

# MAINE STATE LEGISLATURE

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# Maine Judicial Branch

**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.

## GREATER EFFICIENCIES AND ACCESS TO JUSTICE      SECURING THE COURTS



Photo ©2005 Martha McKles

Leigh I. Saufley  
Chief Justice  
Maine Supreme  
Judicial Court

Maine's Judicial Branch completed a very productive 2005. Plans to improve efficiencies and expand access to justice have been foremost in our efforts. Maine's first Co-Occurring Disorders Court was launched in Kennebec County through the leadership of Justice Nancy Mills. A new Family Drug Treatment Court has been initiated by Judge John Beliveau in the Lewiston District Court.

Progress on videoconferencing is moving from the planning stage into reality, with video arraignments and mental health hearings as the initial uses. To enhance public safety, the Judicial Branch now provides law enforcement with immediate and 24-hour access to all bail conditions. Although Maine's Judicial Branch struggles to deliver justice on a budget that is far behind most states, the progress toward efficiencies and access to justice continues at a rate that should make us all proud. ♣



James "Ted" Glessner  
State Court Administrator

The citizens of Maine come to the courts seeking resolution for a wide range of problems. They come as litigants, as jurors, as witnesses, and in many other roles. They must be able to address emotional, complex, and personal issues in an environment that is safe, comfortable, and accessible. The design of facilities, the professionalism of staff, and the existence of security systems are essential components in a well-designed court system.

2005 saw numerous improvements to court facilities and the start of plans for a modern courthouse in Bangor. Security coverage was expanded as the use of entry screening was increased. This year's security enhancements demonstrated their value and underscored the need for further improvements planned for the new year. ♣



Photo ©2005 Martha McKles

Superior Court Chief Justice Thomas E. Humphrey, District Court Chief Judge John C. Nivison, and District Court Deputy Chief Judge Ann M. Murray

## THE NEW MODEL FOR SCHEDULING

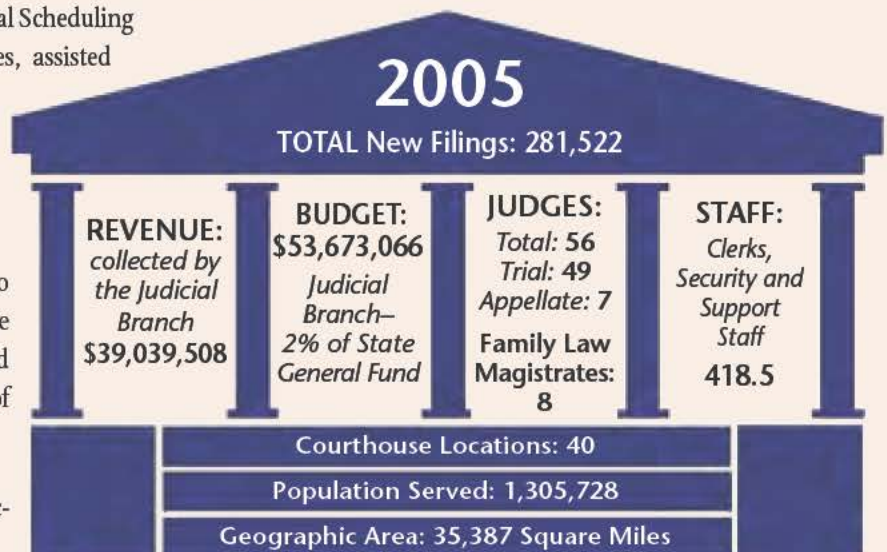
During 2005, the District Court and the Superior Court successfully continued efforts to implement the New Model for Scheduling. Key to this success has been the expanded administrative and leadership roles of the Regional Scheduling Judges and Justices, assisted

Additionally, they are developing standard regional schedules to provide opportunities for effective case management and efficiencies that are compatible with the unique aspects of each region.

As a result of the work of all involved in the implementation of the New Model for Scheduling, the trial courts have improved access to justice for Maine's citizens. ♣

The trial courts continued to improve their scheduling and management practices. Among other things, the Superior Court expanded its single-justice program to all of its courts, and implemented new procedures to manage felony cases. The District Court expanded its use of managed dockets, increased the use of judicially assisted settlement conferences, and continued its practice of single-judge assignment on Child Protective dockets.

The trial courts have coordinated most dockets, reducing schedule conflicts within and between courts.





# Serving the Public:

## IMPROVING ACCESS AND EFFICIENCY



### A NEW COURT BUILDING FOR ROCKLAND

Rockland District Court moved into a newly constructed addition to the Knox County Superior Court building in 2005. The new courtrooms, conference space, and parking replaced inadequate facilities, allowing the District & Superior courts to be consolidated under one roof, served by a single clerk's office.

*Photos by William MacKenzie*

### COURT REGIONALIZATION AND CONSOLIDATION PROMOTE EFFICIENCY

The Judicial Branch has adopted the key principles of regional structure and consolidation to better utilize its limited resources.

Maine Trial Courts are divided into eight regions. Each region operates as an integrated system of case scheduling and judicial resource allocation, sharing responsibilities between the trial courts within each region. *The regions are graphically illustrated on the map included in this report. Please refer to the last page.*

#### CONSOLIDATIONS

Consolidated Superior & District Court Clerks' Offices are located in:

- Caribou
- Farmington
- Bath
- Machias
- Houlton
- Rockland
- Belfast
- Dover-Foxcroft

Single Clerks serve multiple District Courts at these locations:

- Augusta & Waterville
- Madawaska & Fort Kent

In 2004-2005, there were two courthouse consolidations:

- Bar Harbor, caseload & staff transferred to Ellsworth
- Livermore Falls, caseload & staff transferred to Lewiston

### FUTURE VISION: *Comprehensive Courthouse planned for Bangor*

Construction of a new courthouse will take place in downtown Bangor, at Washington and Exchange Streets.

"After much hard work and evaluation, we are pleased to find an opportunity for building right in downtown Bangor," comments Supreme Judicial Court Chief Justice Leigh I. Saufley. The size

and topography of the site will allow us to design a courthouse that is safe, efficient, and functional. It will be a courthouse to meet the needs of the people of Penobscot County now and well into the future. The design options available at this site, and the opportunity to avoid building a new parking garage, will result in project savings that will be measured in millions of dollars.

Not only will the building itself be designed and built with cost-savings in mind, but the facility will provide convenience through comprehensive court services, housing both District and Superior Courts, including clerks' offices and all courtrooms.



A view from the downtown Bangor parking garage shows the lot (at right in photo) that is proposed for the new Penobscot County Courthouse. *Bangor Daily News photo by John Clarke Russ*

# Delivering Justice: THE COURTS OF MAINE



The Justices of the Maine Supreme Judicial Court

## Supreme Judicial Court

The Supreme Judicial Court, which has seven justices, is the governing body of the Judicial Branch. Sitting as the Law Court, it is the court of final appeal. In 2005, Justice Paul L. Rudman of Veazie retired after thirteen years of service. Warren M. Silver, of Bangor, joined the Court in July.

### NEW CASE FILINGS

Criminal.....	219
Civil.....	258
Workers' Comp.....	87
Family/Divorce.....	77
Child Protective .....	44
<b>TOTAL.....</b>	<b>685</b>



The Justices of the Maine Superior Court

## Superior Court

The Superior Court's sixteen justices serve the entire state, hearing both civil and criminal cases, including jury trials. In 2005, Justice John R. Atwood of Newcastle retired after serving for twelve years. Hon. Joyce A. Wheeler of Kittery was appointed to the Superior Court, after serving eleven years as a District Court Judge.

### NEW CASE FILINGS

Criminal.....	12,347
Civil.....	3,718
<b>TOTAL.....</b>	<b>16,065</b>



The Judges and Family Law Magistrates of the Maine District Court

## District Court

The District Court hears both civil and criminal cases, in addition to providing exclusive jurisdiction for family, juvenile, small claims and traffic violation cases. Judge Michael A. Westcott of Damariscotta retired after sixteen years of service on the District Court. Ralph Tucker of Brunswick was appointed as a District Court Judge. Marilyn Stavros of Kennebunkport became a Judge after having served as a Family Law Magistrate for seven years.

### NEW CASE FILINGS

Criminal.....	59,960
Civil.....	18,726
Family/Divorce.....	9,064
Small Claims .....	8,832
Juvenile.....	4,285
Protection from Abuse .....	6,439
Protection from Harassment .....	4,500
Child Protective .....	747
Civil Violations .....	14,867
<b>SUBTOTAL .....</b>	<b>127,420</b>
Traffic Infractions .....	137,352
<b>TOTAL.....</b>	<b>264,772</b>

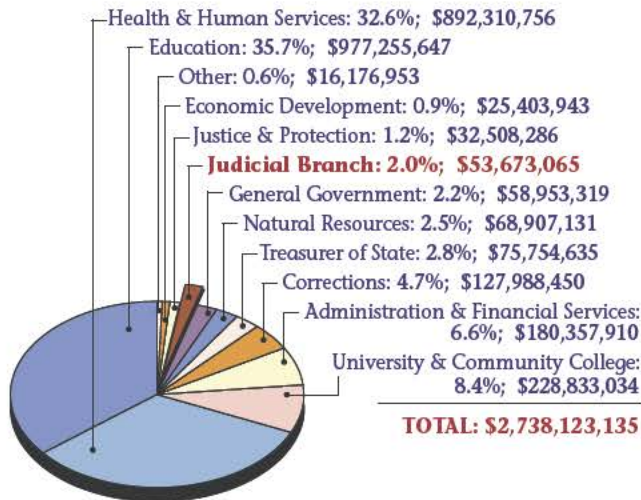




# MAINE JUDICIAL BRANCH FISCAL INFORMATION

## BUDGET

### SHARE OF THE STATE'S GENERAL FUND



## REVENUE

### REVENUE DISTRIBUTION

Total Revenue Collection: **\$39,039,508**

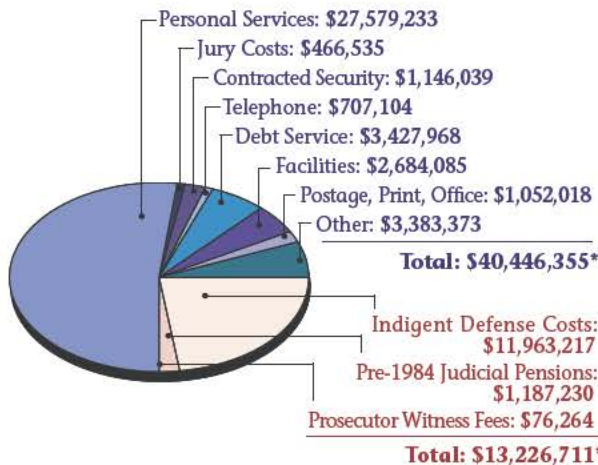


**Dedicated Funds:**

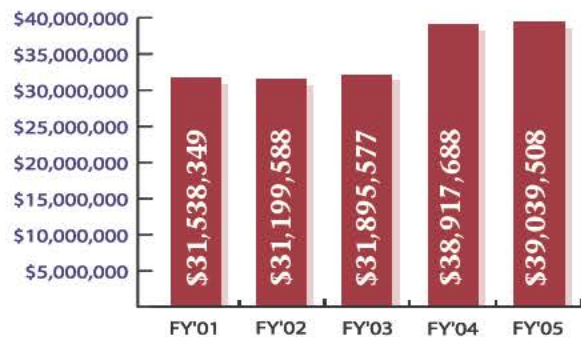
Highway Fund.....	\$1,602,743	4.1%
Criminal Justice Academy.....	\$1,051,831	2.7%
Civil Legal Services Fund.....	\$922,765	2.4%
Inland Fish & Wildlife.....	\$712,597	1.8%
Jail Operation.....	\$593,467	1.5%
Victim Compensation.....	\$534,874	1.4%
Court Appointed Counsel Reimb.....	\$411,626	1.1%
Mediation.....	\$361,249	0.9%
Law Enforcement Witness.....	\$252,355	0.6%
Jail Fund.....	\$244,239	0.6%
Local Ordinances.....	\$138,478	0.4%
Tobacco Enforcement.....	\$64,284	0.2%
Miscellaneous.....	\$19,969	0.1%
<b>Total Dedicated Funds.....</b>	<b>\$6,910,477</b>	<b>17.7%</b>

### JUDICIAL BRANCH GENERAL FUND

**BUDGET** Total Appropriation: **\$53,673,066**



### REVENUE COLLECTION



FY'05 revenue collection was the greatest ever, 24% higher than 5 years ago, in FY'01.

## JUDICIAL BRANCH INCREASES COLLECTION EFFORTS FOR FY '06

In the fall of 2005, the Judicial Branch began an aggressive collection effort to increase payment of fines, some of them long overdue. A statewide campaign of orders to appear in court, warrants, collection letters, and license suspensions was launched in October. Procedures for notifying defendants

and tracking fines due have been implemented, using report technology within the courts' caseload management database, Maine Judicial Information System (MEJIS). Early returns from the program are encouraging, as pilot court sites show significant increase in revenue receipts.



# *In the Courtroom and Beyond:* JUDICIAL BRANCH INITIATIVES

## PROBLEM SOLVING COURTS

According to the National Center for State Courts, problem-solving courts have become an important feature of the American court landscape over the last decade. These courts offer the promise of a more meaningful resolution of court cases involving individuals with social and substance abuse problems as well as legal issues. Problem-solving courts feature a collaborative, multi-disciplinary approach to the underlying issues confronting individuals appearing in court. Each approach utilizes strict judicial monitoring, intensive group and individual treatment, frequent drug and alcohol testing, and case management services. In Maine, there are four models of problem solving courts:

- **DRUG TREATMENT COURTS:** Adult Drug Treatment courts operate in York, Cumberland, Androscoggin, Penobscot and Washington counties. The difficulties inherent in addressing substance abuse and criminal behavior add to the challenge of meeting the rigorous expectations of the drug court programs. Those defendants who do not participate satisfactorily will go to jail or prison to serve their sentences. Those who do succeed will experience great personal benefit and have the chance to be productive citizens of Maine.

Juvenile Drug Treatment Courts are part of the District Courts in Augusta, Bangor, Biddeford, Lewiston, Portland, and West Bath. The juvenile program seeks to increase the young person's accountability, build a stronger family unit, and help juveniles become responsible community members. The heart of the program is the Drug Court Team, which includes the judge, case manager, treatment provider, juvenile community corrections officer, district attorney and defense attorney. The programs give Maine youth a chance to succeed, despite a mistake made early in life.

- **FAMILY DRUG TREATMENT COURTS** provide hope for families in crisis in the child protection system. The focus and direction of the family drug court make a real difference for families whose children have been affected by the drug or alcohol problems of their parents. Currently, family drug treatment courts are available in Waldo, Knox, Lincoln, Kennebec and Androscoggin counties.

- **CO-OCCURRING DISORDERS COURT** has been established, as of August 2005, in the Kennebec County Superior Court. Designed to serve defendants with mental illness and substance abuse disorders, the goals of the Co-Occurring Disorders Court include: improving the manner in which the courts address the complex needs of these defendants; maintaining defendants in



Judge John Romei of the Washington County Adult Drug Treatment Court leads about two dozen participants, along with their friends and relatives, on a 5-mile hike on Great Wass. The judge made the outdoor experience mandatory for his Drug Court clients as a way to show them the alternative leisure possibilities in the area. *Bangor Daily News* photo by Gabor Degre

treatment; supporting the recovery of these defendants from both mental illness and substance abuse; reducing recidivism; reducing jail overcrowding; and improving public safety.

- **DOMESTIC VIOLENCE CASE COORDINATION PROJECTS** are designed to address gaps and barriers in the domestic violence justice system. These projects include coordination of criminal and civil dockets and communication among the stakeholders. The projects operate in the Portland, York, Springvale, Skowhegan, and Waterville District Courts. A key component of domestic violence case management is judicial monitoring of defendants' compliance with court orders. Defendants are held accountable for compliance with conditions that may include attendance at certified batterer intervention programs and substance abuse programs. During 2005, 512 defendants were subject to judicial monitoring and 2,110 review hearings were conducted.

Using Arrest Grant Funds through the Violence Against Women Act, the Judicial Branch and Department of Public Safety were able to build the technical interface for the prompt and accurate communication of bail conditions to the law enforcement communication network. This allows law enforcement to act on up-to-date information to assure safety for victims.

## REPORT FROM THE TASK FORCE ON ELECTRONIC COURT RECORD ACCESS (TECRA)

In July 2004, the Maine Supreme Judicial Court created the Judicial Branch Task Force on Electronic Court Records Access (TECRA). In the fall of 2005, the Task Force submitted its report to the Supreme Judicial Court. The Supreme Judicial Court will next convene the second phase of TECRA, which will develop specific recommendations for the promulgation of rules, orders, statutes or policies. The challenge facing the task force will be to allow for the broadest public access to court records while balancing competing interests, including privacy and safety concerns.





# Maine Court Statistics: 2005 FILINGS

## KEY

- District Court
- Superior Court
- ▲ District & Superior Courts in the same city/town

**NOTE:** Counties grouped together by color are part of a single court REGION, where resources and scheduling are coordinated.

### REGION #4

Total: 20,373

#### SOMERSET

Skowhegan Superior..... 562  
 Skowhegan District..... 5,522

#### KENNEBEC

Augusta Superior ..... 1,166  
 Augusta District ..... 6,902  
 Waterville District..... 6,221

### REGION #3

Total: 22,024

#### FRANKLIN

Farmington Superior..... 403  
 Farmington District.... 2,980

#### OXFORD

South Paris Superior.....733  
 Rumford District .....2,409  
 South Paris District..... 2,617

#### ANDROSCOGGIN

Auburn Superior ..... 1,372  
 Lewiston District ..... 11,510

### REGION #2

Total: 25,766

#### CUMBERLAND

Portland Superior.... 3,927  
 Bridgton District ..... 3,320  
 Portland District.... 18,519

### REGION #1

Total: 21,940

#### YORK

Alfred Superior ... 3,110  
 Biddeford District ..... 9,585  
 Springvale District ..... 5,223  
 York District ..... 4,022

### REGION #8

Total: 7,868

#### AROOSTOOK

Caribou/Houlton Superior ..... 721  
 Caribou District ..... 1,553  
 Fort Kent District ..... 891  
 Houlton District ..... 1,579  
 Madawaska District..... 572  
 Presque Isle District..... 2,552

### REGION #5

Total: 19,764

#### PISCATAQUIS

Dover-Foxcroft Superior.....100  
 Dover-Foxcroft District... 1,807

#### PENOBSCOT

Bangor Superior..... 1,446  
 Bangor District..... 11,312  
 Lincoln District..... 1,471  
 Millinocket District..... 1,012  
 Newport District..... 2,616

### REGION #7

Total: 10,025

#### WASHINGTON

Machias Superior ..... 313  
 Calais District..... 1,498  
 Machias District ..... 1,931

#### HANCOCK

Ellsworth Superior.....465  
 Bar Harbor District .....369  
 Ellsworth District ..... 5,449

### REGION #6

Total: 15,719

#### SAGADAHOC

Bath Superior..... 280  
 West Bath District .... 5,097

#### KNOX

Rockland Superior..... 698  
 Rockland District.....3,738

#### WALDO

Belfast Superior.... 348  
 Belfast District... 2,720

#### LINCOLN

Wiscasset Superior .... 421  
 Wiscasset District.... 2,417

### TRAFFIC INFRACTIONS

137,352



## INFORMATION, PLEASE!

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

- ▶ **Publications:** • A Guide to Small Claims • A Guide to Protection from Abuse and Harassment • Citizens Guide to the Courts • Child Protective Handbooks
- ▶ **Information** about court proceedings and offices
- ▶ **Links** to legal resources, volunteer opportunities, court rules, forms, opinions.



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