

STATE OF MAINE
SUPREME JUDICIAL COURT
ADMINISTRATIVE ORDER JB-05-04 (A. 3-23)

HOURS OF OPERATION

Effective: March 30, 2023

This order amends JB-05-4, as amended by A. 9-16, signed and effective on September 20, 2016. The provisions of JB-22-02 (effective January 11, 2022) are incorporated into this order, and JB-22-02 is rescinded.

I. NORMAL BUSINESS HOURS

Except as otherwise provided in this Order, the normal business hours in all Maine State courthouses and Judicial Branch facilities shall be from 8:00 a.m. to 4:30 p.m., Monday through Friday.¹

The normal business hours in Maine State courthouses located in Rumford, Dover-Foxcroft, Lincoln-Millinocket, Newport, Calais, Houlton, Fort Kent-Madawaska and Presque Isle shall be from 8:00 a.m. to 4:00 p.m., Monday through Friday.

All business requiring the attention of the clerks' offices must be presented before the closing hour of the courthouse. *See* M.R. Civ. P. 5(g); M.R.U. Crim. P. 54. Motions, appeals, or other time-sensitive matters must be received by the closing hour of the courthouse in order to be docketed as filed on that date, unless otherwise ordered by the court. *See* M.R. Civ. P. 5(g); M.R.U. Crim. P. 54.

Judicial Branch offices, including clerks' offices, will be closed on weekends and legal holidays.

II. ALTERATION OF NORMAL BUSINESS HOURS

¹ During the COVID-19 coronavirus pandemic, business hours were reduced to 8:00 a.m. to 4:00 p.m. in all courthouses based on unprecedented pressures on scheduling and staffing. The reduced hours remain in effect per order of the State Court Administrator and trial chiefs.

In accordance with 4 M.R.S. §§ 1, 101-A and 164, the Supreme Judicial Court and the Chief Justice hereby authorize the Chief Justice of the Superior Court and the Chief Judge of the District Court (the Trial Court Chiefs), their designees, and authorized court administrators to alter the normal business hours, in individual court locations, as necessary to respond to emergencies or staffing availability as set forth below.

III. RESPONDING TO EMERGENCIES

In order to respond to dangerous or problematic situations that would preclude or substantially impede the safe, secure, and normal operation of the courts (e.g., inclement weather, facility problems, communications problems, systems problems, public health emergencies, and other emergencies with a similar impact), the Trial Court Chiefs may

- A. exercise the authority to alter the normal business hours of the courts or
- B. delegate the authority to alter the normal business hours of the courts to a court administrator or other designee by communicating that delegation through either a standing order or a direct communication to the court administrator or designee.

IV. REDUCING PUBLIC ACCESS TO CLERKS' OFFICES AND IMPLEMENTING SCHEDULE REDUCTIONS DUE TO ABSENCES AND VACANCIES

The Maine Courts have marginally adequate staffing when all positions are filled and all employees can work. Due to vacancies, the difficulty in recruiting, and employee absences for more than two weeks at a time due to illness, it may be necessary to reduce the hours that certain clerk's offices are open to the public.

Before implementing any of the following reductions in public hours, the Director of Court Operations will communicate with the clerk and Regional Scheduling Judge/Justice and obtain the approval of the Trial Court Chiefs. Once approved by the Trial Chiefs, the Chief Justice and the State Court Administrator will review the proposal before implementation.

In addition, when the circumstances so warrant, the Supreme Judicial Court may alter the normal business hours in individual locations or statewide.

A. Reductions in Public Hours

1. When a clerk's office experiences an extended staffing shortage of 20% or more, the office will close to the public for up to 5 hours per week. All vacancies, including those caused by workers' compensation or extended medical leave, will be considered in applying these guidelines.
2. When a clerk's office experiences an extended staffing shortage of less than 20% and there are compelling reasons to do so, the clerk of court may request that the office be permitted to close to the public for a period of no more than 4 hours per week.

B. Reductions in Dockets

1. A staffing shortage of judicial marshals and/or clerks may lead to a reduction in the court's schedule. The following guidelines apply:
 - a. Schedule reductions will first involve non-priority dockets, including civil, small claims, money judgments/disclosures, forcible entry and detainer, and certain protection from harassment cases. At locations where staffing shortages exceed 20%, priority dockets may also be reduced.
 - b. When a staffing shortage involves a consolidated clerk's office, there will be a review of the schedules for both trial courts.
 - c. When the courtroom is open to the public and in-person proceedings are taking place, a judicial marshal must be available for a judicial officer to

conduct proceedings in a courtroom. When possible, marshals will be moved from other locations to cover vacancies. When no marshal is available, the court may consider holding the proceeding remotely or moving the proceeding to a location where a clerk, marshal and courtroom are available.

2. Any reductions in dockets shall be made jointly by the Trial Chiefs and State Court Administrator after consultation with the Director of Court Operations, the Director of State Judicial Marshals, and the Regional Scheduling Judge/Justice. The Director of Court Operations will work with the Regional Scheduling Judges/Justices and affected clerk(s) to make suitable schedule adjustments.

C. Notice of Closures and Reduced Dockets

1. **Notice to the Public.** A notice will be posted on the building and on the Judicial Branch website when a clerk's office is closed to the public due to reduced public hours, and a notice will be posted (or handed out) when there has been a schedule reduction. During the closure, the phones will continue to be answered.
2. **Notice to Judicial Branch Chiefs and Administrative Leaders.** All Chiefs and administrative leaders of the Judicial Branch will receive email notice before reduced public hours are put into effect.

Promulgation Date: March 30, 2023

For the Court,

_____/s/_____
Valerie Stanfill
Chief Justice

Hours of Operation

AO JB-05-04 (A. 3-23), dated March 30, 2023, and effective March 30, 2023

Signed by: Valerie Stanfill, Chief Justice, Maine Supreme Judicial Court

Issued to incorporate the provisions of AO JB-21-01 and AO JB-22-02 (effective Jan. 11, 2022) regarding reduced public access and schedule reductions so that all provisions regarding hours of operation are in a single Administrative Order.

Historical Derivation of JB-05-04

Hours Of Operation

AO JB-05-4 (A. 9-16), dated September 20, 2016, effective September 6, 2016

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

Issued to indicate that hours for all Maine State courthouses and Judicial Branch facilities except for the courthouses located in Rumford, Dover-Foxcroft, Lincoln-Millinocket, Newport, Calais, Houlton, Fort Kent and Presque Isle shall be from 8:00 a.m. to 4:30 p.m., Monday through Friday. In those identified locations, the hours shall remain 8:00 a.m. to 4:00 p.m. Citations to the Maine Rules of Unified Criminal Procedure are added.

Hours Of Operation

AO JB-05-4 (A. 9-11), dated and effective September 19, 2011

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

Hours Of Operation

AO JB-05-4, dated June 29, 2005, effective August 1, 2005

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

Hours Of Operation

AO JB-04-3, dated September 14, 2004, effective October 4, 2004

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

Notice To All Persons Filing Documents With The Portland Courts

Dated May 20, 1996

Signed by the Clerks of Court: James Chute, Supreme Judicial Court; Diane Harvey, Administrative Court; Lucille Lepitre, Superior Court; Debra Nowak, District Court