

STATE OF MAINE
SUPREME JUDICIAL COURT
ADMINISTRATIVE ORDER JB-22-02

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

Effective: January 11, 2022

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 will be necessary to reduce the hours that certain clerk's offices are open to the public. This Administrative Order is not intended to address the closing of clerks' offices for reasons other than extended staffing shortages.

I. SCOPE

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.

II. REDUCTIONS IN PUBLIC HOURS

- A. 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.

- B. 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.

III. REDUCTIONS IN DOCKETS

- A. A staffing shortage of judicial marshals and/or clerks may lead to a reduction in the court's schedule. The following guidelines apply:
1. 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.
 2. When a staffing shortage involves a consolidated clerk's office, there will be a review of the schedules for both trial courts.
 3. 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.
- B. 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.

IV. NOTICE OF CLOSURES AND REDUCED DOCKETS

- A. **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.

- B. 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: January 10, 2022

For the Court:

_____/s/_____
Valerie Stanfill
Chief Justice, Supreme Judicial Court