



Maine Judicial Branch

Mission: 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.

The Maine Judicial Branch and the Maine Press Association Have an Important Shared Goal:

Providing the public
accurate, prompt, and helpful information
regarding the delivery of justice in the Maine State Courts.

Journalism

is what we need to make democracy work.

Walter Cronkite

The central dilemma in journalism is that
you don't know what you don't know.

Bob Woodward

A publicly-trusted, neutral, responsive
system of justice

is what we need to make democracy work.

Leigh Saufley

To assure the broadest public access and the best hope for accuracy, while providing the appropriate protections for non-public records we need:

- **CLARITY**
 - Updated Statutes
 - Coordinated Rules
- **COMMUNICATION**
 - JB Communications Director
 - Fact Sheet with Contact Numbers

Elaine Clark

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- Director of Court Communications
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- Elaine is often assisted by the Trial Chiefs

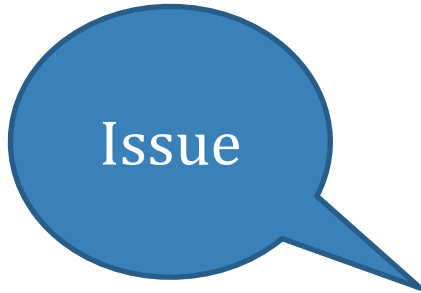
Trial Judges' Requests of the Press

1. Accuracy in reporting – INCLUDING HEADLINES
2. Understand the Process and a Judge's Role
3. Acquittals - Not synonymous with a finding of “Innocence”
4. Ask for Confirmation of *any* information of which you are not certain

Odyssey Courts e-filing

- **Complex, multi-year project to transform primarily paper-based records system to digital court**
- **Multitude of stakeholders and processes to manage**
- **When completed, significantly expanded online access to:**
 - **case information for parties and their attorneys; and**
 - **non-confidential court records for the public & media**
- **Being implemented in phases beginning Fall 2018**
- **10/29/18 The new Violations Bureau Digital System launches.**





Civil Justice Reform

Cases take too long and cost too much to resolve.

- Too much process in many **simple cases**.
- Too little management in many **complex cases**.
- One-size fits all standard scheduling with limited case management is ineffective.
- New Rules have been posted or comment and a public hearing will be held next week

Family Cases Involving Children

- Team management of Family Matters
- Team members are a dedicated Family Law Magistrate, clerk, and judge
- Team retains case throughout
- Scheduling tools will include Doodle surveys for court events, telephone conferences
- Expected to reduce scheduling delays and cost, improve responsiveness

Court Facilities & Security

- From Zero Entry Screening in 2002 to almost 70% in 2018.
- Judicial Branch facilities have been improved statewide to enhance the safety and accessibility for all who visit a courthouse.
- 36 courthouses located from Fort Kent to York, consolidated from 42 facilities in 2002, with substantial safety and ADA improvements.
- For more than a decade, the Governors and Legislatures have consistently supported improved courthouse security and upgrades.

III. Access to Digital Court Records

Coming Soon to a Court System Near You.*

*Soon = Next Week for the Violations Bureau
14-18 months from now for the first full Region of all Case Types

Step One: The Transparency and Privacy Task Force

Step Two: Determining Basic Design

We will not replace Practical Obscurity with Digital Obscurity
Internet-Based System of Access

Step Three: Creating Clarity

The Judicial Branch has a separate responsibility to follow State and federal laws and constitutions, which may make specific records non-public.

For example:

- Substance abuse treatment records are confidential
- Domestic violence victim's identities and addresses require protection
- Mental Health Commitment proceedings are non-public
- Child Protection Proceedings are non-public

Begin with the Presumption of Open Records

Federal Law

State Law
Including Right to Know
Committee Reports

Court Rules
and
Admin Orders

Specific Maine Judicial Branch Records Analysis

Assure Clarity in Statutes and Rules
Public vs Non-Public

Case Types Generally

Types of Documents

Specific Information

JUDICIAL BRANCH PROPOSALS FOR INTERNET-BASED ACCESS TO COURT RECORDS

Basic Outline:

Statutes Addressing Access will be gathered and articulated in a proposed new chapter of Title 4 and in several other Titles regarding specific case types (e.g. Adoptions)

Existing Statutory and Ruled-based restrictions will provide foundation for delineation

All records may have masking of certain ID information to reduce risk of identity theft

Any otherwise-public file may contain individually confidential documents

SPECIFIC CASE TYPES

CRIMINAL RECORDS – No Substantial Changes Proposed (potential CHRIA amendments)

TRAFFIC RECORDS – No Substantial Changes, Redacts certain ID details (SS#, full DOB),

CIVIL RECORDS - No Substantial Changes – New process for appeals of Sealing or Redaction

SMALL CLAIMS, FORECLOSURE, EVICTIONS – No Substantial Changes Proposed by JB

JUVENILE RECORDS – No Substantial changes Proposed by JB

FAMILY RECORDS – New Approach to Family Records

PROCESS

Proposal for clarifying and amending statutes will be posted for Public Comments in November.

The JB will use that input to refine the proposals.

We will edit, amend, polish, and submit to the 129th Legislature for consideration in the First Regular Session.*

*This is what we currently anticipate. As with any process, it is subject to change as necessary. Although these are primarily legislative actions, we will want extensive public input before presenting the final draft for legislative consideration.



Questions?