

**STATE OF MAINE
SUPREME JUDICIAL COURT**

ADMINISTRATIVE ORDER JB-16-1

ESTABLISHMENT AND OPERATION OF SPECIALTY DOCKETS

Effective: January 15, 2016

Pursuant to 4 M.R.S. §§ 421, 431, and 433, and its inherent power to control trial court dockets and issue rules, *see* 4 M.R.S. §§ 1, 8, 9, the Supreme Judicial Court hereby issues this Administrative Order, which authorizes the Trial Court Chiefs to establish and, when approved, operate specialty dockets.

I. DEFINITION OF SPECIALTY DOCKETS

As currently used, the term “specialty dockets” refers to specifically designed dockets, established or continued pursuant to this Order or the predecessor Specialty Dockets Protocol, that focus on particular individuals and particular issues that have brought those individuals into contact with the justice system, and that require participants to appear before a judge on a regularly scheduled basis that is more frequent than is required for the formal adjudication of the case. Specialty dockets ordinarily require judicial resources and court time in addition to those required by traditional dockets of the same case type.

II. PURPOSE

This Order sets forth the protocol for the establishment and continuation of specialty dockets in order to (1) support specialty dockets that are demonstrated to be effective and advance the administration of justice where resources are available; (2) ensure that any specialty dockets are demonstrably effective and constitute an appropriate use of limited judicial and other resources; (3) manage the limited judicial resources available in the most efficient and effective manner; (4) provide a mechanism for regular quality review of specialty dockets; and (5) proscribe ad hoc dockets that have not been established or continued pursuant to this Order.

III. DEVELOPMENT OF NEW SPECIALTY DOCKETS

To ensure that specialty dockets are created and maintained thoughtfully, and that the considerable demands on judicial resources and the labor-intensive and time-intensive nature of specialty dockets are addressed in the process, prior authorization by the Trial Court Chiefs is required for the development, planning, and implementation of new specialty dockets, and the continuance of existing specialty dockets. The Chiefs will evaluate requests for approval in consultation with the State Court Administrator or designee.

IV. OPERATION OF AND RESOURCES FOR SPECIALTY DOCKETS

Each specialty docket will operate in conformity with the Code of Judicial Conduct, and according to protocols and procedures adopted by the Trial Court Chiefs.

Each specialty docket will operate with the necessary and appropriate resources to meet best practices for the docket at issue. If an operating specialty docket loses key resources, it will be terminated (or phased out), unless appropriate alternatives are quickly available.

- A. Specialty dockets will be approved only when specific and identified resources, including judge time, clerk staff, and security are available within the Judicial Branch to support the specialty docket.
- B. Specialty dockets will be approved only when the necessary and sufficient resources external to the Judicial Branch have been identified and have demonstrated a commitment to the process and requirements of the specialty docket.

V. ADVISORY COMMITTEES

The Trial Court Chiefs may request and the Supreme Judicial Court may create advisory committees to assist the Trial Court Chiefs with the creation, operation, and evaluation of specialty dockets. The results of those reviews will be used each year by the Chiefs when they determine whether to extend or terminate the operation of the specialty dockets.

VI. ANNUAL REVIEWS OF SPECIALTY DOCKETS

Maine's specialty dockets will be reviewed on an annual basis under the direction of the Trial Court Chiefs in consultation with the State Court Administrator.

VII. PLAN OF CORRECTION

A specialty docket may be terminated when the annual review or other reports demonstrate that continuation of the specialty docket is no longer appropriate because of challenges in its operations, because it is no more effective than traditional approaches for the targeted case types, because it cannot be sustained due to resource limitations, or because other considerations lead court management to determine that the specialty docket can no longer be supported. The Judicial Branch may develop an action plan based on the results of the annual audits to address areas of challenge.

VIII. APPROVAL

Final approval for the creation of any new specialty docket or the discontinuance of any existing specialty docket will be made by the Trial Court Chiefs in consultation with the State Court Administrator and the Chief Justice of the Supreme Judicial Court.

For the Court,

/s/

Leigh I. Saufley
Chief Justice

Promulgation Date: January 15, 2016

A copy of the current application information may be found on the Judicial Branch website: www.courts.maine.gov/

Establishment and Operation of Specialty Dockets
Effective: January 15, 2016; Dated: January 15, 2016
Signed by: Leigh I. Saufley, Chief Justice, Maine Supreme Judicial Court
Original promulgation

Historical Derivation of JB-16-1

Specialty Dockets Protocol
Effective Date: January 1, 2013
Promulgated by: Trial Court Chiefs (Chief Justice Thomas E. Humphrey, Chief Judge Charles LaVerdiere, Deputy Chief Judge Robert E. Mullen)
Approved by the Supreme Judicial Court: December 19, 2012