

**STATE OF MAINE
SUPREME JUDICIAL COURT**

ADMINISTRATIVE ORDER JB-05-9 (A. 5-11)

CONCERNING THE BRINGING OF FIREARMS AND WEAPONS
INTO SUPREME JUDICIAL, SUPERIOR, AND DISTRICT COURTS, AND
RELATED AREAS

Effective: May 16, 2011

This order amends JB-05-9, signed June 29, 2005, and effective August 1, 2005.

All persons are prohibited from entering or remaining in any Supreme Judicial, Superior, or District Court facility which shall include any courtroom, judicial chambers, clerk's office, conference room, mediation room, law library, lobby, or any other area or building within the control or supervision of the Maine Judicial Branch, if armed with a firearm, electronic control device, other dangerous weapon or in possession of a disabling chemical. As used herein, the term "firearm" has the same meaning as set forth in Title 17-A, section 2, subsection 12-A of the Maine Revised Statutes; "armed with a dangerous weapon" has the same meaning as set forth in Title 17-A, section 2, subsection 9(B) of the Maine Revised Statutes; "electronic control device" includes, but is not limited to, devices commonly called tasers and "disabling chemical" means chemical mace or any similar substance composed of a mixture of gas and chemicals (including organic agents) which has or is designed to have a disabling effect upon human beings. The determination of the dangers of any item shall be at the discretion of the Office of Judicial Marshals and the judicial deputy marshals¹ assigned to any courthouse or other Judicial Branch facility. Judicial deputy marshals are authorized to take and hold for the purpose of safekeeping, those items that violate this Order, at least for the duration of the individual's time in the courthouse.

This Order applies to people who possess a valid permit to carry a concealed firearm issued under Title 25, sections 2001-A to 2006, of the Maine Revised

¹ Judicial Deputy Marshal, as used in this Order, refers to the State Judicial Marshal and State Judicial Deputy Marshals as defined by Title 25, section 2801-A, subsection 2-A of the Maine Revised Statutes, and further refers to other qualified individuals as defined by Title 4, section 17, subsections 15(A), (B) of the Maine Revised Statutes when they are providing security services to the Judicial Branch.

Statutes. It is immaterial that the carrying of a firearm or other concealed weapon by a person would not constitute a violation of Title 25, section 2001-A, of the Maine Revised Statutes.

This Order does not apply to judicial deputy marshals, other law enforcement officers, or corrections officers who are armed as part of their duty attire unless the presiding judge or justice, by order, prohibits such officers from possessing firearms, dangerous weapons, or disabling chemicals in a designated area of a court facility. All law enforcement officers and corrections officers in civilian dress shall keep their weapon concealed and discreetly advise the judicial deputy marshal that he/she is armed with a concealed service or duty weapon. All judicial deputy marshals, law enforcement officers, and corrections officers shall keep their weapons in secure holsters.

Any law enforcement officer, corrections officer, or judicial deputy marshal, or who is a litigant or witness in an unofficial capacity in a court proceeding is prohibited from entering or remaining in any Supreme Judicial, Superior, or District Court facility which shall include any courtroom, judicial chambers, clerk's office, conference room, mediation room, law library, lobby, or any other area or building within the control or supervision of the Maine Judicial Branch, if armed with a firearm, other dangerous weapon or in possession of a disabling chemical.

This Order does not apply to people possessing a firearm, dangerous weapon, or disabling chemical if the purpose for such possession is to offer the item as evidence in a proceeding. Prior approval of the presiding judge or justice is required before any firearm, dangerous weapon, or disabling chemical shall be brought into any court facility for this purpose. All firearms, dangerous weapons, or disabling chemical presented as evidence shall be inspected by the judicial deputy marshal to assure that the items are rendered safe for handling in the facility.

The clerk of the court or facility supervisor shall post a copy of this order in locations where it is likely to come to the attention of all who enter the premises under the control and supervision of the Judicial Branch.

For the Court,

/s/

Leigh I. Saufley
Chief Justice

Promulgation Date: May 16, 2011

Historical Derivation of JB-05-9:

Concerning The Bringing Of Firearms And Weapons Into Supreme, Superior, And District Court
And Related Areas

AO JB-05-9, dated June 29, 2005, effective August 1, 2005

Signed by: Leigh I. Saufley, Chief Justice, Maine Supreme Judicial Court

Concerning The Bringing Of Firearms And Weapons Into Supreme, Superior, And District Court
And Related Areas

AO JB-02-02 (superseded Administrative Orders DC-91-3 and SJC-320), Dated: April 26, 2002

Signed by: Leigh I. Saufley, Chief Justice, Maine Supreme Judicial Court; Nancy Mills, Chief
Justice, Maine Superior Court; and Vendean V. Vafiades, Chief Judge, Maine District Court