

MAINE STATE LEGISLATURE

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MAINE JUDICIAL BRANCH

2010 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.

MAINE STATE COURTS: AT A GLANCE



POPULATION SERVED 1,318,301
 GEOGRAPHIC AREA 35,387 sq. mi.
 COURT LOCATIONS 39

FY'10 EXPENDITURES:

Judicial Branch Operations \$50,156,729
 Indigent Legal Services \$9,857,048
 Debt Services \$6,721,155
TOTAL \$66,734,932

FY'10 REVENUE:

Deposited to Maine's General Fund \$38,709,401
 Dedicated Revenue Accounts \$9,208,867
TOTAL \$47,918,268

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

FAMILY LAW MAGISTRATES 8
 STAFF (clerks, security & support) 431.5*

* FY'10 legislative position count was 503. Adjustments made by the JB eliminated 35 positions

TOTAL 2010 CASES FILED 286,251
 Supreme Judicial Court 684
 Superior Court 17,560
 Unified Criminal Dockets 11,735
 District Court 120,898
 Violations Bureau 135,374



CO-OCCURRING DISORDERS COURT FOCUSES ON JUSTICE FOR HIGH RISK DEFENDANTS



The Staff of the Co-Occurring Disorders Court

The State of Maine is one of few states in the nation to implement a problem-solving court that specifically targets adult criminal defendants with serious and persistent mental illness and co-occurring substance abuse disorders. Maine's only Co-Occurring Disorders Court (CODC) constitutes the "last turn" in the revolving door of multiple incarcerations, psychiatric admissions, and treatment for substance abuse. The CODC, based at the Kennebec County Superior Courthouse, combines close judicial monitoring, specialized assessment and treatment, case management, incentives or sanctions depending on participation, and frequent drug and alcohol testing. It has become well known throughout the State of Maine as an effective and highly respected resource for high risk and high need nonviolent offenders.

FORECLOSURE DIVERSION MEDIATION PROGRAM PROVIDES FORUM FOR HOMEOWNERS & LENDERS

© Bangor Daily News Photo By John Clarke Ross



Cathy McKelway, a H.U.D. certified housing counselor, provides advice to struggling homeowners on foreclosure mediation during a foreclosure diversion informational session at the Penobscot Judicial Center.

The 124th Legislature authorized the creation of a Foreclosure Diversion Mediation Program to provide the parties in certain foreclosure actions the opportunity to participate in court sponsored mediation. Building upon the lessons learned from a summer 2009 pilot project in York County, the Court implemented a statewide foreclosure mediation service that began operating on January 1, 2010.

During the first year of statewide operation, the program trained and certified 71 mediators and conducted 1,243 mediations. Of the cases that concluded mediation in 2010, 21% reached a settlement agreement and 98 foreclosure actions were dismissed. Loan modifications accounted for nearly two-thirds (63%) of the dismissals. Overall, the experience revealed that the agreements that lead to the dismissal of the foreclosure require months of negotiation by the parties. One of the most common results of the mediation process was a request by the parties for more time to gather information and to evaluate settlement possibilities. The program will continue to monitor its progress and impact on the parties and the docket.

INDIGENT LEGAL SERVICES TRANSFERRED FROM JUDICIAL BRANCH TO INDEPENDENT COMMISSION

Legislation passed during the first session of the 124th Maine Legislature enacted 4 M.R.S. Chapter 37, establishing the Maine Commission on Indigent Legal Services.

An independent statutory entity, the Commission is empowered to provide legal representation at state expense to indigent persons, consistent with federal and state constitutional and statutory obligations.

The Commission was charged with developing standards for the delivery of indigent legal services and establishing and maintaining a system to provide quality and efficient indigent legal services.

The Sixth Amendment of the U.S. Constitution

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence."

THE COURTS OF MAINE

SUPREME JUDICIAL COURT



From Left to Right: Justice Ellen A. Gorman, Justice Warren M. Silver, Justice Donald G. Alexander, Chief Justice Leigh I. Saufley, Justice Jon D. Levy, Justice Andrew M. Mead and Justice Joseph M. Jabar

TRIAL COURT LEADERSHIP

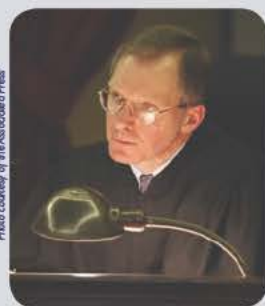


From Left to Right: THOMAS E. HUMPHREY, Chief Justice, Superior Court; CHARLES C. LAVERDIERE, Chief Judge, District Court; LEIGH I. SAUFLEY, Chief Justice, Supreme Judicial Court; ROBERT E. MULLEN, Deputy Chief Judge, District Court; and TED GLESSNER, State Court Administrator

TRIAL COURT CASE FILINGS FY'10

The Trial Courts serve the citizens of Maine at seventeen Superior Courts and thirty-one District Courts throughout the state. Seventeen Superior Court justices and thirty-six District Court judges hear civil, criminal, family, juvenile, and domestic violence disputes.

On a daily basis, the judges, family law magistrates, clerks and support staff of the Trial Courts work to accomplish the mission of the Judicial Branch: *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.*



Justice Jeffrey L. Hjelm presiding.

CIVIL FILINGS: 42,323

	SUPERIOR	DISTRICT
Contract	515	11,019
Foreclosure	1,389	3,778
Tort	983	131
Other Civil	1,528	1,356
Small Claims		11,260
Money Judgments		5,647
FEDs (Eviction)		4,717

DISTRICT COURT FAMILY DIVISION: 26,114

Juvenile	3,622
Divorce	6,774
Other Family Relations	2,473
Family Post-Judgment	6,258
Child Protective	708
Protection from Abuse	6,279

OTHER DISTRICT COURT ACTIONS: 19,568

Mental Health	997
Protection from Harassment	4,223
Civil Violations	14,348

VIOLATIONS BUREAU

Traffic Infractions	135,374
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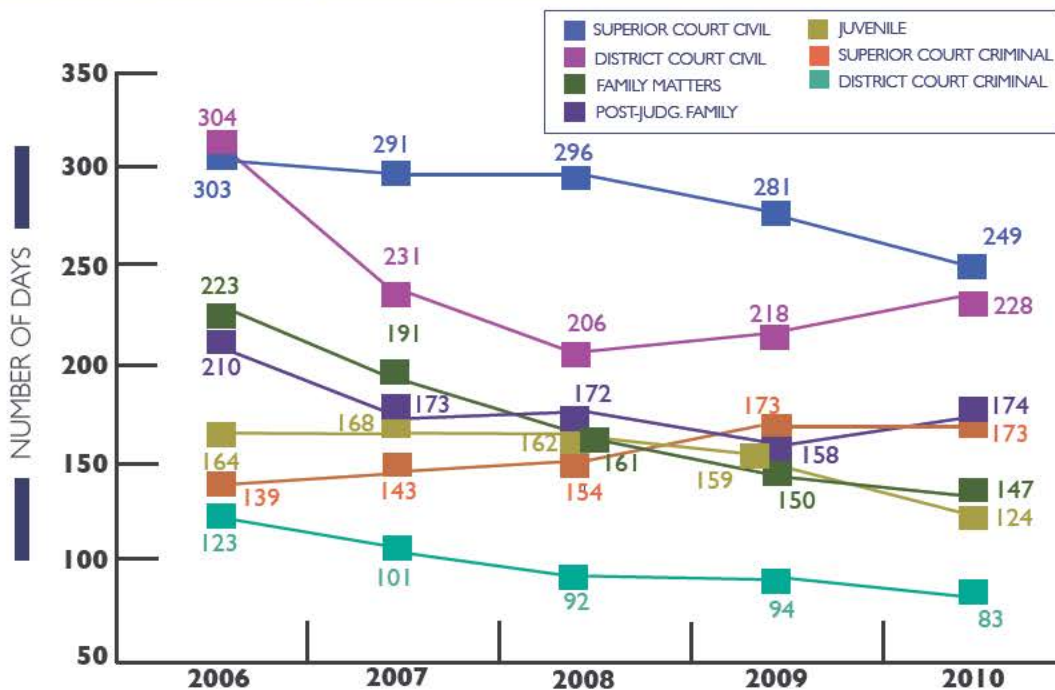
CRIMINAL FILINGS: 62,188

District Court	36,606
Dist. Ct. Probation Revocations	702
Superior Court	10,011
Sup. Ct. Probation Revocations	3,134
Unified Criminal Dockets	11,504
UCD Probation Revocations	231

TIME TO RESOLUTION OF CASES

Coordinated regional scheduling, implemented in the trial courts in 2004, has greatly reduced the time it takes to dispose of the most urgent cases – those dealing with violence, children, and families. For example, as illustrated by this graph, the average age of pending family cases has decreased significantly, from 223 days in 2006 to 147 days in 2010.

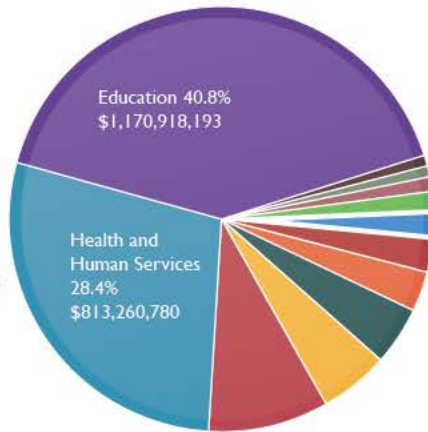
Data provided in this graph illustrates the average number of days from filing date, for all cases that are open on June 30 each year.



FISCAL INFORMATION

GENERAL FUND AND JUDICIAL BRANCH EXPENDITURES

- Other 0.8%
\$24,033,722
- Legislature 0.8%
\$23,477,385
- General Government 0.9%
\$25,748,206
- Atty. General & Public Safety 1.5%
\$42,980,882
- **JUDICIAL BRANCH 2.3%
\$66,734,932***
- Natural Resources 2.4%
\$67,537,822
- Treasurer of the State 3.2%
\$92,438,646
- Administrative & Financial Services 4.2%
\$119,589,557
- Corrections 5.5%
\$157,939,386
- University & Community Colleges 9.1%
\$261,774,007



STATEWIDE GENERAL FUND EXPENDITURES, FY'10
Total: \$2,866,433,518



JUDICIAL BRANCH GENERAL FUND EXPENDITURES FY'10
Total: \$66,734,932

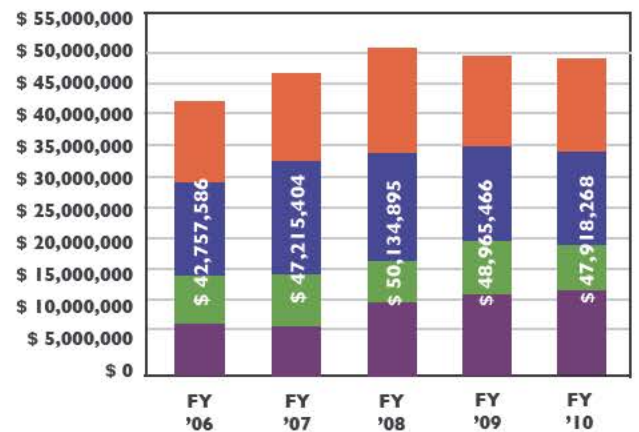
- Jury Costs 0.7%
\$475,899
- Telecommunications 1.2%
\$809,358
- Postage, Print & Office Supplies 1.5%
\$1,027,992
- Sheriff & Security Contracts 2.3%
\$1,500,634
- Guardians Ad Litem & Mental Health Psych Exams 5.0%
\$3,325,827
- Facilities 5.7%
\$3,815,869
- Miscellaneous Operations 6.4%
\$4,270,192
- Debt Service 10.1%
\$6,721,155
- Indigent Defense Costs 14.8%
\$9,857,048

*Total General Funds received by Judicial Branch in FY'10 included funding to pay for indigent defense (\$9,857,048). Net expenditures for Judicial Branch operations, including debt service, were \$56,877,884, just 1.98% of total state General Fund expenditures in FY'10.

REVENUE COLLECTED BY THE JUDICIAL BRANCH

Total revenue collected by the Judicial Branch declined by approximately 2% for the second year in a row, after reaching an historic high in FY'08.

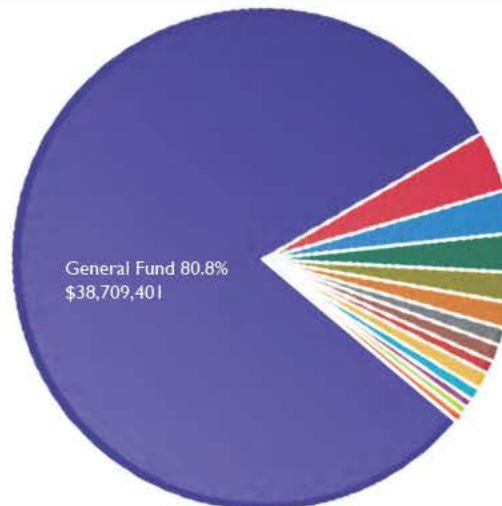
	FY '06	FY '07	FY '08	FY '09	FY '10
Traffic Fines	\$13,900,526	\$14,795,496	\$15,339,081	\$14,276,283	\$14,021,155
Court Fines	\$15,073,730	\$17,882,826	\$17,930,434	\$15,845,961	\$15,096,534
Surcharges	\$7,514,573	\$8,408,300	\$8,770,421	\$8,455,336	\$8,089,914
Fees	\$6,268,757	\$6,128,782	\$8,094,959	\$10,387,886	\$10,710,665
TOTALS	\$42,757,586	\$47,215,404	\$50,134,895	\$48,965,466	\$47,918,268



REVENUE DISTRIBUTED BY THE JUDICIAL BRANCH

FY'10 Revenue Distribution
Total: \$47,918,268

Revenue collected by the Judicial Branch is deposited primarily into the State's General Fund and to other dedicated accounts. Sources of revenue include fees, fines, and surcharges, as detailed above.



- Civil Legal Services Fund 3.9%
\$1,863,129
- Highway Fund 3.0%
\$1,439,914
- Criminal Justice Academy 2.4%
\$1,156,837
- County Jail Fund 1.9%
\$922,165
- Foreclosure Mediation Fee 1.8%
\$867,345
- Ct. Appt. Counsel Reimb. 1.1%
\$513,199
- Victim's Compensation 1.0%
\$498,394
- Inland Fish & Wildlife 1.0%
\$476,164
- Mediation 1.0%
\$472,469
- Publications Fund 0.8%
\$365,652
- Judicial Branch Capital Account 0.6%
\$300,000
- Miscellaneous 0.5%
\$236,023
- Local Ordinances 0.2%
\$97,576

COURT REGIONS AND CASES FILED

REGION 5

CASE TOTAL 19,495
REGIONAL POPULATION.....166,214
COURT FACILITIES 6

PENOBSCOT

Bangor Superior.....1,378
 Penobscot UCD.....2,357
 Bangor District.....9,470
 Newport District.....2,296
 Lincoln District.....1,410
 Millinocket District.....877

PISCATAQUIS

Dover-Foxcroft Superior.....136
 Dover-Foxcroft District.....1,707

REGION 4

CASE TOTAL 21,308
REGIONAL POPULATION.....172,037
COURT FACILITIES 6

SOMERSET

Skowhegan Superior.....853
 Skowhegan District.....5,549

KENNEBEC

Augusta Superior.....1,854
 Augusta District.....7,419
 Waterville District.....5,633

REGION 3

CASE TOTAL 23,871
REGIONAL POPULATION.....192,518
COURT FACILITIES 7

FRANKLIN

Farmington Superior.....455
 Farmington District.....2,942

OXFORD

South Paris Superior.....844
 South Paris District.....2,540
 Rumford District.....2,326

ANDROSCOGGIN

Auburn Superior.....1,971
 Lewiston District.....12,793

REGION 2

CASE TOTAL 26,631
REGIONAL POPULATION.....276,559
COURT FACILITIES 2

CUMBERLAND

Portland Superior.....1,578
 Cumberland UCD.....9,378
 Portland District.....12,304
 Bridgton District.....3,371

REGION 1

CASE TOTAL 23,605
REGIONAL POPULATION.....201,876
COURT FACILITIES 4

YORK

Alfred Superior.....3,967
 Biddeford District.....9,770
 Springvale District.....5,747
 York District.....4,121

REGION 8

CASE TOTAL 8,389
REGIONAL POPULATION.....71,488
COURT FACILITIES 5

AROOSTOOK

Carbou/Houlton Superior.....1,140
 Car bou District.....1,543
 Houlton District.....1,699
 Presque Isle District.....2,621
 Fort Kent/Madawaska District...1,386

REGION 7

CASE TOTAL 9,255
REGIONAL POPULATION.....85,554
COURT FACILITIES 3

HANCOCK

Ellsworth Superior.....540
 Ellsworth District.....4,971

WASHINGTON

Machias Superior.....437
 Machias District.....1,811
 Calais District.....1,496

REGION 6

CASE TOTAL 17,531
REGIONAL POPULATION.....150,055
COURT FACILITIES 6

WALDO

Belfast Superior.....541
 Belfast District.....3,235

KNOX

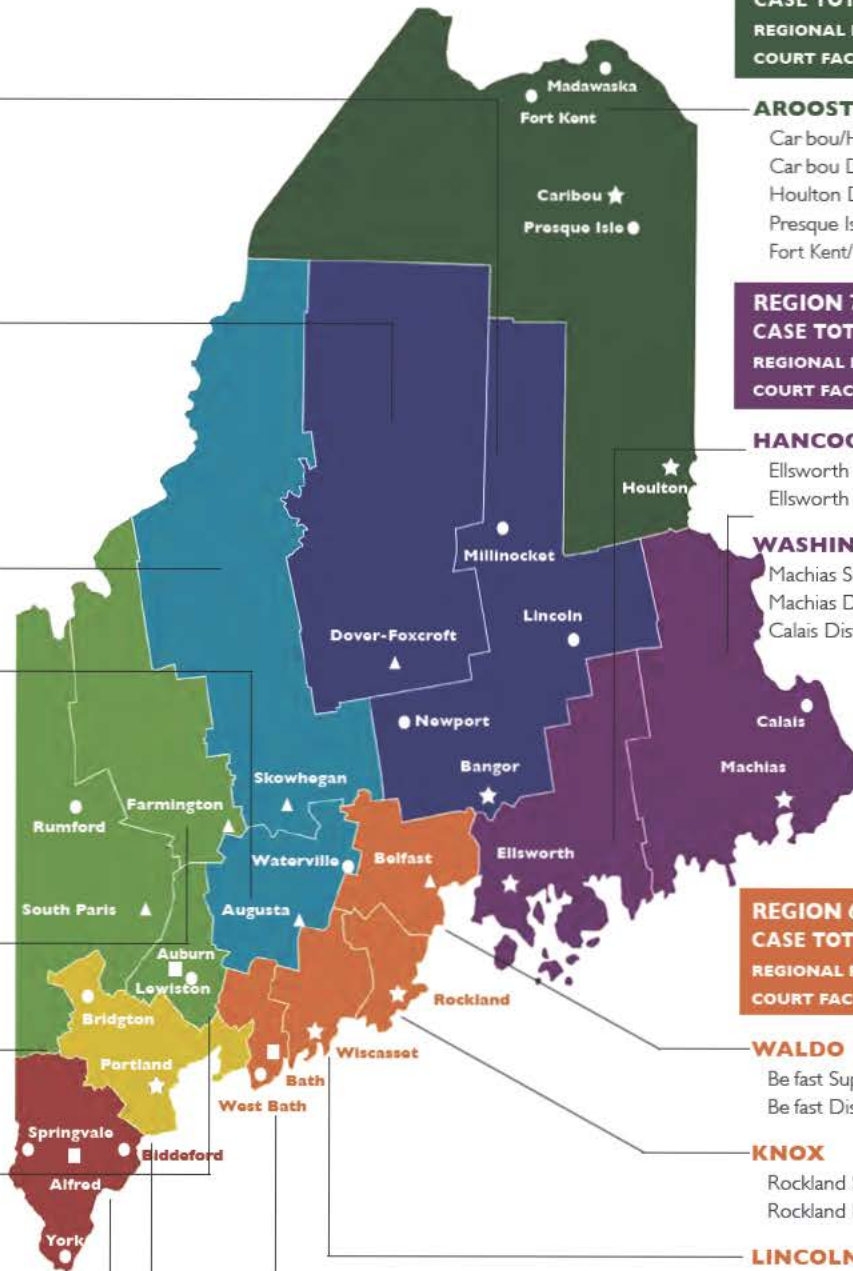
Rockland Superior.....626
 Rockland District.....3,896

LINCOLN

Wiscasset Superior.....672
 Wiscasset District.....2,780

SAGadahoc

Bath Superior.....568
 West Bath District.....5,213



KEY

- District Court
 - Superior Court
 - ▲ District and Superior in the same city/town.
 - ★ District and Superior Court occupy the same building.
- Counties grouped together by color are part of a single court **REGION**, where resources and scheduling are coordinated.

FOR MORE INFORMATION:

Visit the Court's web page at www.courts.state.me.us where you will 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 and opinions

An expanded version of this report is available at www.courts.state.me.us/main_e_courts/annual_reports/index.shtml

ADMINISTRATIVE OFFICE OF THE COURTS

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

TRAFFIC INFRACTIONS:
 Total: 135,374



* In FY'10, 28 Child Protective cases that were transferred between District Court locations are reported as filings at the receiving court locations, but are not added to the State total of new cases filed.

** Population Statistics source: US Census Bureau