

**STATE OF MAINE
SUPREME JUDICIAL COURT**

ADMINISTRATIVE ORDER JB-05-18

FAMILY LAW MAGISTRATE¹ AUTHORITY

Effective: August 1, 2005

In addition to any authority granted pursuant to statute or rule, by assignment from the Chief Judge of the District Court, Family Law Magistrates are authorized to do the following in all Family Division cases:

Hear, dispose of, and enter orders on Petitions to Proceed In Forma Pauperis.

Hear, dispose of, and enter orders on all motions, except motions pursuant to Maine Rules of Civil Procedure 12(b)(1), 12(b)(2) and 66, unless otherwise prohibited by statute or by court rule.

Hear, dispose of, and enter orders on requests for attorney fees and costs.

Impose sanctions for a party's failure to comply with discovery, including, but not limited to those set forth in Maine Rule of Civil Procedure 37, but excluding any sanctions or penalties based upon a determination of contempt cognizable under Maine Rule of Civil Procedure 66.

Issue Writs of Habeas Corpus and remand orders.

Enter remand orders in cases in which an incarcerated party is present at a proceeding before a Family Law Magistrate pursuant to a Writ of Habeas Corpus.

In addition, Family Law Magistrates are authorized to administer oaths and affirmations in the conduct of all matters in and relating to the Family Division of the Maine District Court, unless another officer is specifically required to do so.

For the Court,

_____/s/_____
Leigh I. Saufley
Chief Justice

Promulgation Date: July 13, 2005

Historical Derivation of JB-05-26

Family Division Of The Maine District Court
AO DC-98-4, Dated: November 2, 1998
Signed by: Michael N. Westcott, Chief Judge, Maine District Court

AO SJC 114, Dated: April 3, 1998
Signed by: Daniel E. Wathen, Chief Justice, Maine Supreme Judicial Court

¹Family Law Magistrate is a new title which replaces Case Management Officer. The new title will become effective on September 17, 2005. See P.L. 2005, ch. 384 (effective September 17, 2005). In the context of this order, the title Family Law Magistrate is intended to apply to Case Management Officers until their titles change in September 2005.