the Third Branch of government, students who work in court offices and courtrooms for credit and to practice new skills are also learning about the legal system, how the courts work, and the challenges facing Maine's Judicial Branch. Educators have been quick to see the immediate value of having their students work with the courts, and a few are exploring the possibility of deeper and more complex court/college projects. Faculty at Mid-Maine College, Husson College, The University College at Bangor, Washington County Technical College, Southern Maine Technical College, and several branches of the Maine State University System are working in on-going relationships with Maine Volunteers for Justice to further develop court internships, as are the training coordinators of the National Council of Aging's "Senior Community Service Employment Program."

Finally, the "KiddieDittys" project has become an up-beat bridge between the court system and service-oriented groups, both adult and juvenile. A service club at St. Joseph's College has added KiddieDittys to its list of annual activities. A fifth-grade religious education class in Bridgton is using the project as an introduction to community involvement for the children. Groups as diverse as Grange members in Washburn, and Beta

Sigma Phi Sorority alumnae in Limestone have found making the little gift bags of toys and treats to be an easy and unexpected way to bring comfort to children. Dozens of organizations have donated and pledged a total of over 500 KiddieDittys over the last year.

### Family Division: Measuring and Nurturing Growth

During the fall of 2000 an evaluation of the Family Division's case management system was conducted. Questionnaires were distributed to parents, attorneys and child support enforcement agents. Approximately 780 parents and 360 attorneys and child support agents around the state responded.

The parents' questionnaire asked participants to rate the Family Division's Case Management Officers on such things as courtesy, efficiency, patience, and fairness. It also asked parents whether they understood what happened in court, whether they had an opportunity to explain things, and whether they felt the process was helpful in resolving children's issues. More than 95% of those responding rated the work of the Case Management Officers as excellent or good.

The survey completed by attorneys and child support agents covered a variety of subjects, including questions about the Case Management Officers' legal ability, impartiality, integrity, temperament, diligence, case management skills, and overall competence working with families. Consistent with the results of the parents' survey, more than 95% of the attorneys and child support agents selected "excellent" or "good" when responding to the questions.

The Family Division has devoted considerable time to promoting services for families. Working cooperatively with the

Department of Human Services to administer federal "Access and Visitation Grant" funds, the Family Division has directed its efforts toward expanding the availability of parent education programs for parents divorcing, separating or living apart. These programs help parents focus on the needs of their children, including the need to have access to both parents. The programs also help parents manage conflict, so they can work together for the good of their children. Attendance at a parent education program is often recommended or required by the court. Access and Visitation Grant funds have been made available for scholarships to enable low income parents to participate at no cost or a reduced cost.

Three years ago there were only two resource centers for divorcing families; now there are programs offered in 13 additional communities. During FY 2001, more than 1800 parents attended programs. The Access and Visitation Grant Committee is continuing to pursue ways to provide the program in areas not adequately served, particularly rural areas.

Recently the Access and Visitation Committee expanded services to families by funding two centers, one in Brunswick and the other in Portland, for the safe exchange of children in order to facilitate parental contact. These sites provide a setting that enables children to begin and end visits free of stress and conflict. It is hoped





this service can be expanded to other locations in the state in the near future.

**STOP Violence Against Women Grant: Safety through Coordination, Linkage and Accountability**

The Maine District Court received a grant through the STOP Violence Against Women federal grant program funding to establish a “Domestic Violence Case Coordination Project.” The project will develop and pilot protocols to define and improve the court’s role in addressing domestic violence.

Under Maine law, victims seek Protection from Abuse (“PA”) orders through a civil process. Defendants in these “PA” cases may also be charged, in separate criminal proceedings, with assault, terrorizing or other crimes by the state. As its first objective, the Case Coordination Project will address the need for coordination of information regarding criminal and civil proceedings involving domestic abuse. Secondly, the project will develop recommendations for linkage

of the management of domestic violence criminal cases with related civil PA cases.

The third objective of the project will be to develop a post adjudication role for the courts.

The goal is to assure that offenders have fulfilled the requirements of

the court’s orders and are held accountable.

Grant funds will be awarded to a contractor who will research and study the issues, including identification of resources the Judicial Branch would need in order to implement any recommendations that are made.

**Performance Council Oversees Key Areas of Improvement**

The Performance Council, the members of which represent various positions and geographical areas of the Judicial Branch, as well as outside members representing the Bar and advocacy organizations, continued to focus on key areas of policy within the Branch.

Charged with approving and overseeing the Strategic Plan, the Performance Council helps to decide the priorities that will be the focus of improvements within the Branch.

One area of concern relates to compliance with the Americans with Disabilities Act. The Council has been behind the efforts not only to

determine areas of need, but also to plan for remedies to those unmet needs. Addressing the need for improved communications outside the Judicial Branch, the Council has approved policy

regarding official communications with the media and supported efforts to release announcements about positive changes that will not only inform the public about the activities of the Branch, but also serve to increase public trust and confidence with the judicial system.

In an effort to get meaningful feedback from customers, the Council initiated a “Customer Survey” program. Boxes and comment forms were provided to each court location. Although there was some initial hesitation to receiving comments to people who may be unhappy with a court decision, the resulting comments made by the public have been overwhelmingly positive regarding the quality of service received from the clerks’ offices around the state.

The Council is also charged with overseeing the implementation of recommendations as a result of legislation sponsored by the “Court Unification Task Force.” Among the changes that became effective on January 1, 2001: all divorces and family matters cases are filed only in the District Court; most appeals go directly to the Law Court, substantially reducing the intermediate appellate function of the Superior Court; almost any civil case can be filed in District Court, since the cap of \$30,000 in damages was eliminated; and a new set of appeal rules applying to both civil and criminal appeals was adopted. The Council will report to the Legislature annually regarding the impact of the changes on the courts, and on the people who use the system.

**All Employee Meeting: An Annual Gathering of the “Court Family”**

The fifth annual All-Employee meeting took place in Augusta on September 21, 2001, and focused on “Customer Service.” Master of

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## Year in Review *continued*

Ceremonies for the day was former Superior Court Chief Justice, current federal Judge *Margaret V. Kravchuk*, who received much praise for her efficient and good-humored approach to moving the agenda of the day. The program included several workshops designed to help people improve and practice good customer service methods. For the second year, half of the auditorium was set up with booths for employees to visit and receive information about various topics, from the newly designed Judicial Branch Website to domestic violence programs across the state. At the last minute, a booth for collecting donations for the Red Cross Disaster Relief Fund was added. Donations totalling \$3,793 were collected and sent to the Red Cross in the name of the Maine Judicial Branch employees.

### Technology Advances

The Office of Information Technology (OIT) was engaged in three major projects during 2001. The projects included: continued development of the Maine Judicial Information System (MEJIS); the installation for the State's Wide Area Network into the courts plus the upgrade of the Mac laptops to the new iBooks; and preparation of the Violation Bureau's database system to allow users to pay their fines to with InforMe's web and phone system.

A comprehensive review of the MEJIS system by the National Center for State Courts revealed that the Judicial Branch has a strong technical base on which to build. The choice to use Oracle as the database software may enable accomplishment of both electronic docketing and information system goals. Greater network capacity was identified as the most immediate need in order to adequately operate this powerful program. A thorough analysis to specify additional

needs will be followed by a plan to secure the necessary resources to meet those needs.

### Gaynor Training Facility Opens

In a ceremony on June 15, 2001, the building that was formerly a garage at the Judicial Center and transformed into a technology training center, was dedicated to the memory of *Ulrike Gaynor*. Ulrike was a key part of the Office of Information and Technology until her tragic death as a result of a car accident on her way to work in 1999. The Gaynor training facility, dedicated to Ulrike's vision and dedication to excellence in education, will provide much needed space for on-going technology training that occurs regularly throughout the year.

### Training: Opportunities for Learning

The Training Department continued to host an unprecedented number of training sessions during 2001.

A major focus was on providing training made mandatory by either state law or contract, such as ergonomic training and supervisory training, and training on equipment. Eight internal trainers provided 34 on-site ergonomics training sessions, and another eight internal trainers provided 26 on-site teletypewriter (TTY) training sessions. Special emphasis was also placed on providing awareness programs that focused on deafness and cognitive disabilities.

In addition, numerous employees participated in external training and education through the Education, Training, and Career

Mobility Fund, the Confidential Employees Education and Training Fund, and the Training Department's lending library.

### Wellness Promotes Good Health

Team, having successfully turned the Y2K All-Employee meeting into a Wellness Day, went on to kick off an exercise campaign in the spring of 2001. More than 100 employees participated in the "Spring into Action" program, setting and meeting personal activity goals over the course of ten weeks.

At the 2001 All-Employee meeting, the Wellness booth urged people to participate in nutrition improvement program, "Colorful Choices" that focussed on consuming five servings of fruits or vegetables each day. Again, more than 100 employees, and their families, participated in this health boost.

More support for the continuation of wellness messages and activities was provided in conjunction with collective bargaining negotiations. All employees will benefit from the commitment of administration to fund education, activities and incentives to improve the well-being of all Judicial employees, and their families.

Court House, Wiscasset, Me.





## Maine Judicial Branch Presents 2001 Awards for Excellence

The Maine Judicial Branch honored a number of Maine citizens for their contributions toward the accomplishment of justice in the state during an award ceremony that was held in Augusta. Supreme Court Chief Justice Daniel E. Wathen presided over the event, which was held in conjunction with the fifth annual all-employee meeting.

Recipient of the first **Judicial Branch Career Performance Award** was *Anita Alexander*, clerk of the **West Bath District Court**. Ms. Alexander has been with the Judicial Branch for more than 20 years and has served as the clerk of the Bath-Brunswick area for the last 16. Her nominators spoke very highly of her many talents and fine qualities, saying: "She is a 'can-do' clerk, always open to new ideas and always willing to make the system better and more responsive to our customers..... She is very popular with the people working for her because she is fair and sensitive to their human needs and she brings humor and common sense to a situation that requires both in order to function well.... Her dedication to the Court System and the people in it are an example for all to follow.... Anita's innovative spirit make her a delight to work with and we all have benefitted from her advice and assistance on many pilot projects.... Her knowledge and patience with even the most demanding customer make her an excellent ambassador for the Judicial Branch."



*The Career Performance Award went to Anita Alexander, shown above enjoying the moment with her family and Chief Justice Wathen.*

**Judicial Branch Employee of the Year** was *Norman Ness*, **Regional Court Administrator** for **Androscoggin, Franklin and Oxford counties**. Mr. Ness has been with the Judicial Branch since 1981, and has a reputation for being steadfast, dependable and thorough. In recent years, he has made great accomplishments through the oversight of the construction or renovation of courthouses within his region. He has willingly taken on the assignment of representing the Judicial Branch as owner throughout all phases of construction, in addition to all his regular duties, even though this task could be a full time job all by itself. Mr. Ness is admired for his high level of integrity, fairness and strength as a dedicated member of the Judicial Branch family for 20 years.



*Norman Ness (center rear) is shown here with his family as he receives the Employer of the Year Award.*

*Christopher C. Taintor, Esq.* of **Portland** was honored as the **Judicial Branch Volunteer of the Year**. A highly respected Superior and Federal Court litigator, Attorney Taintor has accepted a number of difficult family law cases, serving both as an advocate and as a Guardian ad litem through the auspices of the Volunteer Lawyers' Project. In addition, he has willingly served the parties and the court as a pro bono publico Guardian, and done an exemplary job in each of these matters. It was Attorney Taintor's willingness to reach outside the normal scope of his practice and to handle the most challenging kind of contested family law actions that inspired this praise from his nominators: "...his work has been of singular value to the court.... He should serve as a role model to other non-family law attorneys, whose lack of familiarity with the substance of family law would be more than made up for by their training in legal analysis and real-world experience.... This service is in the highest and best traditions of Maine's bar."



*Christopher C. Taintor, Esq. accepts the Judicial Branch Volunteer of the Year Award.*

The **Advocate for Justice Award**, which recognizes citizens who "have most effectively championed the cause of justice in our society," was presented to *Lois Reckitt* of **South Portland** for her effective advocacy for victims of domestic abuse over the past several years. As director of the state's busiest women's crisis shelter in Portland, Ms. Reckitt has been a strong voice for protection of and services for victims throughout the state.

She has worked to build public understanding the depth of the problem of domestic violence in Maine. In part as a result of her bold leadership, Maine's governor was led to describe domestic violence as "Maine's Public Enemy #1," and bring the agenda of abuse into the forefront of public policy. Ms. Reckitt has also successfully collaborated with law enforcement, legislators and the judiciary to improve safety and services for victims. Her commitment to advocate for justice through prevention of domestic abuse and adequate support for victims has been unwavering.

Volunteer **George Schnake** of **Harpwell** received a **Special Service Award**. Mr. Schnake has donated untold hours to Maine's CASA program, taking on the task of promoting the CASA program in a variety of ways. He initiated and oversaw the production of a newsletter for CASA volunteers, soliciting and editing copy and following the process through to publication and distribution. Then he offered to produce public service announcements to be aired throughout the state. He recruited First Lady Mary Herman and Chief Justice Daniel Wathen to "star," went on to produce professional video and audio announcements, and then arranged for distribution to all of Maine's radio and television stations. To answer yet another need, he offered to produce an in-service training video for CASA volunteers. His work was once again masterful and professional, managing all aspects the project from beginning to end. The value of his skill, commitment and artistry cannot be underestimated. He has gifted Maine's CASA program with highly valuable tools that simply could not have been acquired without him.

**Case Management Officer J. David Kennedy** also received a **Special Service Award**. After having begun his career with the Judicial Branch as a Regional Court Administrator in 1993 Mr. Kennedy became a CMO in 1998, joining the Family Division of the District Court at its inception. CMO Kennedy is highly respected by his colleagues and the bar, as well as appreciated by litigants who come before him. He is the subject of high praise: "David combines a commanding presence with an exceptional sensitivity to all parties' interests.... He has demonstrated outstanding compassion, integrity and skill.... He shows great respect for the difficulties people go through in the divorce process.... He is motivated by genuine concern for the best interests of the children and is very clear in his thinking.... CMO Kennedy is a paragon of judiciousness and a model for what every jurist should be."

In addition to the awards for outstanding performance, a number of Judicial Branch employees were recognized for their longevity. There were 47 people welcomed to the Branch, having served one year; 18 at the five-year mark; 14 veterans who logged a decade of service; 19 who served for 15 years; and 17 more at their 20th year. Rockland Court Clerk **Susan Guillette**, Oxford Superior Court Clerk **Donna Howe**, and Accounting Clerk **David Rowell** were applauded for their quarter of a century as dedicated employees. Recognized for having devoted 30 years of service were Court Technology Analyst **Lynda Haskell**, Waldo Superior Court Clerk **Joyce Page** and Newport Assistant Clerk **Judith McKenzie**.



*Lois Reckitt receives the Advocate for Justice Award.*



*George Schnake, Special Service Award recipient, with Chief Justice Wathen.*



*J. David Kennedy receives his Special Service Award.*



*Recognizing 30 years of service are (lt. to rt.) District Court Deputy Chief Judge Vendean Vafiades, Superior Court Chief Justice Nancy Mills with 30-year employees Joyce Page, Judith McKenzie and Lynda Haskell; Chief Justice Wathen and District Court Chief Judge Jon Levy.*

# Fiscal Report

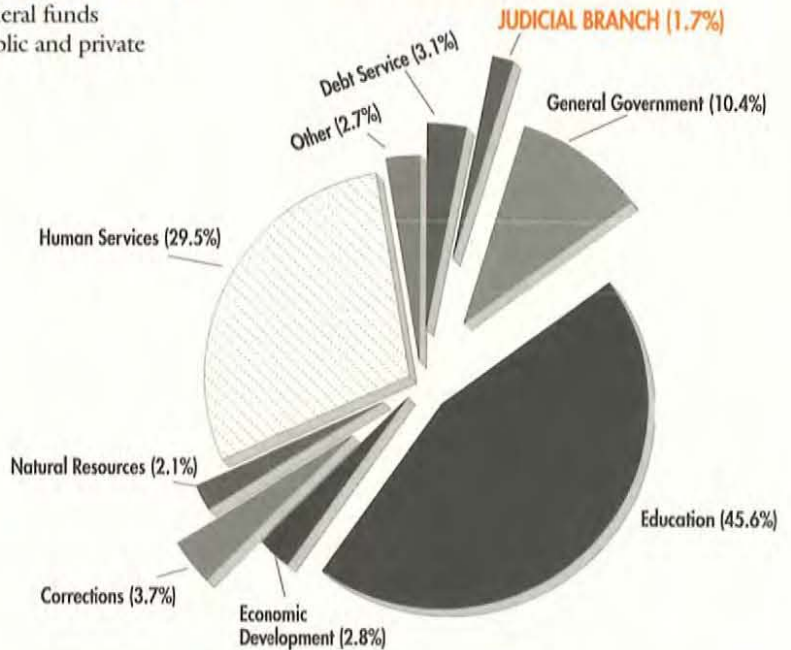


The Judicial Branch operates primarily from state general funds appropriated by the Maine Legislature. Grants from public and private sources also provide some resources.

## State of Maine General Fund Appropriations FY'01

Category	Budget	%
Judicial Branch	\$44,841,274	1.7%
Natural Resources	\$54,956,201	2.1%
Other	\$70,106,197	2.7%
Economic Development	\$72,851,315	2.8%
Debt service	\$81,594,102	3.1%
Corrections	\$97,276,908	3.7%
General Government	\$269,929,951	10.4%
Human Services	\$764,755,790	29.5%
Education	\$1,182,736,958	45.6%
<b>TOTAL</b>	<b>\$2,549,207,422</b>	<b>100.0%</b>

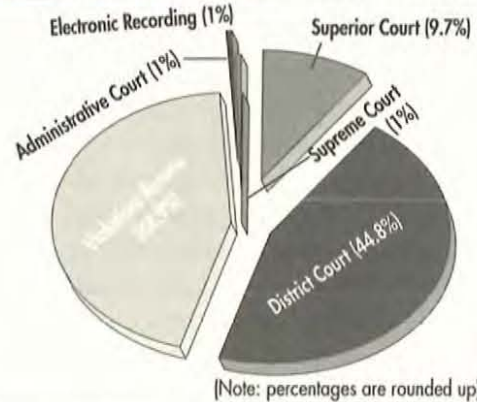
Other includes Labor, Transportation, Public Protection, Executive Branch, Collective Bargaining increases, and Employee Health Insurance Premium Increase



## FY'01 Judicial Branch Revenue Collections & Distributions

Sources	Fines (a)	Fees (b)	TOTAL
Supreme Court	\$0	\$28,030	\$28,030
Superior Court	\$1,994,624	\$1,073,194	\$3,067,818
District Court	\$11,058,900	\$3,083,402	\$14,142,302
Violations Bureau	\$13,574,012	\$458,318	\$14,032,330
Administrative Court	\$101,591	\$658	\$102,249
Electronic Recording	\$0	\$165,620	\$165,620
<b>Total/All Courts</b>	<b>\$26,729,127</b>	<b>\$4,809,222</b>	<b>\$31,538,349</b>

(a) Fine revenue includes all civil and criminal fines, and surcharges  
 (b) Fee revenue includes civil filing fees, mediation fees, transcript fees, bail defaults, interest income and amounts paid by indigent defendants.



(Note: percentages are rounded up)

### DISTRIBUTIONS:

		% of total
General Fund	\$23,585,584	74.78%
Highway Fund (D.O.T.)	\$2,087,435	6.62%
Traffic Safety Fund (D.O.T.)	\$1,151,209	3.65%
Civil Legal Services Fund	\$947,984	3.01%
Victims' Compensation Fund	\$516,332	1.64%
Inland Fish & Wildlife	\$509,387	1.62%
Govt. Services (County/Jail)	\$492,272	1.56%
Court Appt. Counsel Reimbursement	\$360,062	1.14%
Mediation Fund	\$319,739	1.01%
Law Enforcement Agency Reimbursement Fund	\$549,010	1.74%
Maine Community Policing (UMA)	\$405,310	1.29%
Dept. of Public Safety (1% of surcharge)	\$167,724	0.53%
Court Technology (1% of surcharge)	\$167,724	0.53%
Tobacco Enforcement/Licensing (DHS & Crim. Just. Acad.)	\$85,748	0.27%
Municipalities (Local Ordinances)	\$87,269	0.28%
Maine Criminal Justice Academy	\$105,560	0.33%
<b>TOTAL</b>	<b>\$31,538,349</b>	<b>100.00%</b>

### Revenue Collection: FY'97 - FY'01

FY'97	\$27,216,625
FY'98	\$28,103,297
FY'99	\$29,144,152
FY'00	\$32,050,756
FY'01	\$31,538,349

- 85% of revenues collected by the Judicial Branch were fines and surcharges assessed in criminal, traffic and civil violation cases.
- The largest portion of the revenue, approximately 75%, was deposited into the General Fund.

## Mission

To administer justice by providing an accessible, efficient and impartial system of dispute resolution that serves the public interest, protects individual rights, and instills respect for the law.

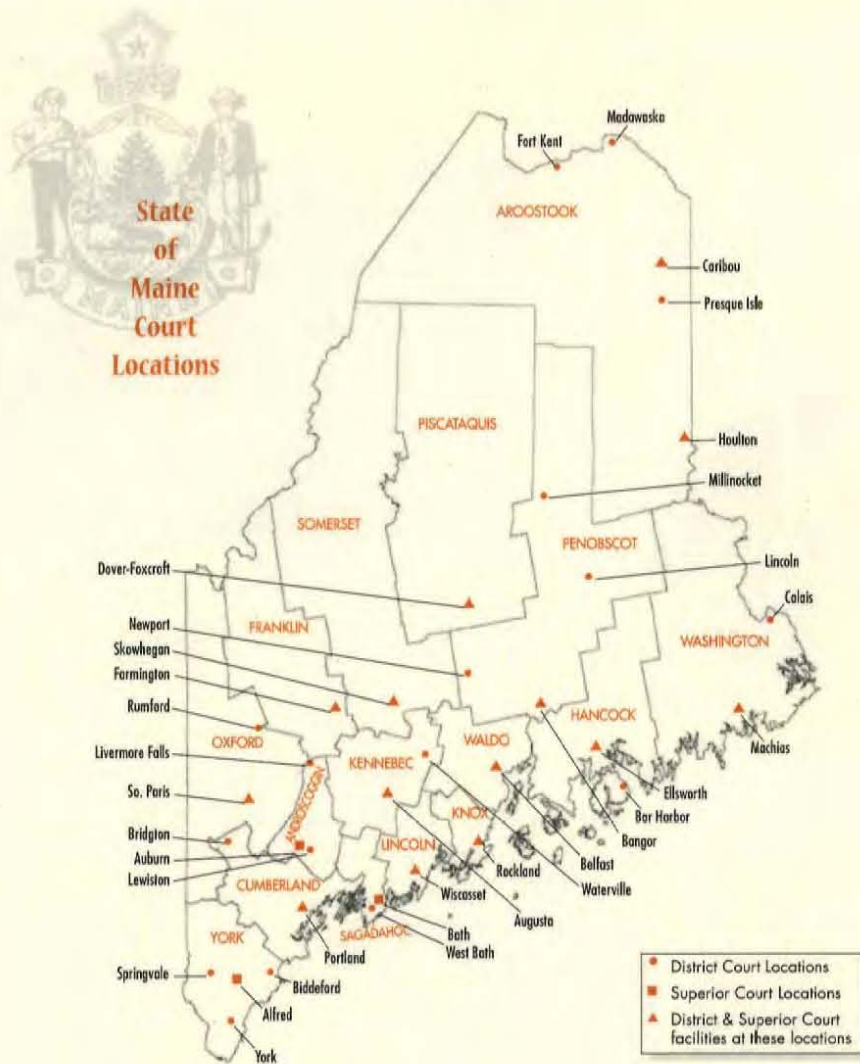
## Guiding Principles

- strive to make justice accessible to all;
- treat everyone with respect, dignity and courtesy;
- work as a team and encourage and recognize the contributions of all employees;
- communicate public information openly and effectively;
- provide employees with opportunities for continuous learning, growth and advancement; and,
- provide the service that will best serve the public.

## Maine Volunteers for Justice

The mission of MVJ is to increase citizen access to justice, public understanding of Maine's court system, and the efficiency of court offices by engaging volunteers in a variety of quality service experiences. We work with individuals, agencies, and educational institutions throughout the state to match volunteers to opportunities on a court-by-court basis. Volunteer duties range from clerical work, electronic recording of courtroom proceedings, and special analytical projects; to providing gifts for small children enduring long waits in district court halls, or special assistance as Court Appointed Special Advocates. Volunteers are also referred to other non-profit legal assistance agencies.

For more information, contact the Volunteer Coordinator at the Administrative Office of the Courts by calling 822-0780 or email [Penny.Hilton@state.me.us](mailto:Penny.Hilton@state.me.us).



Visit the Court's web page at [www.courts.state.me.us](http://www.courts.state.me.us)

## Administrative Office of the Courts

(41.5 positions, offices in Portland and Augusta)

The Administrative Office of the Courts (A.O.C.) administers all of Maine's courts except for the Probate Courts, which are managed at the County level. The A.O.C. provides support services to the court system including fiscal and personnel services, technology, planning, facilities management, grant oversight, legislative liaison, public information, library administration, statistical reporting, and training and education.

## For More Information...

Contact the Administrative Office of the Courts at 207/822-0792 for available publications (also at <http://www.courts.state.me.us>)

- *A Guide to Small Claims Proceedings in the Maine District Courts* (describes small claims court cases, how to file or respond to a claim, and court procedures).
- *Traverse Juror Handbook* (describes the jury system as it is used in Superior Court, the rights and duties of jurors, and the jury selection process).
- *A Guide to Protection from Abuse and Harassment Actions* (provides information about protection case procedures).
- *Caseload Statistical Information for all levels of Court* (various caseload information detail by location and case type).

# 2001 State of Maine Court System

## How Does Maine Select Judges?

All of Maine's judges (at the District Court level) and justices (at the Superior and Supreme Court level) are appointed by the Governor, with the consent of the Legislature, and serve seven-year terms. They may be reappointed at a term's end, and may be appointed to active status upon retirement. Each judge is appointed to serve at a particular court level, but may be assigned to serve at other court levels upon request of the Chief Justice.

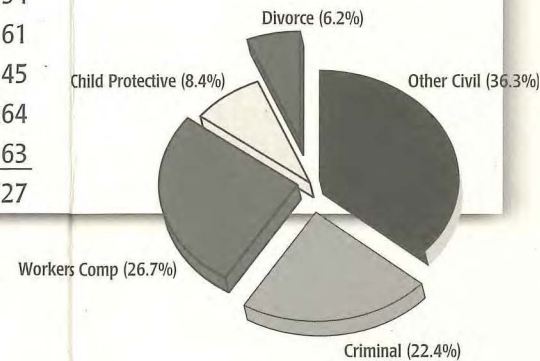
## Supreme Judicial Court (Law Court)

7 Justices, 25.5 support positions

The Supreme Judicial Court, located in Portland, is the governing body of the Judicial Branch, and, sitting as the Law Court, it is the Court of final appeal. The court hears appeals of civil and criminal cases from the District and Superior Courts, appeals from final judgments and decrees of the Probate Courts (which is a county system), appeals of decisions of the Public Utilities Commission and the Workers' Compensation Board. In addition, single justices handle admission to the Bar and Bar disciplinary proceedings. The court makes decisions regarding legislative apportionment and renders advisory opinions concerning important questions of law when requested by the Governor or Legislature.

### Case Filings

Workers Comp	194
Child Protective	61
Divorce	45
Other Civil	264
Criminal	163
<b>TOTAL Caseload</b>	<b>727</b>



**Supreme Judicial Court:**  
(front row) Robert W. Clifford, Chief Justice Daniel E. Wathen, Paul L. Rudman;  
(back row), Donald G. Alexander,  
Howard H. Dana, Jr., Leigh I. Saufley, Susan W. Calkins.

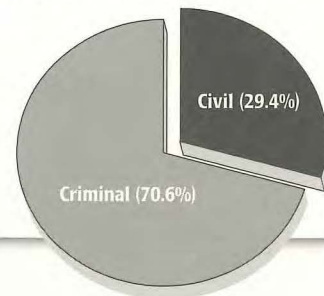
## Superior Court

16 Justices, 103.5 clerk's office and support positions; 17 locations, one in each county seat and an auxiliary location in Aroostook County

The Superior Court, located in 17 courthouses around the state, is Maine's trial court of general jurisdiction. The Chief Justice serves as administrative head of the court. The court has original or exclusive jurisdiction over all criminal and civil matters that are not the exclusive jurisdiction of the District court. The Superior Court is the only court where civil and criminal jury trials are held.

### Case Filings

Civil Cases	3,612
Criminal Cases	8,639
<b>TOTAL Caseload</b>	<b>12,251</b>



**Superior Court Justices:**  
(front row) Donald H. Marden, Robert E. Crowley, Paul A. Fritzsche, Thomas E. Delahanty, II, Chief Justice Nancy Mills, G. Arthur Brennan, Andrew M. Mead, John R. Atwood.  
(back row) Stephen L. Perkins (active retired), E. Allen Hunter, Thomas D. Warren, Thomas E. Humphrey, S. Kirk Studstrup, Jeffrey L. Hjelm, Joseph M. Jabar, Carl O. Bradford (active retired).  
Absent from Photo: Roland A. Cole, Ellen A. Gorman.

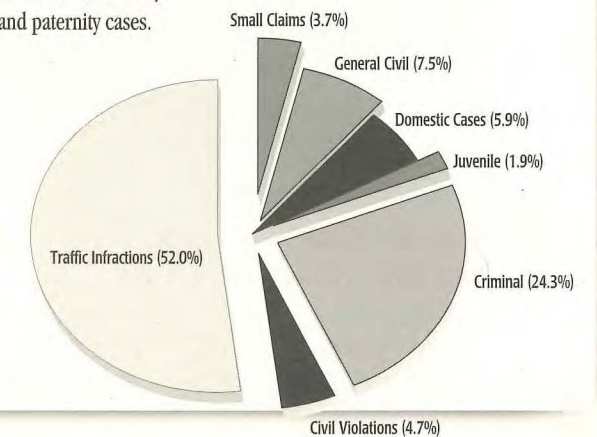
## District Court

33 judges, 8 Case Management Officers, 195 clerk's office and support positions; 31 court locations; 1 centralized Maine Judicial Branch Violations Bureau

The District Court, located in 31 courthouses around the state, is a court of limited jurisdiction that hears both civil and criminal matters and always sits without a jury. Within the District Court is the Family Division, which hears all divorce and family matters, including child support and paternity cases. Case Management Officers hear family cases, and manage the case flow of primarily uncontested cases. The District Court also hears child protection cases, and serves as Maine's juvenile court. Actions for protection from abuse or harassment, mental health, small claims cases (in which the damages are not more than \$4,500) and money judgments are filed in the District Court. Traffic infraction tickets are processed primarily through a centralized Violations Bureau, which is part of the District Court system. Hearings contesting traffic infraction or civil violations are heard by the District Court. Most misdemeanor criminal cases (classes D & E), when the defendant waives the right to jury trial are tried in the District Court.

### Case Filings

General Civil	20,714
Domestic Cases	16,278
Juvenile	5,237
Criminal	66,857
Civil Violations	12,979
Small Claims	10,323
<b>TOTAL Caseload in local courts</b>	<b>132,388</b>
Traffic Infractions	143,297
<b>TOTAL Caseload with Traffic</b>	<b>275,685</b>



**District Court Justices:**  
(front row) Kevin L. Stitham, John B. Beliveau, Michael N. Westcott, Deputy Chief Judge Vendean V. Vafiades, Supreme Court Chief Justice Leigh I. Saufley, Chief Judge Jon D. Levy, Douglas A. Clapp, Rae Ann French, Joseph H. Field.  
(second row) William R. Anderson, Andre G. Janelle, Ann M. Murray, Ronald A. Daigle, Christine Foster, Bernard C. Staples, Joyce A. Wheeler, James E. MacMichael, Patricia G. Worth, John V. Romei, Jane S. Bradley, Peter J. Goranites, Jessie B. Gunther, Robert E. Mullen.  
(third row) Roland Beaudoin, Paul A. Cote, Jr., David B. Griffiths, John D. McElwee, E. Paul Eggert, A. Mark Horton, Rick E. Lawrence, Ronald D. Russell.  
(Absent from photo) John C. Nivison, Keith A. Powers.



**Case Management Officers:** J. David Kennedy, Nancy D. Carlson, Marilyn E. Stavros, Bruce A. Jordan, Louise A. Klaila, Lisa J. Friedlander, Paul D. Mathews.  
Absent from photo: Joan M. Kidman

Germany.

# Post Card



Belfast, Me., Court House.



COUNTY COURT HOUSE, FARMINGTON, ME.

*Court House, Caribou, Me.  
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W. L. ...*



Hancock County Court House, Ellsworth, Maine



Dover, Maine. Court House.

Published by:  
Maine Administrative of the Courts  
P.O. Box 4820 Portland, Maine 04112-4820

Postcards: Courtesy of Justice Thomas E. Delahanty, II  
Editor: Sherry A. Wilkins  
Design: J. Motherwell Communications