

**STATE OF MAINE  
SUPREME JUDICIAL COURT**

ADMINISTRATIVE ORDER JB-05-17 (A. 9-11)

ISSUANCE OF WARRANTS

Effective: September 19, 2011

This order amends JB-05-17, signed June 29, 2005, and effective August 1, 2005.

After a justice or judge has authorized in writing the issuance of a bench warrant, the clerk of court or deputy clerk may provide the signature on the warrant itself, or the clerk or deputy clerk shall present a warrant to a justice or judge for signature in the event that there is any question concerning issuance of the bench warrant.

Bench warrants which a clerk or a designated deputy may sign include those for the arrest of any criminal defendant who fails to appear in court or fails to pay a fine. Other types of bench warrants, such as a warrant for the arrest of an individual found in contempt, must be personally signed by a justice or judge.

Pursuant to Title 4, sections 107-A and 161, of the Maine Revised Statutes, the Chief Justice of the Superior Court or the Chief Judge of the District Court may authorize any clerk or deputy clerk of the court to issue process for the arrest of any persons charged with offenses if the Chief Justice or the Chief Judge is satisfied that the clerk or deputy clerk has the necessary training and learning to perform the function.

Clerks and deputy clerks authorized to issue process for the arrest of any persons charged with offenses are not authorized to establish bail in connection with the arrest of any such persons.

The following procedure shall govern the issuance of process by clerks and deputy clerks for the arrest of persons charged with offenses when the requesting officer or the District Attorney is seeking to have bail set by a justice or judge, rather than a bail commissioner:

