

MAINE STATE LEGISLATURE

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ANNUAL
REPORT

Maine
Judicial
Branch

MAY - 6 2003

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MAINE JUDICIAL BRANCH



To the People and their Representatives:

Greetings from Chief Justice Leigh I. Saufley

THE SECOND YEAR OF THE NEW MILLENNIUM WAS A VERY BUSY ONE IN MAINE'S COURTS. Our efforts to improve access to justice have been successful in several areas. The new and improved web page went on line and was an instant success. The page is so well designed that the Judicial Branch received an award for best practices in Access to Justice efforts from the Justice Action Group, now chaired by Judge Kermit Lipez of the First Circuit Court of Appeals. Deb Carson and many others put hours into making this a clear, accessible, and helpful website. Check it out. The address for the site is www.courts.state.me.us.

We also completed the installation of TTY machines in every courthouse during 2002, assuring that members of the deaf community have ready access to our clerks' offices, and we have introduced the Language Line, designed to allow people with Limited English Proficiency to access interpreters over phone lines in every courthouse. There is much yet to be done, but our progress in making justice accessible to all has been very encouraging.

With the assistance of community and municipal leaders, legislators, and the consistent hard work of JB staff including Norm Ness, Jeff Henthorn, Gary David, and Rita Howard, the new Springvale Courthouse opened for business on May 20, 2002 (*see next page*). It is almost impossible to describe the difference between the new courthouse and the cramped, decaying space in which the court previously existed. In the new courthouse, there is an unmistakable atmosphere of dignity and respect for all who have business there.

In addition, our efforts to improve safety and security in our courthouses are off to a good start. With the support of Governor King and the Legislature, a bond package went to a public vote in 2002. The voters approved the bond issue in June, and the purchase of entry screening equipment is under way.

In every courthouse, judges and clerks find themselves busier than ever. With budget problems looming by the end of 2002, we have had to maintain vacancies and institute a Voluntary Unpaid Leave Program. As a new Chief Justice, I cannot adequately describe how proud I am of the men and women who make Maine's judicial system work. The number of volunteers for the Unpaid Leave program helped us stay within our budget, and the willingness to assist others stressed by disproportionate vacancies allowed us to keep doors open everywhere. It will take similar commitment, creativity, and collaboration to respond to the worsening budget projections for the next biennium, but I am confident that the people who are the Maine Judicial Branch will rise to the occasion.

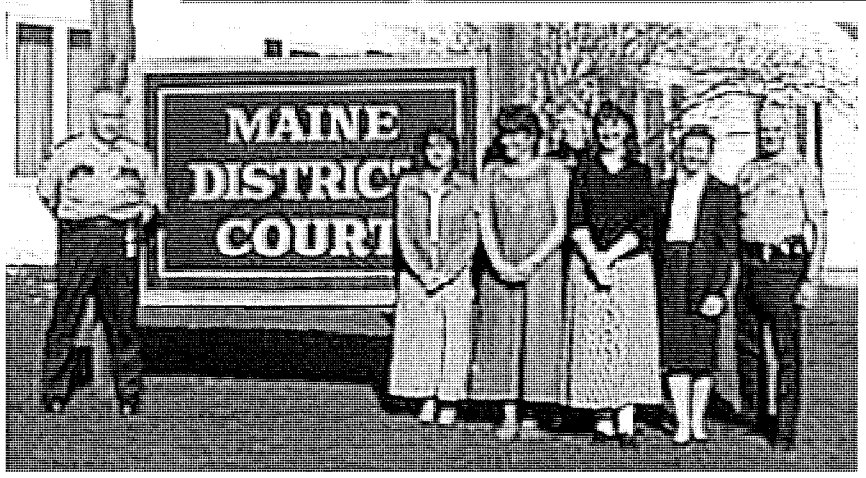
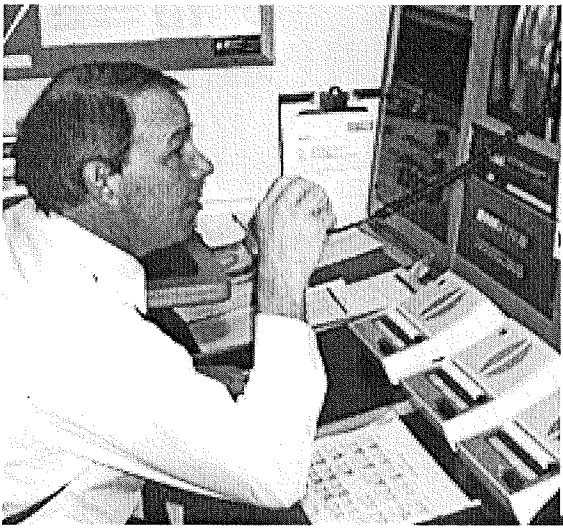
Leigh I. Saufley, Chief Justice, Maine Supreme Judicial Court

PS. In this year of limited resources, we have printed a summary annual report, and are providing this web version.

"I
cannot
adequately
describe
how
proud
I am
of the
men and
women
who
make
Maine's
judicial
system
work."

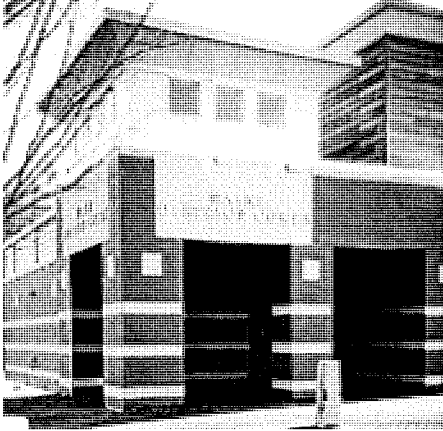


**Smiling faces of the
Judicial Branch, 2002**





Review of the Year



Springvale District Court in May, 2002

Maine's Courthouses: Building for the Future

MAINE'S COURTS ARE HOUSED in 42 buildings across the state, from Fort Kent to York; Rumford to Calais. In cooperation with Maine's counties, towns and State Legislature, the Judicial Branch is charged with maintaining court facilities that provide secure and dignified surroundings for people in the turmoil of litigation.

In 2002, Springvale's new courthouse was completed, replacing an old, run-down school building where the court had been located "temporarily" for several years. By year's end, an historic Lewiston building, formerly used as a music hall, was set to open as Lewiston's District Court. Planning is underway for the renovation of the Knox County Courthouse, while discussions are taking place in preparation for improvements in Augusta, Bangor, Dover-Foxcroft, and Machias. —

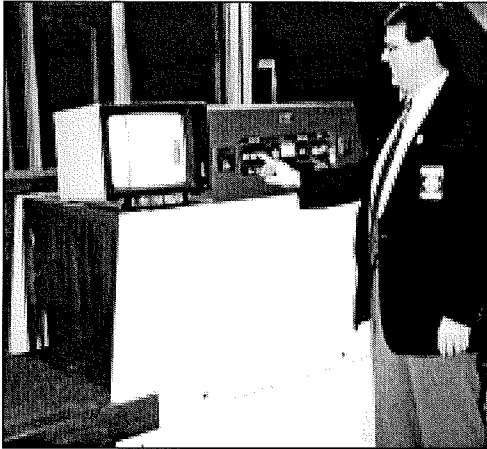


Traffic Fines: Using New Technology

IN MAY OF 2002, THE JUDICIAL BRANCH OPENED A NEW PREMIUM SERVICE called **PayTixx** that provides information and allows payment of traffic fines with a credit card over the Internet or on the phone. The new system is part of an ongoing effort by the courts to modernize court operation and make use of technology to better serve those who deal with the courts. Users can view their violation records, verify a court date, pay outstanding fines online using a credit card, and get answers to frequently asked questions. The system is designed to protect individual privacy and ensure that no confidential information is transmitted. After going online to www.paytixx.com, or by calling toll free to 1-866-PAYTIXX (729-8499), drivers need their traffic ticket number and driver's license number or date of birth to use the premium service. InforME, the Information Resource of Maine, charges a fee for use of PayTixx to pay a fine for a traffic ticket. Many customers are those who are near the deadline to pay their fine and risk license revocation unless their fine is paid immediately. Previously, the only way to make a payment on the due date was to travel to Lewiston to pay directly at the Violations Bureau. PayTixx helps people to avoid losing their license to drive and incurring additional expenses to have it reinstated.

The Violations Bureau was created in 1992 by the Legislature to centralize the high volume traffic infraction caseload and provide a more uniform statewide system that would save time for the public and for the District Courts. Over the last decade the volume of cases has grown steadily to more than 130,000 cases annually. Revenue collected by the Violations Bureau goes to the State General Fund and represents about 43 percent of the total revenue of the entire Judicial Branch —

Review of the Year



Cumberland County Court Security Officer Anthony Hinse operates a security X-ray machine that was handed down to the Maine courts from the Federal Court system over ten years ago.

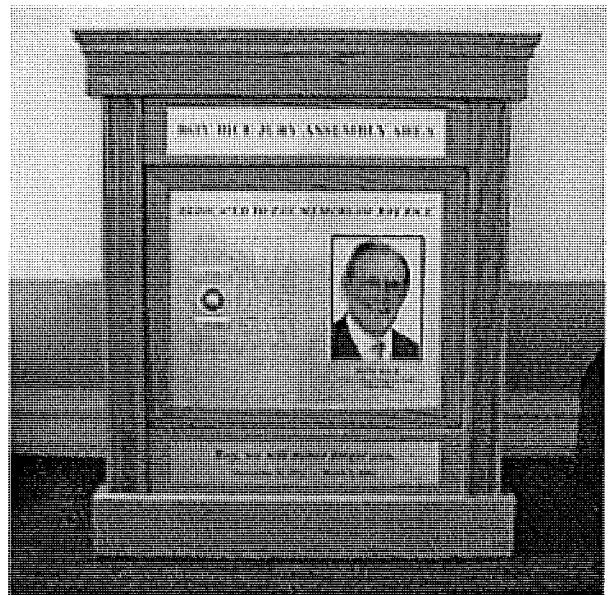
#1 Priority: Securing Justice

BEGINNING WITH HER INITIAL "STATE OF THE JUDICIARY" SPEECH before Maine's Legislature in February of 2002, Chief Justice Saufley defined security as her top priority, stating, "By definition, courthouses bring together people who are often angry, emotionally distraught, and occasionally out of control. We require litigants to stand together in packed hallways where we are unable to provide consistent security..Our courthouses are flatly unsafe." Throughout 2002, significant progress was made to improve security. In June, voters approved a "Homeland Security" bond issue that included \$519,000 for the Judicial Branch to purchase equipment such as metal detectors, x-ray scanners, video surveillance cameras, communication devices, and safety glass windows for clerks' offices. The Legislature provided additional support, turning 32 temporary security officer positions into permanent state employees.

Although some advances have been made, the Branch lacks personnel to conduct adequate screening at courthouse entrances. Maine's courts serve as the arena for disputes and discord between citizens. Faced with increasingly agitated litigants, particularly in domestic abuse and family conflicts, the Judicial Branch continues to advocate for necessities that will assure safety for all entering the courthouses. ➤

Roy Rice: An Officer and a Gentlemen

Cumberland County Court Security Officer Roy Rice, who passed away in March, 2002, was honored in a ceremony held in December. The Cumberland County Superior Court's jury assembly area was dedicated to Roy. He was remembered as a man who, in the course of his job as security and jury officer, "generously dispensed encouragement, mirth and opinion, bringing humanity to the halls of justice and enriching the lives of those who do business there."



This plaque, in memory of Roy Rice, is displayed in the jury assembly area of the Cumberland County Superior Court



Review of the Year

Maine Judicial Branch 2002: Reflecting the Problems of Today & Promoting the Promise of Tomorrow

STOP Violence Against Women Grant: Mapping the Way to Safety

In 2002, the Maine District Court received initial and extension grants through the STOP Violence Against Women federal grant program to establish and pilot the *Domestic Violence Case Coordination Project*. The Project's overall objective is to improve service to citizens involved in domestic violence cases and focuses on victim and child safety; offender accountability; information sharing and informed decision-making; coordination of procedures and services; and training and education. Funding is assured through October, 2003.

Clerks' offices in the pilot District Courts at Portland and York have done remarkably well in performing the many tasks imposed by the Project. While most domestic violence projects in other states have additional court personnel, the Project in Maine was begun with no additional staffing. The Project is a prime example of Judicial Branch efforts to provide access to safety and justice for Maine families who struggle with domestic violence.

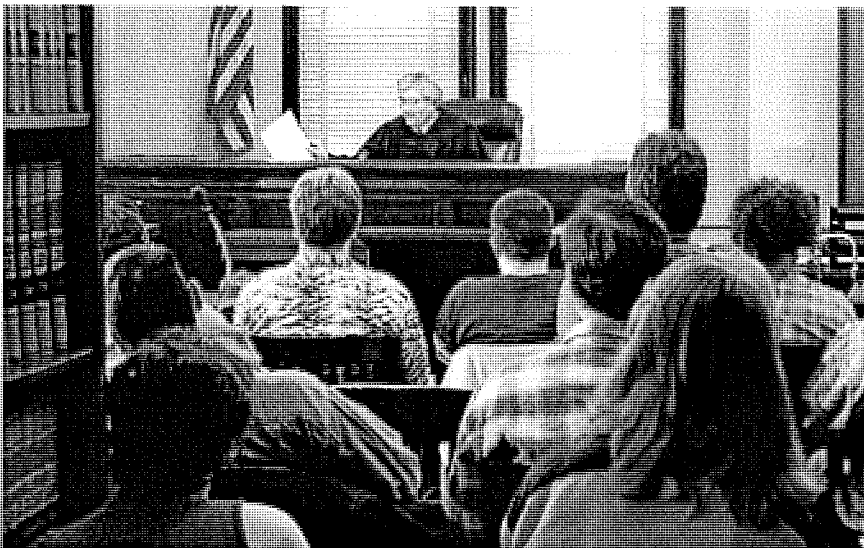
DRUG COURTS: Responding to an urgent social problem

Over the past few years, Maine's Courts have become active in providing opportunities for defendants to recover from substance abuse. Drug Treatment Courts, available for both adults and juveniles, acknowledge the fact that many, if not most, crimes are committed when the defendant is under the influence of drugs or alcohol. Drug Courts rely on collaboration between community service providers, treatment agencies, law enforcement, case managers, prosecutors and judges to provide a support network for offenders whose lives are complicated by substance abuse.

The Drug Court programs expand the courts' role in assuring a lasting justice. Whereas in the past, judicial involvement ended with judgment and sentencing, judges are now connected and involved in facilitating rehabilitation and recovery. Drug treatment courts are an example of delivery of transformational justice, the results going beyond punishment to prevention and productivity. —

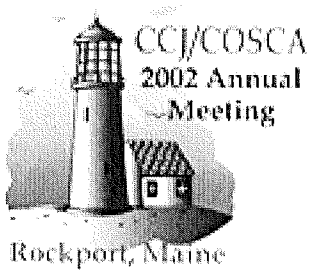
FAMILY DRUG COURTS: New Pathway to family function

Building on the successful model of criminal drug courts, Maine District Court has been awarded a three-year grant that will enable the court to operate a pilot Family Treatment Drug Court. The project will work with families in child protection proceedings when substance abuse is a major problem in the family. Like juvenile and adult drug courts, family drug courts combine frequent judicial supervision of participants with intensive substance abuse treatment and other rehabilitative services. The pilot project is being run in the midcoast area, centered at Belfast District Court, and including some cases from the Rockland and Wiscasset District Courts. The federal grant award is approximately \$400,000 per year for three years, with the majority of the funds earmarked for treatment, outreach services, and drug testing.



Judge McElwee presides over
Drug Court in Androscoggin County.
Photo: Russ Dillingham, Sun Journal

Doing Justice to Summer in Maine



Ted Glessner and Chief Justice Annice M. Wagner, President, National Conference of Chief Justices.

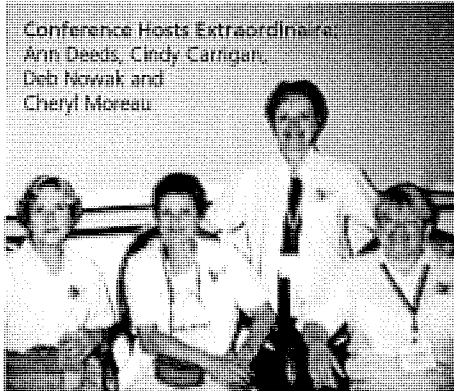


The State of Maine Judicial Branch hosted the annual **National Conference of Chief Justices and Conference of State Court Administrators**, from July 28 to August 1, 2002 at the Samoset Resort in Rockport. These conferences, sponsored by the National Center for State Courts, provide opportunities for our highest judicial officers and state court administrators to meet with their peers to discuss issues of national importance. Participants included Chief Justices and State Court Administrators from nearly all 50 states as well as Canada, Puerto Rico, the Northern Mariana Islands, and the Virgin Islands.

Almost 300 participants and family members attended the conferences. The theme, **"Enduring Values in Changing Times,"** was addressed in education sessions about access to court records, public confidence and trust, addressing unequal treatment in the courts, and self-represented litigation. Besides the educational program, plenty of children's and adult social programs were offered for the enjoyment of all.

Opening ceremonies held at the Camden Amphitheater included presentation of the colors by the Maine State Police Color Guard, accompanied by the Maine State Police Drum and Bagpipe Unit. Speakers included **Governor Angus King** and **Robert Hirshon**, President of the American Bar Association.

The conferences were hosted by **Chief Justice Leigh Saufley** and **State Court Administrator Ted Glessner**, assisted by 21 Judicial Branch employees, numerous volunteers, and multiple law enforcement agencies. Conference attendants were pleased to experience a "taste of Maine" that included lobster, lighthouses, and beyond – from art at Farnsworth Art Museum and Wyeth Center, to adventure at Outward Bound



(above) Maine Chief Justice Leigh Saufley welcomes conference attendees in Camden.

on Hurricane Island. Family members and guests took a number of "field trips," including a day of Freeport shopping and a behind-the-scenes tour of L.L. Bean. The children enjoyed outdoor activities: canoeing, swimming, mountain climbing, and fishing. Energetic and enthusiastic hosting by Maine's staff and volunteers created a sense of genuine hospitality that was fully appreciated by participants. Throughout and following the conference, Maine staff frequently remarked, "We've never had so much fun while working so hard!"



John Deeds and conference friends: Face painting was for willing adults, too!



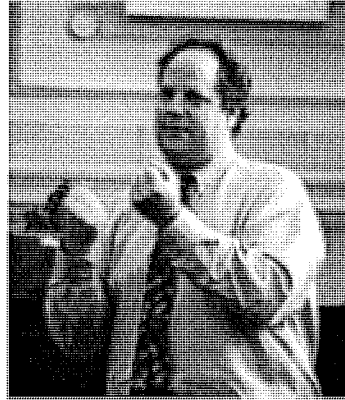
Honors and Accolades

Debra Nowak, Outstanding Judicial Employee for 2002; **Penny Whitney,*** Career Performance Award recipient

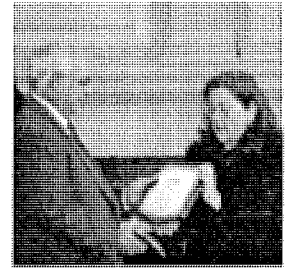


Jonathan Connick, Advocate for Justice 2002

Photo: Deb Nowak



Kevin Gordon, Volunteer of the Year, with Chief Leigh Saufley



The Judicial Branch presented awards to those making significant contributions to the Maine court system in ceremonies held in Portland, Augusta, and Caribou.

In past years, awards have been presented at a state-wide meeting for all employees; however, the meeting was not held in 2002 due to budget reductions. Nevertheless, the Judicial Branch Performance Council, in recognition of persons or groups whose efforts assist the courts in achieving their mission, honored outstanding employees and citizens throughout the state.

Debra Nowak, Training Officer for the Judicial Branch, was named as **Outstanding Judicial Employee for 2002**. Ms. Nowak has had a distinguished career in the court system, having served as the Clerk of the Superior Courts in Sagadahoc, Lincoln, and Cumberland Counties and Clerk of the District Court in Portland. In her current position, Ms. Nowak oversees the training of court employees statewide on a wide range of topics. In addition to maintaining her impressive and daunting list of duties, she oversaw the planning for the National Conference of Chief Justices and State Court Administrators, held last summer in Rockport, Maine. The conference was hailed by many attendants as one of the most successful and enjoyable meetings ever, thanks to the leadership, organization, and dedication of Ms. Nowak. She brought together a team of Judicial Branch employee "volunteers" who provided exemplary hosting for the justices, administrators, and their families.

Jonathan Connick, Director of the Maine Center on Deafness, was honored as the 2002 **Advocate for Justice**, recognized as a champion for the cause of justice in our society. Mr. Connick of Portland has assisted the Judicial Branch in achieving its goal of making the courts more accessible to all persons through his efforts on behalf of the deaf community. He has traveled throughout the state offering training to court personnel on the issue of deaf awareness, and he has frequent contact with court administrators to resolve problems of access as they arise. He has helped to implement procedures allowing persons who are deaf or hard of hearing to receive necessary accommodations when they are in contact with the courts.

Kevin Gordon was named **Volunteer of the Year** for his efforts on behalf of children through the Court Appointed Special Advocates (CASA) program. Mr. Gordon has been a partner at Pierce Atwood Attorneys at Law; he and members of the firm have volunteered countless hours to CASA, giving voice to children in a court system that is making decisions that profoundly affect their lives. The understaffed court system relies heavily on the contributions of volunteers like Mr. Gordon to ensure justice for the most vulnerable members of our society.

* See next page for notes about **Penny Whitney**, Career Performance Award recipient.

Honors and Accolades



Linda Cyr, Career Performance Award recipient; and **Carol Cottle**, recognized for longevity of service, with State Court Administrator Ted Glessner.

Linda Cyr, Clerk of the District Courts at Fort Kent and Madawaska; and **Penny Whitney** (please see previous page for photo), Clerk of the District Court at Portland, each received a **Judicial Branch Career Performance Award**. This award recognizes persons who consistently contribute above and beyond expected job responsibilities throughout their career.

Ms. Cyr was honored for the leadership, resourcefulness, and willingness to assist others that she has demonstrated throughout her career. She has concurrently served as Clerk in the multiple District Courts in Northern Aroostook County, beginning with Fort Kent and Van Buren from 1985 to 1995. From 1994 to 1995, she served as clerk of three locations, as the Van Buren caseload was transferred to Madawaska. Since 1995, she has been clerk of the District Courts at Fort Kent and Madawaska. As the clerk of small rural courts, she must understand every facet of the activities of the court and perform with a high degree of competence. She has met this high standard throughout her career and this award recognizes her many accomplishments.

Ms. Whitney has worked in the courts of Maine since 1978, beginning her career at the District Court at South Paris and serving as the Clerk of the District Courts in Bridgton, Springvale, and Biddeford. She currently serves as the clerk of the state's largest District Court, in Portland. An outstanding supervisor in each of those courts, she effectively manages the activities of her office, and ensures that the needs of the public are met. She has ably accepted increased responsibilities in each of her positions with the court system, and is a consistently effective leader within the court community. An experienced trainer and mentor, Ms. Whitney was commended for her dedication, leadership, and commitment to the Judicial Branch for more than 24 years.



photo: Pat Armstrong

Gary David and **Lisa Lamothe**, Special Service Award recipients, with Chief Sautfley (center)

Gary David of Lisbon Falls and **Lisa Lamothe** of South China received the 2002 **Special Service Awards**, given annually to the employees who make a contribution to improvements in the operation and performance of the Judicial Branch that is deserving of public recognition. Mr. David is responsible for maintaining the courts' computer hardware at the Office of Information Technology in Augusta. He is also responsible for the telephone and computer wiring in each and every courthouse in the state and oversees the installation of telephone systems for all courts. When systems are not operating or a new unit needs to be installed, Gary is called upon to get the job done. His ability to solve the problem when a system has malfunctioned, his willingness to travel statewide to meet the needs of the court system, and his friendly demeanor in working under pressure have won him the respect of his fellow employees, and the honor of receiving a special services award.

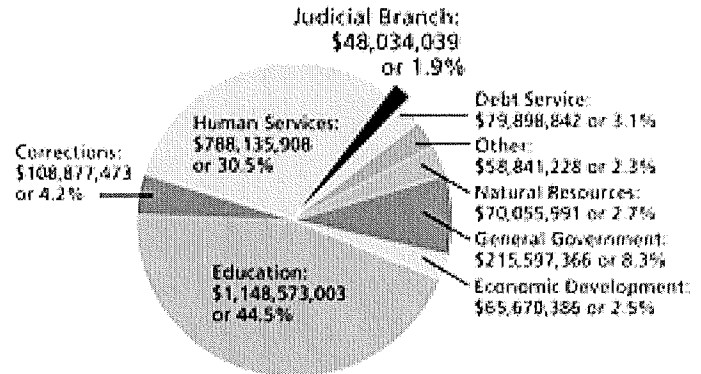
Lisa Lamothe also works at the Office of Information Technology and is known as the "help desk" person. She fields hundreds of questions, suggestions, and problems regarding the daily operations of MEJIS (Maine Judicial Information System, the computerized docketing system of the Judicial Branch). The employees of the court system know they will receive real help at the help desk. In spite of receiving a steady stream of concerns and problems, Lisa remains positive, helpful, and supportive. Ms. Lamothe's parents are also well-respected employees of the court system; her mother, Sandy Lamothe, is a judicial secretary and her father, George, is a financial screener.

Finally, **Carol Cottle** of Ludlow, the long-time Associate Clerk in the Superior Court in Houlton who also serves in a similar capacity in the District Court at Houlton, was recognized for her many years of dedicated service to the Judicial Branch. Mrs. Cottle's career with the Superior Court commenced on April 1, 1962. Her attention to the needs of Maine attorneys, litigants, and jurors for more than four decades is a remarkable achievement. The courts and the people of Aroostook County are fortunate to have benefitted from her years of hard work. —

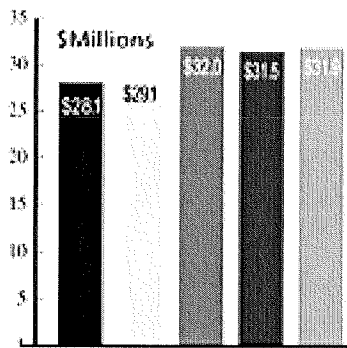


Fiscal Information

The Judicial Branch's Share of the General Fund



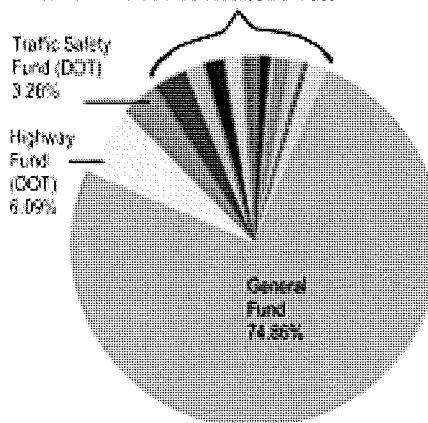
Revenue Collected by the Judicial Branch



FY'98 ... \$28,103,297
 FY'99 ... \$29,144,152
 FY'00 ... \$32,050,756
 FY'01 ... \$31,538,349
 FY'02 ... \$31,996,588

Distribution of Revenue

	Amount	Percent
General Fund	\$23,951,158	74.86%
Highway Fund (DOT)	1,947,039	6.09
Traffic Safety Fund (DOT)	1,050,196	3.28
Civil Legal Services Fund	958,650	2.99
Victims' Compensation Fund	518,074	1.62
Inland Fish & Wildlife	608,866	1.90
Govt. Services (County/Jail)	495,235	1.55
Court Appt. Counsel Reimbursement	469,966	1.47
Mediation Fund	330,028	1.03
Maine Community Policing (UMA)	428,813	1.34
Tobacco Enforcement	73,139	0.23
Dept. of Public Safety	26,645	0.08
Court Technology (1% of surcharge)	26,640	0.08
Maine Criminal Justice Acad.	390,410	1.22
Municipalities (Local Ordinances)	116,836	0.37
Witness Fees	592,699	1.85
Conservation	13,515	0.04
Other Fees	679	0.00
TOTAL	31,996,588	



#1 Challenge: Assuring the Quality of Justice While Managing a Growing Workload

SOCIETY'S GROWING EXPECTATIONS OF THE JUDICIAL SYSTEM have led to expansion of the courts' workload. Providing the pieces of quality justice – active case management, judicial assurance of defendant accountability, alternative dispute resolution, and coordination with outside resources – require substantially more time than simple case processing. According to Chief Justice Saufley, the single most important factor in keeping up is the “can-do” attitude of JB employees, who are dedicated to helping the public, stressed though they may be.”



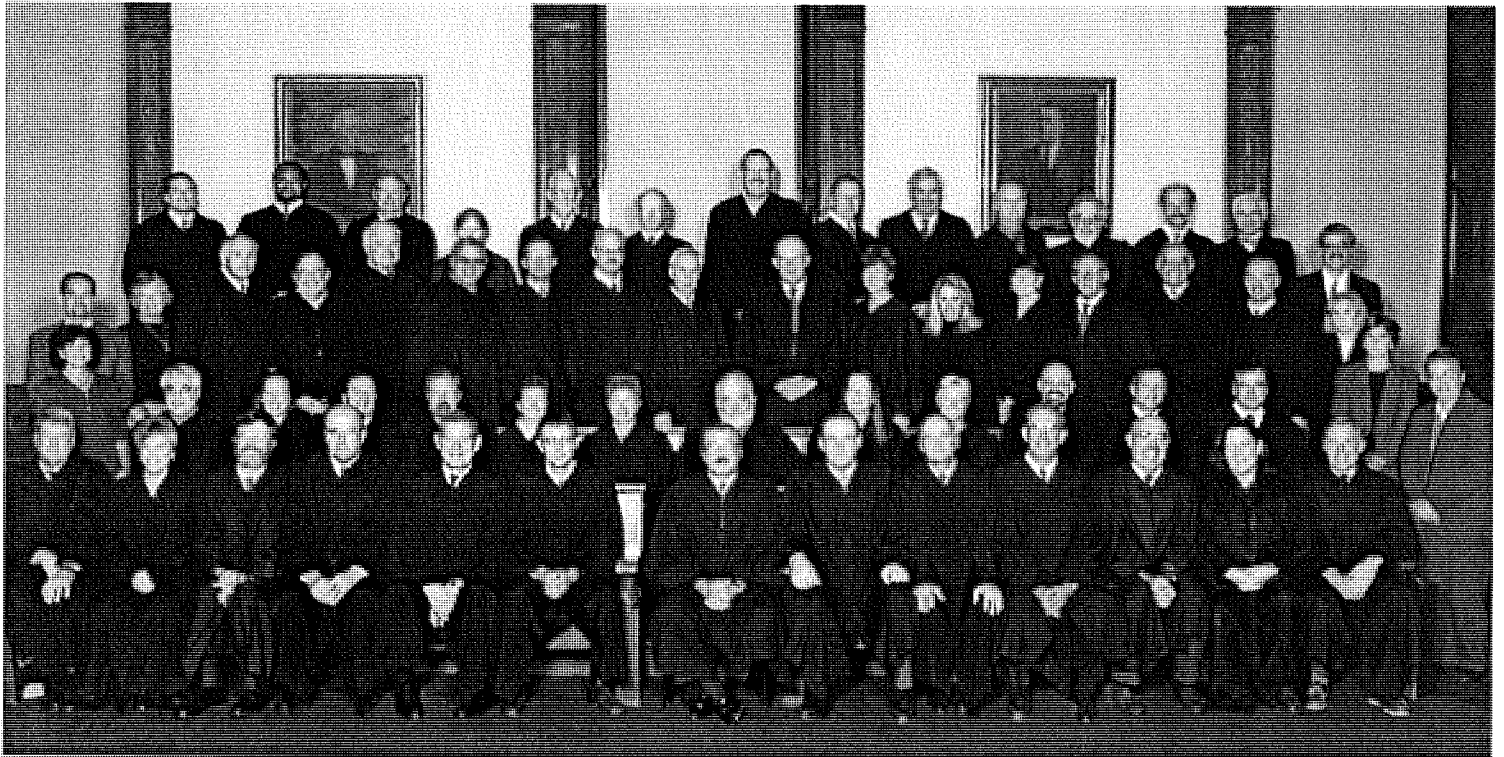
Kathy Jones, Clerk, Augusta District Court, retrieves a file from the thousands lining the courthouse walls. Photo: Toby Hollis, Central Maine Newspapers

Daily, Maine's citizens and the State's criminal justice system deliver cases of conflict and allegation to the 56 judges and 418 staff of the courts. ~

On each and every business day during Fiscal Year 2002, Maine courts received, on average:

- 38 New family cases
- 12 Post-judgment family cases
- 103 civil suits
- 42 Small claims cases
- 26 Requests for Protection from Domestic Violence
- 4 Child Protective cases
- 256 Criminal cases
- 21 Juvenile offense cases; plus...
- 60 civil violations and
- 530 "routine" traffic violations

Maine Judiciary and Case Management Officers, 2002





Maine Courts: Case Filings by County

STATEWIDE TOTALS

Superior Court 12,729
 District Court 134,221
 Violations Bureau –
 Traffic Infractions 131,938
 Law Court Appeals 824

PISCATAQUIS

Dover-Foxcroft Superior ... 101
 Dover-Foxcroft District ... 2,154

SOMERSET

Skowhegan Superior 582
 Skowhegan District ... 5,425

FRANKLIN

Farmington Superior ... 266
 Farmington District .. 2,934

OXFORD

South Paris Superior ... 537
 Rumford District 2,291
 South Paris District .. 2,582

KEY

- District Court
- Superior Court
- ▲ District and Superior Courts in same location

NOTE

Numbers listed include only **NEW** case filings. The Courts also received 3,000 post-judgment Family cases, as well as an estimated 5,000 probation revocation cases.

AROOSTOOK

Caribou Superior 480
 Houlton Superior 133
 Caribou District 1,707
 Fort Kent District 692
 Houlton District 1,696
 Madawaska District 572
 Presque Isle District .. 2,939

PENOBSCOT

Bangor Superior 1,302
 Bangor District 11,127
 Lincoln District 1,594
 Millinocket District 1,062
 Newport District 2,559

WASHINGTON

Machias Superior .. 299
 Calais District 1,785
 Machias District ... 1,657

HANCOCK

Ellsworth Superior 508
 Bar Harbor District ... 1,101
 Ellsworth District 3,989

WALDO

Belfast Superior 384
 Belfast District 3,078

KENNEBEC

Augusta Superior 770
 Augusta District 8,509
 Waterville District ... 5,686

KNOX

Rockland Superior 609
 Rockland District ... 4,128

LINCOLN

Wiscasset Superior 261
 Wiscasset District ... 2,317

ANDROSCOGGIN

Auburn Superior 1,173
 Lewiston District 11,905
 Livermore Falls District . 1,208

CUMBERLAND

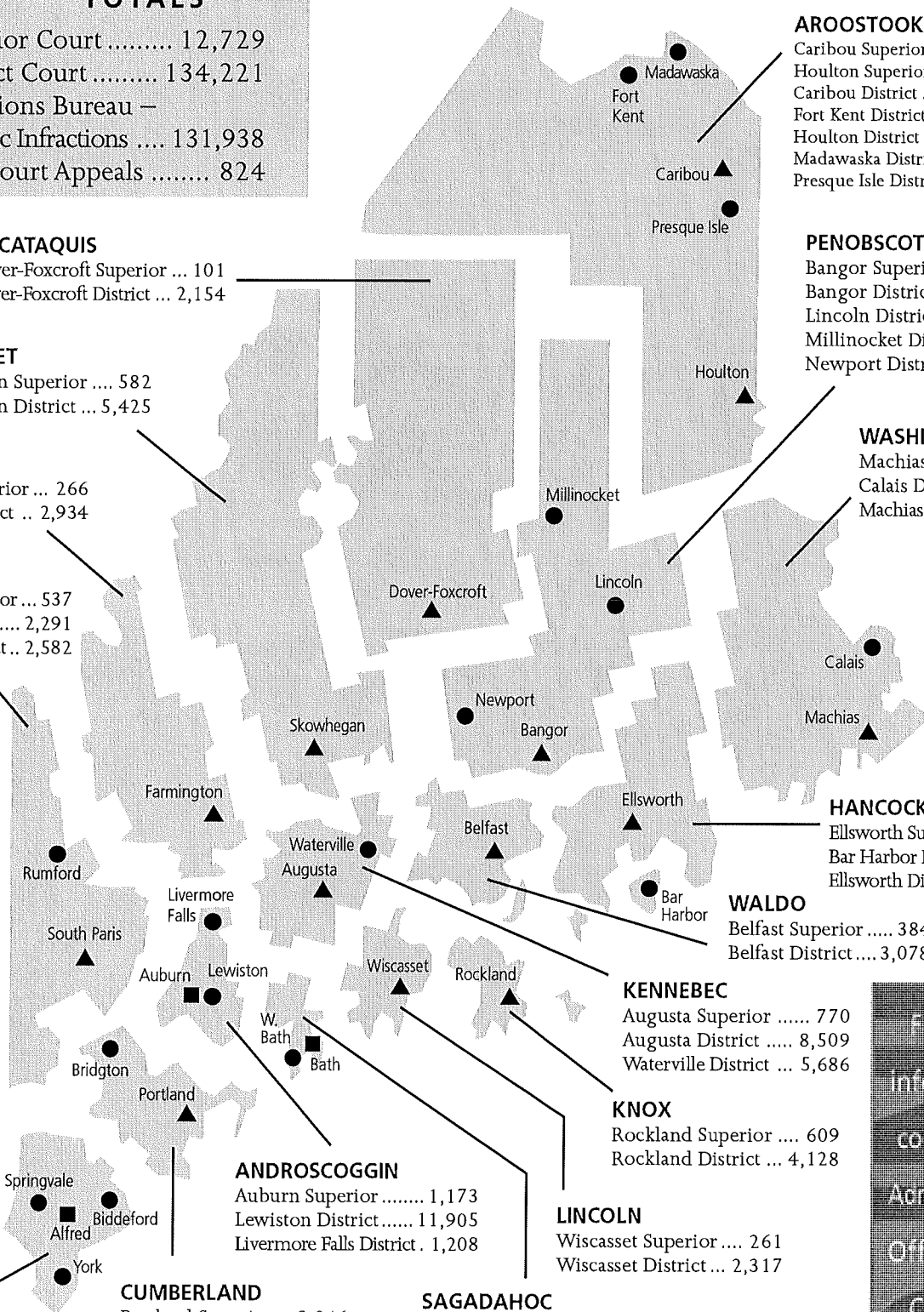
Portland Superior ... 3,046
 Bridgton District 3,422
 Portland District ... 21,148

SAGADAHOC

Bath Superior 251
 West Bath District ... 5,818

YORK

Alfred Superior 2,027
 Biddeford District ... 9,215
 Springvale District ... 5,188
 York District 4,733



For more information, contact the Administrative Office of the Courts at 207-822-0797.