

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

2007 Annual Report Maine Judicial Branch



Mission:

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

Message from Chief Justice Saufley and State Court Administrator Glessner

It is a privilege to present the 2007 Annual Report of the Maine Judicial Branch, highlighting the work and accomplishments of the past year, which include:



© Martha Mickles

LEIGH I. SAUFLEY
Chief Justice,
Supreme Judicial Court

- Launching of the Business and Consumer Court
- Continued improvements in the timeliness of case processing
- Creation of additional efficiencies through consolidation of clerks' offices in Kennebec and Lincoln Counties
- Expanded use of entry screening equipment to improve safety in the courthouses
- Improvements in delivery of interpreter services to persons with Limited English Proficiency
- Improvements in building planning and efficiencies, resulting from recommendations from the Infrastructure Advisory Group
- Groundbreaking for the new Penobscot Courthouse
- Substantial improvements in courthouses in Lincoln and Aroostook Counties
- Streamlining procedures for cases involving children and families
- Outreach and education to high school students
- Collaboration with community organizations
- Increased efficiency and security through expansion of the video arraignments and video conferencing



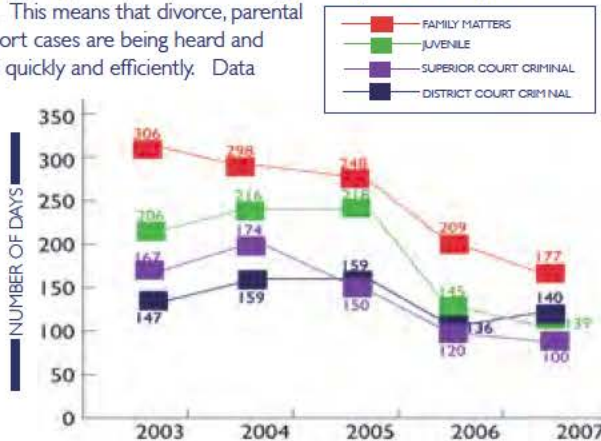
Superior Court Chief Justice Thomas E. Humphrey,
District Court Deputy Judge Ann M. Murray,
District Court Chief Judge John C. Nivison,
State Court Administrator James "Ted" Glessner

Maine's judges and the dedicated staff in clerks' offices, the foundation of our court system, work hard to deliver justice to the public. They do so with a minimum of resources and maximum of commitment to service. In addition to having an extraordinary group of employees, the Maine Judicial Branch is fortunate to have the support of the Legislative and Executive Branches of government, the Maine Bar, and the many advocates for justice in the community. It is the collaboration and cooperation among all that allows the courts to operate so efficiently.

CASE PROCESSING TIME REDUCED SIGNIFICANTLY

Coordinated regional scheduling, implemented in the trial courts in 2004, has greatly reduced the time it takes for the courts to dispose of the most urgent cases — those dealing with violence, children, and families. As illustrated by this graph, the average age of pending family cases has decreased significantly, from 306 days in 2003 to 177 days in 2007. This means that divorce, parental rights, and child support cases are being heard and resolved much more quickly and efficiently. Data

provided in this graph provides a "snapshot" figure on the final day of each fiscal year, and is calculated by averaging the number of days from filing date, for all cases pending on June 30.



MAINE STATE COURTS : AT A GLANCE



POPULATION SERVED 1,305,728
GEOGRAPHIC AREA 35,387 sq. mi.
COURTHOUSE LOCATIONS 39



BUDGET \$57,922,424
% of State General Fund 1.9%



JUDGES (Total) 60
Supreme Judicial Court Justices 7
Superior Court Justices 17
District Court Judges 36



FAMILY LAW MAGISTRATES 8
STAFF (clerks, security & support) 434

TOTAL 2007 CASES FILED 278,088
Supreme Judicial Court 774
Superior Court 19,151
District Court 128,431
Violations Bureau 129,732

AWARDS

JIM PINETTE, EMPLOYEE OF THE YEAR



Captain James Pinette has spent 15 years making courthouses safer for the public and members of the Judicial Branch. He currently supervises all Judicial Branch security services in York and Cumberland Counties.

Captain Pinette recognizes the advantages of the use of technology to enhance safety in the State's courtrooms. In addition to the equipment commonly used for screening for weapons when people enter the courthouse, he applies his expertise in the use of alarms, cameras, and telecommunications.

GAYLE KINNEY, CAREER PERFORMANCE AWARD



Gayle Kinney of Bangor was the recipient of the Judicial Branch Career Performance award. Employed by the Judicial Branch for 26 years, Gayle supervises the Electronic Recording Division, and oversees the electronic recording of court proceedings throughout the state.

Gayle is well-respected for being responsive to the needs of clerks throughout the state. At times she is called upon to repair or replace components of the equipment and, at other times, she works directly in the courtrooms to ensure that accurate records are preserved. Judges, clerks of court, attorneys, and litigants have all benefited from her expertise.

ROCKLAND CONSOLIDATED COURT, SPECIAL SERVICES AWARD

The clerks in Rockland, who have proven to be a model of efficiency in their consolidated capacity, support the work of both the Superior and District Courts in Knox County. Ably led by Clerk of Court Penny Reckards, the team received a Special Service Award for its innovation, cooperation, and efficiency.



JOHN DEEDS, ROY RICE AWARD



Major John Deeds of the Office of Judicial Marshals is this year's recipient of the Roy Rice award. This award is presented annually to that person, group, or organization that has made an outstanding contribution to the safety and wellbeing of the employees of the Judicial Branch and those persons who participate in court activities.

Due to the efforts of John Deeds and those who emulate his approach, the court system is able to succeed, without sufficient staffing, in providing safety in the courthouses.

BRYAN JANDREAU, SPECIAL SERVICE AWARD

Bryan Jandreau received a Judicial Branch Special Service Award for his role in coordinating the contractors' work with the courts as the Caribou Courthouse underwent substantial renovations.

Mr. Jandreau is the Facilities Manager for the County of Aroostook and is responsible for the coordination between the County and the State for court facility issues in Caribou and Houlton.



Bryan Jandreau, James "Ted" Glessner, S.C.A., and Douglas Beaulieu, County Administrator

PAUL CHAIKEN, ADVOCATE FOR JUSTICE



Bangor attorney Paul Chaiken was honored as the 2007 Advocate for Justice for his work as chair of the "Maine's Ethics 2000 Task Force" which produced a comprehensive revision of the rules that govern attorney conduct. In presenting the award, Supreme Court Justice Jon Levy noted that, "without Paul's talents and his extraordinary commitment to professional ethics and the cause of justice, this major development would not have been possible."



Bates College President Elaine Tuttle Hansen receives congratulations from Lewiston District Court Judge John Beliveau, while Sen. Peggy Rotundo looks on.

BATES COLLEGE, OUTSTANDING VOLUNTEER AWARD

Bates College was awarded Outstanding Volunteer of the Year Award for work at the District Court in Lewiston by the Center for Service Learning as well as the Sociology and Psychology Departments. The award was presented to the President of Bates College, Elaine Tuttle Hansen. Also representing Bates College was State Senator Peggy Rotundo, who was recognized by Chief Justice Saufley for her efforts in developing an appreciation for the important role of the courts in the community.

Each semester since the summer of 2003, Bates' students have volunteered at the Lewiston District Court. The students have worked in courtrooms doing electronic recording, assisted in conducting legal research, and participated in case management functions. District Court Judge John Beliveau has led the efforts to find meaningful work experiences for the students in the Lewiston District Court. Judge Beliveau and those who work in the courthouse have indicated that this program has been an excellent example of the cooperative relationships that can be forged for the mutual benefit of the students and the court system.

THE COURTS OF MAINE

An historic gathering of current and former Maine Supreme Court Justices took place during the summer of 2007



As pictured above, the living Maine Supreme Court Justices are (l to r): Sam Collins, Donald Alexander, Warren Silver, Vincent McKusick, Leigh Sausley, Kermit Lipez, Andrew Mead, Susan Calkins, Gene Carter, Louis Scolnik, Howard Dana, Robert Clifford, D. Brock Hornby, Caroline Glassman, Paul Rudman, and Jon Levy. Absent from the photo: Daniel Wathen



The Supreme Judicial Court is the governing body of the Judicial Branch. Sitting as the Law Court, it is the court of final appeal.

SUPREME JUDICIAL COURT NEW CASE FILINGS

Criminal.....	235
Civil.....	267
Worker's Comp.....	100
Family/Divorce.....	127
Child Protective.....	45
TOTAL.....	774



The justices of the Superior Court serve the entire State, hearing both civil and criminal cases, including jury trials.

SUPERIOR COURT NEW CASE FILINGS

Criminal.....	14,709
Civil.....	4,442
TOTAL.....	19,151



The District Court hears both civil and criminal cases, in addition to providing exclusive jurisdiction for family, juvenile, child protective, small claims, and traffic violation cases.

DISTRICT COURT NEW CASE FILINGS

Criminal.....	58,330
Civil.....	15,303
Family/Divorce.....	9,098
Small Claims.....	8,873
Juvenile.....	4,358
Forcible Entry.....	4,767
Protection from Abuse.....	6,079
Protection from Harrassment.....	4,623
Child Protective.....	696
Mental Health.....	893
Civil Violations.....	15,411
Traffic Infractions.....	129,732
TOTAL.....	258,163

MAINE STATE COURT SYSTEM LAUNCHES BUSINESS AND CONSUMER COURT

The Business and Consumer Court began operations in June 2007 with Chief Justice Thomas E. Humphrey and Chief Judge John C. Nivison serving as its first judges. Created to provide Maine's businesses and consumers with prompt and consistent access to justice, the Business and Consumer Court reviews cases that relate to the operations and governance of businesses as well as consumer rights cases. As a result of improvement in the management and resolution of business and consumer civil cases, parties can expect more certainty in the scheduling of pretrial conferences and the date of trial.

An additional long-term goal is for the Business and Consumer Court to create a body of case law precedent that will allow businesses and consumers to have a better understanding of the law, encouraging them to settle their disputes before actually filing lawsuits.



PROGRESS AND PRIORITIES

PROBLEM-SOLVING COURTS: ADDRESSING UNDERLYING ISSUES

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. The courts offer the promise of a more meaningful resolution of court cases involving individuals with psychosocial and substance abuse problems, in addition to legal issues.



Problem-solving courts focus on closer collaboration with community services and stress a multi-disciplinary, therapeutic approach to the underlying issues of individuals appearing in court. Each program utilizes strict judicial monitoring, frequent and random drug and alcohol testing, intensive group and individual treatment, a variety of positive and negative consequences to encourage program compliance, and case management services to accomplish the goals of recovery and modified behaviors.

In Maine, there are four models of problem solving courts:

- **ADULT DRUG TREATMENT COURTS** focus on the difficulties inherent in addressing substance abuse and criminal behavior. Defendants who do not participate satisfactorily serve their original sentence.
- **JUVENILE DRUG TREATMENT COURTS** seek to increase accountability, build a stronger family unit, and help juveniles become responsible community members.
- **FAMILY DRUG TREATMENT COURTS** provide hope for families in crisis in the child protection system, with parents working toward reunification with their children.
- **CO-OCCURRING DISORDERS COURT** operates in the Kennebec County Superior Court and is designed for defendants with mental illness and substance abuse disorders. A defendant's participation must be voluntary and for a minimum of one year.
- **DOMESTIC VIOLENCE CASE COORDINATION PROJECTS** are designed to address gaps and barriers in the domestic violence justice system. Defendants who are convicted of a domestic violence crime are ordered to attend periodic reviews before a judge as a condition of probation.



Deputy Judicial Marshal Jennifer Daniels operates screening equipment in Knox County.

SAFETY FIRST: SECURITY IN MAINE COURTS

Ensuring the safety of all who enter Maine's courts continues to be a high priority, and further progress was made in 2007. Although entry screening was conducted on less than 10% of court days in FY'07, judicial marshals confiscated over 5,000 potential weapons. Marshals successfully handled nearly 400 security incidents within the courthouses, ranging from medical emergencies, disorderly conduct, and threats against the court.

BANGOR COURT CONSTRUCTION BEGINS

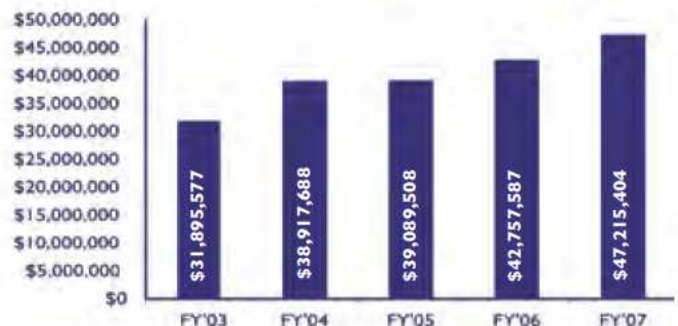


Construction of the new courthouse in Bangor began in the fall of 2007. Scheduled to open in the fall of 2009, the facility will provide space for both the Bangor District Court and Penobscot Superior Court. The project is the successful result of collaboration among the Executive, Legislative, and Judicial Branches, Penobscot County, and the City of Bangor; augmented by the active support of the Penobscot County Bar Association.

REVENUE COLLECTED BY THE JUDICIAL BRANCH

In FY'07, the revenue collection by the Judicial Branch hit a high point, generating \$47,215,404 that was dedicated to the General Fund, Highway Fund, Jail Fund, and various other state agencies. Total collection in FY'07 was 10.4% higher than in FY'06, and 48% more than five years ago, FY'03.

Throughout FY'07, the Judicial Branch conducted an aggressive **COLLECTION PROGRAM** to collect unpaid fines. An active effort including demand letters, warrants, and license suspensions proved to be very successful in collecting overdue funds. In FY'07, over \$3 million in tardy fines were collected; about half of that amount had been past due by more than 90 days.



THREE BRANCHES LINK TO SERVE MAINE'S CITIZENS



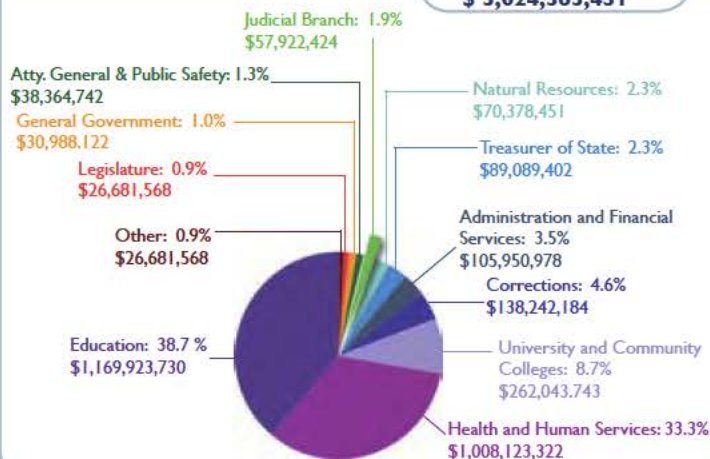
Maine Supreme Judicial Court Chief Justice Leigh I. Saufley (center) chats with Rep. Charles D. Fisher, D-Brewer, in the House speaker's office shortly before delivering the 2007 State of the Judiciary address to the Legislature. Behind them (from left) are John Nivison, Chief Judge of the Maine District Court, and Supreme Judicial Court Justices Warren M. Silver, Donald G. Alexander, and Howard H. Dana Jr. (Photo Courtesy of Bangor Daily News, John Clarke Russ photographer)

Communication, understanding, and cooperation among the three branches of government are the roots that support delivery of justice to Maine's citizens. Throughout the state, the courts welcome legislators to observe courts in session so that lawmakers can gain an understanding of the daily work of the Judicial Branch. Judges and Judicial Branch staff communicate with Legislative committees and leadership, meet regularly with the Governor's office, and serve on various statewide task forces and commissions. Each year, the Chief Justice hosts a summit with the Governor and Legislative leadership to discuss key issues and challenges. Maine's Courts are fortunate to have the interest and support of the other branches of state government; maintaining and expanding access to justice requires the cooperation of all.

FISCAL INFORMATION

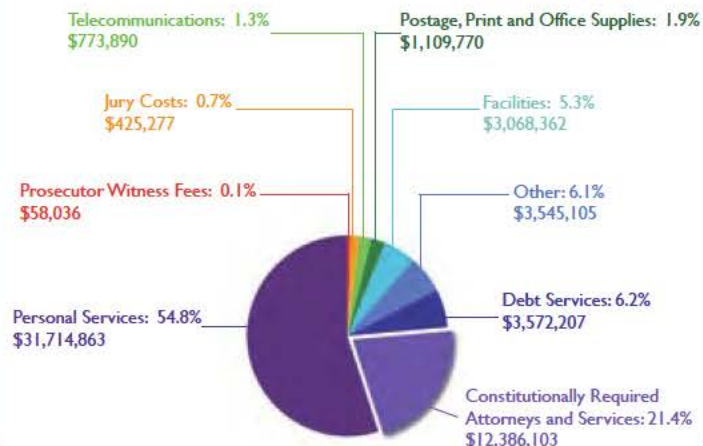
STATEWIDE GENERAL FUND EXPENDITURES, FY '07

\$ 3,024,363,451



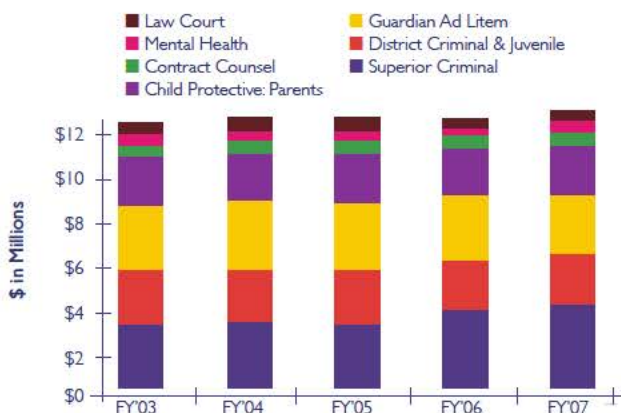
JUDICIAL BRANCH GENERAL FUND EXPENDITURES, FY '07

\$57,922,424



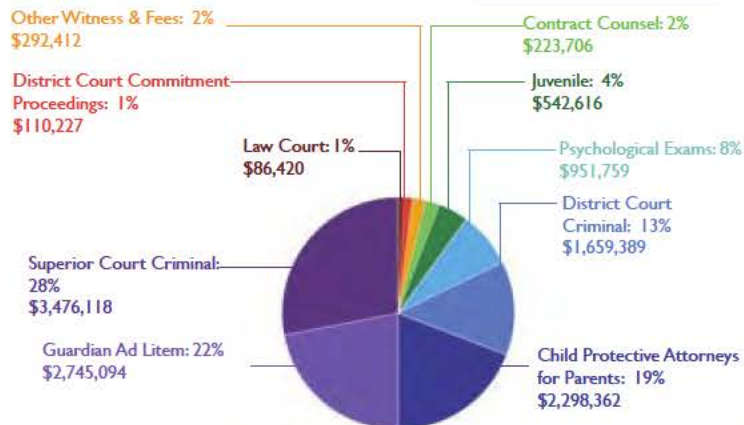
DETAIL OF CONSTITUTIONALLY REQUIRED ATTORNEYS AND SERVICES

5-YEAR EXPENDITURE TREND



FY '07 EXPENDITURE DETAIL

\$12,386,103



COURT REGIONS AND CASES FILED

REGION #5.....TOTAL: 19,309

PENOBSCOT

Bangor Superior.....	1,627
Bangor District.....	10,769
Newport District.....	2,572
Lincoln District.....	1,456
Millinocket District.....	1,067

PISCATAQUIS

Dover-Foxcroft Superior.....	127
Dover-Foxcroft District.....	1,691

REGION #4.....TOTAL: 20,447

SOMERSET

Skowhegan Superior.....	733
Skowhegan District.....	5,246

KENNEBEC

Augusta Superior.....	1,691
Augusta District.....	6,574
Waterville District.....	6,203

REGION #3.....TOTAL: 23,326

FRANKLIN

Farmington Superior.....	491
Farmington District.....	3,126

OXFORD

South Paris Superior.....	697
South Paris District.....	2,609
Rumford District.....	2,410

ANDROSCOGGIN

Auburn Superior.....	1,601
Lewiston District.....	12,392

REGION #2... TOTAL: 28,354

CUMBERLAND

Portland Superior.....	4,593
Portland District.....	20,252
Bridgton District.....	3,509

REGION #1.....TOTAL: 23,707

YORK

Alfred Superior.....	3,581
Biddeford District.....	9,472
Springvale District.....	5,952
York District.....	4,702

REGION #8..... TOTAL: 7,725

AROOSTOOK

Caribou/Houlton Superior.....	877
Caribou District.....	1,512
Houlton District.....	1,727
Presque Isle District.....	2,339
Fort Kent/Madawaska District.....	1,270

REGION #7..... TOTAL: 8,668

HANCOCK

Ellsworth Superior.....	547
Ellsworth District.....	4,728

WASHINGTON

Machias Superior.....	471
Machias District.....	1,743
Calais District.....	1,179

REGION #6..... TOTAL: 16,046

WALDO

Belfast Superior.....	492
Belfast District.....	2,778

KNOX

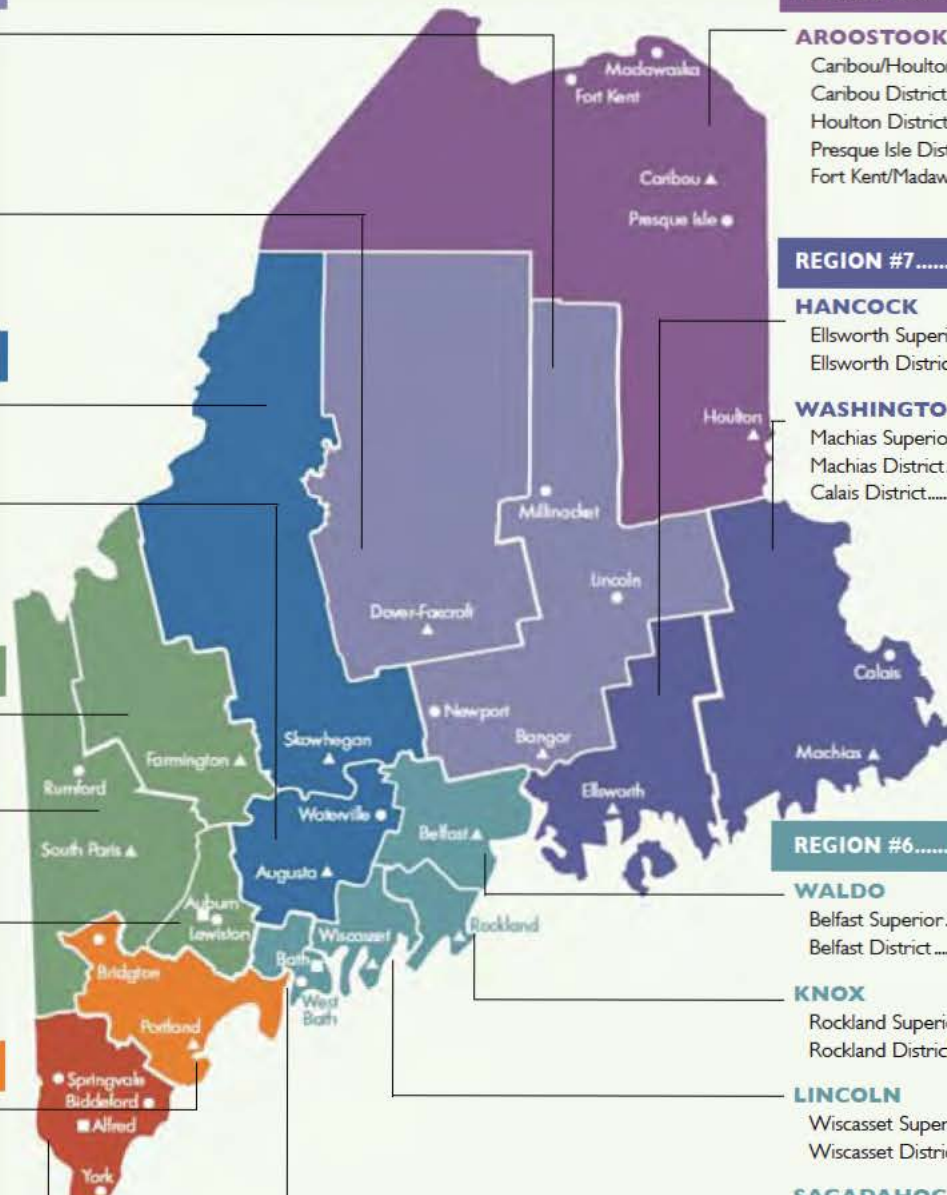
Rockland Superior.....	709
Rockland District.....	3,600

LINCOLN

Wiscasset Superior.....	520
Wiscasset District.....	2,264

SAGadahoc

Bath Superior.....	394
West Bath District.....	5,289



KEY

- District Court
- Superior Court
- ▲ District and Superior in the same city/town.

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

TRAFFIC INFRACTIONS:
Total: 129,732



FOR MORE INFORMATION:

Visit the Court's web page at www.courts.state.me.us where you'll find:

- PUBLICATIONS: *A Guide to Small Claims* • *A Guide to Protection from Abuse and Harassment* • *Citizen's Guide to the Courts* • *Child Protective Handbooks*
- INFORMATION about court proceedings and offices
- LINKS to legal resources, volunteer opportunities, court rules, forms and opinions

ADMINISTRATIVE OFFICE OF THE COURTS

PO Box 4820
Portland, ME 04112-4820
(207) 822-0792
(207) 822-0701 (TTY)