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Senator Carney, Representative Cardone and Members of the Commission

I write to express the support of the signatories of this letter to the efforts of the Commission to create a plan to integrate the Probate Courts into the Judicial Branch. As Maine attorneys who have practiced in our Probate Courts during our careers, we and our clients have all had "different" experiences depending on the Probate Court to which our matters have taken us. And that is the point: each of the sixteen Probate Courts should not be a separate system with separate views of how justice should be delivered. Therefore, we strongly endorse your efforts.

We believe that Maine deserves a Probate Court system comprised of full-time judges who are fully vetted and appointed. Our clients should not have to wait for months to be heard because the amount of judicial availability varies from County to County. That is sometimes the reality because our probate judges work part-time as judges and practice part-time as lawyers. Because of that, like it or not, when they do their jobs as judges they are burdened by an appearance of impropriety. That's not fair to them and certainly not fair to the public. Those factors as well as an understanding that judges who preside over probate cases deserve the same level of salary and benefits as all our other judges lead us to conclude that appointed probate judges should be in the Judicial Branch.

Registers should continue to function as they do now but receive regular continuing education just as we are required to do as practicing professionals. Most of all we should expect that they will all have the same view of probate matters so that we will get the same answers and services regardless of where we go in the State.

For too long, the Legislature has received reports from distinguished members of the Bar and the Bench recommending a change in the system such as that now under consideration.

For more than 50 years, our Constitution has provided for such a change as soon as the Legislature might act. Now is the time for the Legislature to act and we are happy that your efforts

will help create the system all Mainers deserve. Thank you for reading our letter.

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