

# MAINE STATE LEGISLATURE

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# 2004 Maine Judicial Branch

ANNUAL REPORT

## MISSION

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

## Greetings from Chief Justice Leigh I. Saufley



photograph © Jack Montgomery

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

2004 was a year of great accomplishment and major initiatives in spite of substantial reductions in resources.

In 2004, the Judicial Branch implemented the New Model for Scheduling recommended by the Judicial Resource Team. The successes came quickly. The District Court reorganized its entire way of scheduling cases. As required by the Supreme Judicial Court, priority cases now receive

priority attention. Families, children, and matters involving allegations of violence or sexual assault receive priority on court schedules, and judicial resources are being re-allocated to allow those cases to be reached more quickly. The backlog of family cases has been greatly reduced.

More good news came at the very end of the 121st Legislature when the Appropriations Committee allocated \$100,000 to improving court security. Those funds have allowed us to create a system of random, although infrequent, entry screening in every courthouse. We are finally on our way to improving the safety of Maine's courthouses. Although further resources will be necessary to complete our efforts to keep

weapons out of the courtrooms of this state, the recognition of the problem by the Legislative and Executive Branches has been encouraging.

Work on all of these initiatives, including support for Drug Treatment Courts and Domestic Violence Courts, occurred in spite of the reductions in our personnel funding in the last biennium. As a direct result of those reductions, we have had an average of 25 positions vacant over the past 2 years. Those vacancies have substantially reduced our ability to serve the public. While focusing on priority cases, the clerks' offices have struggled to keep up with the necessary work to respond to the public's needs. The resulting delays in getting judgments, writs, information, and new schedules out to the public has been disheartening to the good people who serve in the Judicial Branch. It has been even more discouraging to see courthouses closed at times because of lack of staffing.

Despite newer and more efficient methods of case scheduling, a substantial inability to respond to the day-to-day needs of the public has made this year difficult for many who have needed access to justice. As we move forward, we are hopeful that basic funding will be restored so the public can be assured they will find access to justice when they need it.

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Revenue  
Collected by  
Judicial Branch:  
\$38,917,688

Judicial Branch  
Budget:  
\$51,503,196  
(1.9% of State  
General Fund  
Dollars)

Judges: 56  
• Trial: 49  
• Appellate: 7  
Family Case  
Management  
Officers: 8

Clerks,  
Security, and  
Support Staff:  
398

Courthouse Locations: 41

Population Served: 1,305,728

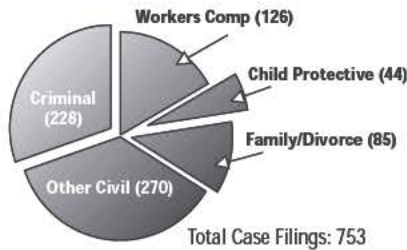
Geographic Area (in Square Miles): 35,387



# MAINE'S COURT SYSTEM

## Supreme Judicial Court

The Supreme Judicial Court, established in 1820, is the governing body of the Judicial Branch. Sitting as the Law Court, it is the court of final appeal. The court has seven (7) justices.



## Administrative Office of the Courts

The Administrative Office of the Courts (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.



James "Ted" Glessner  
State Court Administrator

## District Court

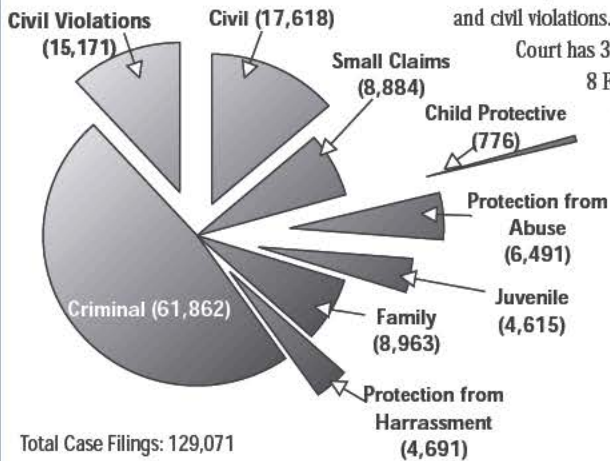


Chief Judge  
Vendean V. Vafiades



Deputy Chief Judge  
Robert E. Mullen

Established in 1961, the District Court includes the Family Division that hears divorce, parental rights and responsibilities, child protective, protection from abuse, and juvenile cases. Its caseload also includes protection from harassment, civil actions, small claims, criminal misdemeanors, traffic infractions, and civil violations. The District Court has 33 judges and 8 Family Case Management Officers.



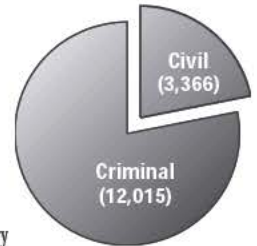
## Superior Court

Established in 1930, the Superior Court hears criminal and civil cases including contract, tort, injunctive and regulatory matters. Jury trials are held only in the Superior Court, which has 16 justices.

photograph © Jack Montgomery



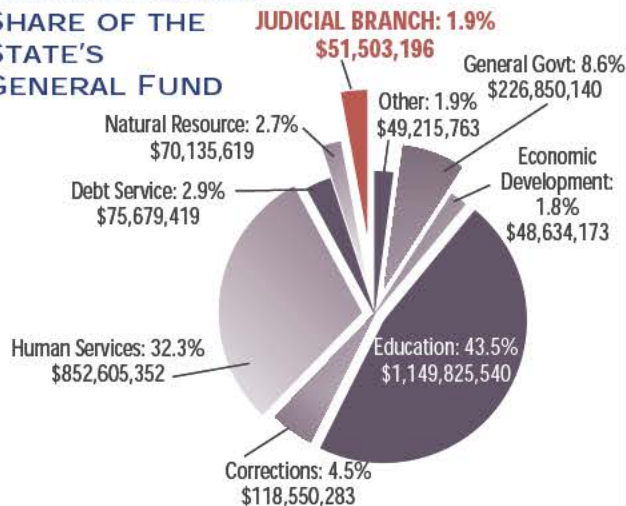
Chief Justice  
Thomas E. Humphrey



• 138,673 Traffic Infractions were filed at the Maine Judicial Branch Violations Bureau. \$17,784,680 in revenue was collected through the Violations Bureau in FY'04, 48% of all fine and fee revenue collected by the Judicial Branch.

## BUDGET

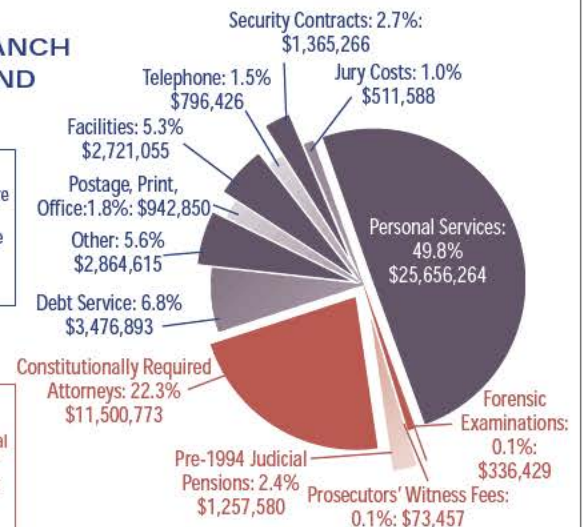
### JUDICIAL BRANCH SHARE OF THE STATE'S GENERAL FUND



### FY'04 JUDICIAL BRANCH GENERAL FUND BUDGET

• \$38,334,957 in General Funds were expanded to pay for costs of operating the Judicial Branch in FY'04

• \$13,168,239 was processed by the Judicial Branch in payments for expenses not related to daily operation.



# JUDICIAL BRANCH INITIATIVES

**Adult and Juvenile Drug Treatment Courts** provide an opportunity for individuals to accept responsibility for their conduct, and enter rigorous treatment and monitoring programs designed to enable recovery from substance abuse. Those who do not comply with all conditions must serve their jail terms or pay the penalties related to their crimes.

**Family Drug Treatment Courts** actively work with families involved in child protective proceedings when substance abuse is a major contributing factor in abuse or neglect of the children.

**The Domestic Violence Case Coordination Project** provides a focused response to related cases. Both victims and defendants are linked to appropriate community resources. The project has also established a monitoring role for the courts to assure that offenders have fulfilled the requirements of the court's orders and are held accountable.

## Behavioral/Mental Health Courts

Efforts are underway to respond to the problems of Maine's citizens who struggle with mental illness and co-occurring disorders.



Hon. Andrew M. Mead, TECRA Chair

## Task Force on Electronic Records Access

In 2004, the Maine Supreme Judicial Court created the Judicial Branch Task Force on Electronic Court Records Access (TECRA). Members of the Task Force come from all three branches of state government, as well as the Attorney General's Office, representatives of prosecutor and defense attorney organizations, members of the media, a children's advocate, a private investigator, a Maine civil liberties attorney, a representative of domestic violence organizations, a university professor, the Maine State Bar Association

president, and a representative with law enforcement experience. In mid-2005, the task force will make recommendations to the Supreme Judicial Court for the promulgation of rules, orders, statutes or policies that will allow for the broadest public access to court records that can be achieved while balancing competing goals, including privacy and safety concerns.

## Trial Courts Implement New Model for Regional Scheduling to Manage Caseload

Maine's Trial Courts began a management transformation to increase court efficiency in 2004. Four principles guide the transformation:

- **Regional Structure**, requiring that "the District and Superior Courts should operate as...an integrated system of case scheduling and judicial resource allocation;"
- **Objective Measures**, meaning the "dockets should be scheduled based on established (time) measures...and priorities set by the Supreme Judicial Courts;"
- **Consolidation**, shared responsibilities between the trial courts within a region to increase efficiency; and
- **Event Certainty**, working toward achieving the goal that every scheduled case event will occur as scheduled.

**The Family Division** of the District Court has improved the court process for families in transition. Family Case Management Officers conduct more than 15,000 court proceedings annually. Their work has enabled the District Court to better meet the needs of children and parents by giving family cases prompt and careful attention.

## Creating Safe Access to Justice

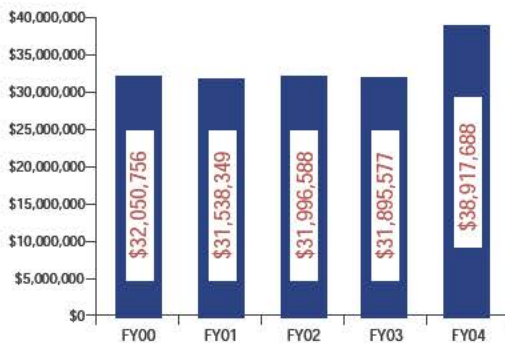
In 2004, the Judicial Branch purchased equipment for all courthouses using Homeland Security Bond funds and began to provide entry screening throughout the state on a random, unannounced basis. To increase the availability of security officers to perform the screening, the Legislature provided \$100,000 in special funds toward the costs of security personnel in FY'05.



Assistant Regional Supervisor Anthony Vitale views screen images while Security Officer Guy Mahon directs court visitors through the magnetometer at Lewiston District Court.

## REVENUE

### JUDICIAL BRANCH REVENUE COLLECTION



FY04 revenue was the highest ever; 22% higher than FY03.

General Fund: 80.8%  
\$31,437,938



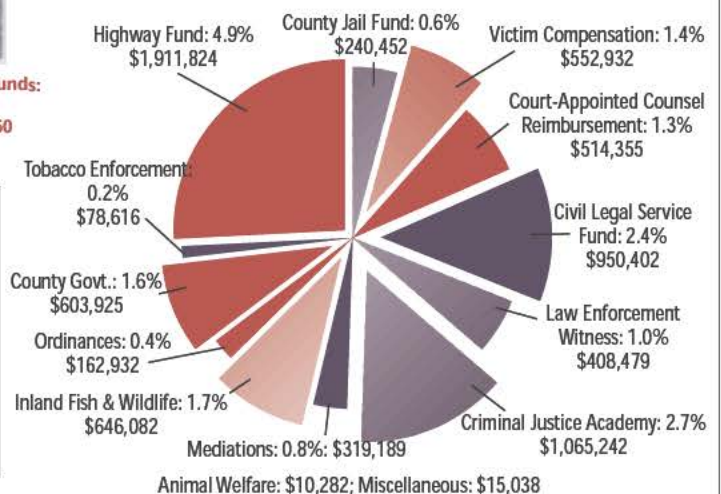
Dedicated Funds:  
19.2%  
\$7,479,750



Most of the revenue collected (80.8%) by the Judicial Branch is deposited into the state's General Fund. The remaining 19.2% is dedicated to various agencies, as detailed in this pie chart.

### REVENUE DISTRIBUTION

FY'04 TOTAL: \$38,917,688



# MAINE COURTS: 2004 FILINGS BY COUNTY



## PISCATAQUIS

Dover-Foxcroft Superior ..... 79  
 Dover-Foxcroft District . 1,870

## AROOSTOOK

Caribou/Houlton Superior ..... 651  
 Caribou District ..... 1,595  
 Fort Kent District ..... 600  
 Houlton District ..... 1,765  
 Madawaska District ..... 693  
 Presque Isle District ..... 2,615

## SOMERSET

Skowhegan Superior ..... 570  
 Skowhegan District ..... 5,372

## PENOBSCOT

Bangor Superior ..... 1,374  
 Bangor District ..... 10,734  
 Lincoln District ..... 1,675  
 Millinocket District ..... 992  
 Newport District ..... 2,703

## FRANKLIN

Farmington Superior ..... 418  
 Farmington District ..... 3,080

## WASHINGTON

Machias Superior ..... 332  
 Machias District ..... 1,721  
 Calais District ..... 1,742

## OXFORD

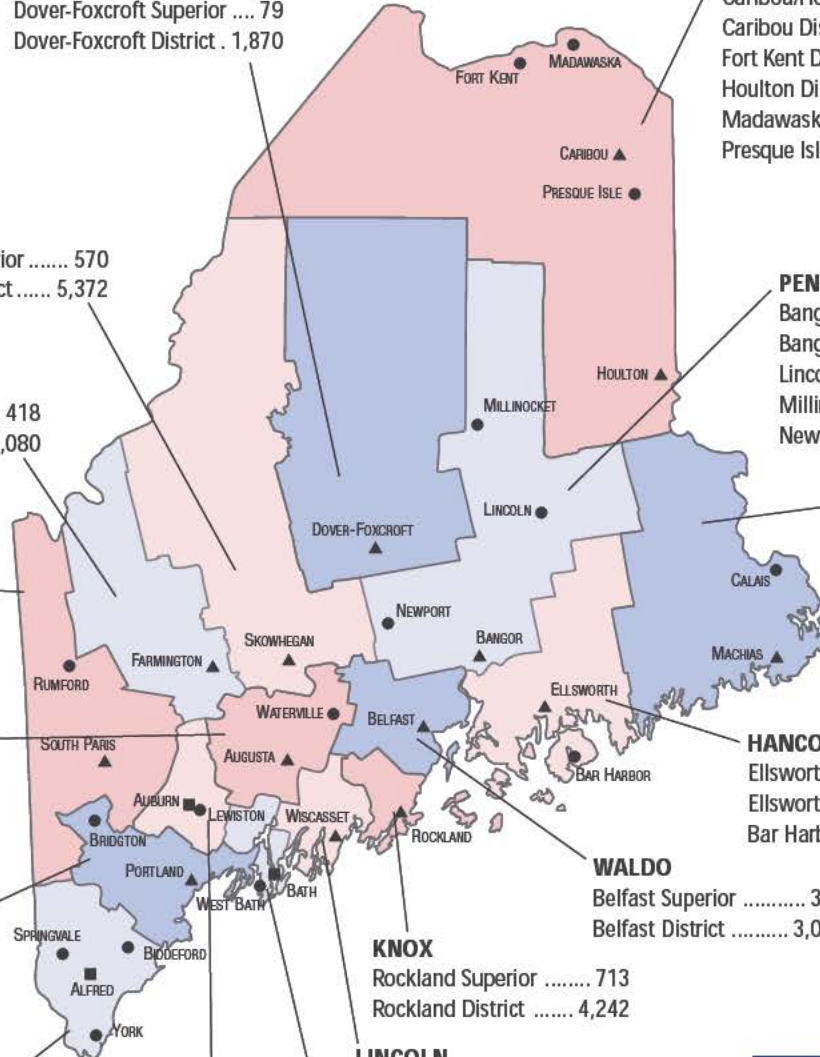
South Paris Superior ..... 571  
 South Paris District ..... 2,601  
 Rumford District ..... 2,039

## KENNEBEC

Augusta Superior ..... 990  
 Augusta District ..... 7,515  
 Waterville District ..... 5,405

## HANCOCK

Ellsworth Superior ..... 466  
 Ellsworth District ..... 3,720  
 Bar Harbor District ..... 910



## WALDO

Belfast Superior ..... 384  
 Belfast District ..... 3,061

## CUMBERLAND

Portland Superior ..... 3,930  
 Portland District ..... 19,303  
 Bridgton District ..... 3,635

## KNOX

Rockland Superior ..... 713  
 Rockland District ..... 4,242

## YORK

Alfred Superior ..... 2,900  
 Biddeford District ..... 9,821  
 Springvale District ..... 5,403  
 York District ..... 4,797

## LINCOLN

Wiscasset Superior ..... 433  
 Wiscasset District ..... 2,618

## SAGADAHOC

Bath Superior ..... 256  
 West Bath District ..... 5,519

## ANDROSCOGGIN

Auburn Superior ..... 1,314  
 Lewiston District ..... 11,325

## KEY

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

**TOTAL FILINGS ..... 283,878**

Law Court ..... 753  
 District ..... 129,071  
 Superior ..... 15,381  
 Violations Bureau .... 138,673

For more information,  
 contact the  
 Administrative Office of the Courts  
 at 207.822.0792  
 PO Box 4820,  
 Portland, ME 04112-4820  
 or visit [www.courts.state.me.us](http://www.courts.state.me.us)

FMI

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

- **Publications:** *A Guide to Small Claims, Guide to Protection from Abuse and Harassment Actions, Citizens Guide to the Courts, Child Protective Handbooks*
- **Information** about court proceedings and offices (Family Division, Judges, Volunteer Opportunities, Alternative Dispute Resolution Services)
- **Links** to legal resources, volunteer opportunities, court rules, forms, opinions.