

CITIZEN PETITION FOR LEGISLATIVE INVESTIGATION, PUBLIC HEARINGS, AND REMOVAL PROCEEDINGS BY IMPEACHMENT OR ADDRESS

Re: The Weaponization of Time Against Maine's Children

Public Release - June 27, 2026

This public edition is designed for circulation to legislators, committee staff, journalists, and members of the public. Supporting materials, timelines, orders, filings, portal-rejection records, transcript/audio materials, school-impact records, and related source sets are preserved and available to members of the Legislature, committee staff, or legislative counsel upon request.

Date	June 27, 2026
To	Speaker of the Maine House of Representatives; President of the Maine Senate; Members of the Maine House of Representatives; Members of the Maine Senate; Joint Standing Committee on Judiciary; Governor Janet T. Mills
From	Justin A. Tahai, citizen and parent, acting on behalf of Maine families subjected to systemic delay, administrative neglect, and denial of meaningful justice in child-impact matters
Contact	North Berwick, Maine JTforME.com
CC	Press; oversight bodies; legislative counsel; committee staff; and federal preservation forums

EXECUTIVE SUMMARY

This petition asks the Legislature to investigate a specific form of constitutional failure: the conversion of delay, administrative drift, access control, and selective use of coercive government power into practical denial of justice in child-impact matters.

The central claim is not that every delayed case amounts to misconduct. The claim is that where leadership knows that child-impact matters remain materially delayed, that post-order implementation is drifting, that transcript and audio barriers weaken review, that eFiling and routing systems are obstructing urgent relief, and that children are aging through unresolved harm, continued inaction becomes a public wrong.

The core public issue is the weaponization of time. In a child-impact case, time is not a neutral background condition. Time is the medium through which harm occurs. A delayed hearing can preserve a harmful status quo. A delayed order can allow relational loss to harden. A delayed transcript can weaken review. A rejected filing can consume the narrow window in which relief would still matter. A missing implementation mechanism can convert a nominal court order into an empty statement. The child does not experience those failures as separate administrative categories. The child experiences them as lost time.

This petition does not ask the Legislature to relitigate one custody dispute or substitute itself for an appellate court. It asks whether Maine's governing institutions have permitted the practical accumulation of judicial, administrative, executive, and technological power in a way that allows family rights to be destroyed without being openly denied. James Madison warned in Federalist No. 47 that "[t]he accumulation of all powers, legislative, executive, and judiciary, in the same hands ... may justly be pronounced the very definition of tyranny." In modern family-court practice, accumulation can occur not only through one person holding every office, but through interlocking systems in which each office denies final responsibility while the combined machinery imposes coercive delay on children and parents.

My own matter is offered as an evidentiary anchor, not as the entire public theory. It illustrates how child-impact harm can be prolonged through delay, non-implementation, record barriers, filing barriers, and selective coercive action. The Legislature should investigate whether this is isolated, or whether it reflects a statewide pattern in which Maine has normalized the use of time as an instrument of institutional self-protection at children's expense.

Scope of Petition and Separation-of-Powers Limitation

This petition does not request the Legislature to review, reverse, or interfere with any judicial finding of fact, custody determination, evidentiary ruling, or substantive merits decision in an individual case. It asks the Legislature to investigate administrative, technological, funding, record-access, docket-management, implementation, and leadership failures that determine whether families and children can access timely justice at all.

Those subjects are not an intrusion into adjudication. They are matters of public administration, appropriations, statutory design, technology procurement, transcript and record-access policy, court-system performance, and constitutional accountability. The Legislature need not decide who should prevail in a family case to investigate whether the State has built or tolerated access mechanisms that delay child-impact relief until the remedy is no longer meaningful.

The petition therefore draws a clear line: the Legislature should not sit as a substitute appellate court, but it must not abdicate its oversight role merely because the harm occurs inside or around court administration. A branch boundary cannot become a shield for state-funded systems that deny constituents meaningful access to timely justice.

Public-Record Anchor and Rule-of-Three Framework

To prevent this petition from being mischaracterized as a private grievance, the public-release record should be understood through a rule-of-three framework. The proof structure is not limited to one litigant, one county, or one disputed order. It connects an individual documented record to statewide public admissions, official reports, public technology rollout materials, public child-welfare oversight findings, and published appellate examples.

First, the Judicial Branch itself has publicly acknowledged continuing family-case delay. The 2026 State of the Judiciary reported that many family cases remained significantly delayed, while the 2025 Judicial Branch Annual Report reported that pending family matters remained above the 2019 average. These admissions establish that the delay problem is not imaginary and not confined to one party.

Second, the State has expanded eCourts and eFileMaine into family and child-impact matters through publicly funded access infrastructure. Region 1, including York County Superior Court and Biddeford District Court, moved all case types into the Maine eCourts system as of March 30, 2026. Where a state-funded filing system controls whether urgent materials reach the court, rejection rates, resubmission loops, service-contact failures, training burdens, and emergency filing pathways are legislative oversight issues.

Third, independent child-welfare oversight records show that delays and practice failures are not merely theoretical. The U.S. Department of Health and Human Services Office of Inspector General estimated that Maine failed to comply with one or more screening, assessment, or investigation requirements in 94 percent of sampled child-abuse and neglect reports. Maine Child Welfare Ombudsman reports have separately identified significant struggles in investigation and reunification practice that negatively affect child safety, family integrity, or parental rights.

Fourth, published appellate records show that state-created barriers and procedural failures can materially affect parental rights. In *re Child of Barni A.* involved a record in which a medically complex child qualified for 24/7 private nursing care under MaineCare but did not receive it, and the State's failure bore directly on the parental-rights analysis. Likewise, in *In re Children of Jennifer B.*, the Law Court vacated a termination judgment after concluding that inadmissible hearsay concerning drug-test results had been relied upon in a child-protection matter. These are not private anecdotes; they are public judicial records showing that process failures in child-impact matters can produce severe rights consequences.

The petitioner's record is therefore not offered as the sole foundation of this petition. It is offered as the detailed operational case study within a broader public-record pattern: official delay admissions, public access-system rollout, independent child-welfare audit findings, ombudsman reports, and published appellate examples.

COVER LETTER

Members of the 132nd Maine Legislature, Governor Mills, and members of the press:

I respectfully submit this petition to request legislative investigation into a public failure larger than any single docket: the weaponization of time against children and families in Maine child-impact matters.

In these cases, the State does not act only when it signs an order, schedules a hearing, issues a warrant, detains a person, rejects a filing, or denies a record request. The State also acts through what it permits to continue while it waits. When hearings are delayed, when orders lack usable implementation mechanisms, when transcript and audio access is blocked by cost or procedure, when emergency filings are returned for technical reasons, when administrative presentment is limited, and when no leader treats the accumulated harm as urgent, the State has not remained neutral. It has allowed time to do the work of deprivation.

The abuse identified in this petition is not a claim that the parent seeking relief is the source of the abuse. The public abuse identified here is the abuse of coercive state power and temporal control: the capacity of government systems to move rapidly against a parent through detention, temporary orders, restriction, and enforcement, while moving slowly or not at all when the child needs implementation, clarity, record access, counseling support, school stability, or meaningful judicial review.

This is why the matter is appropriate for legislative inquiry. The Legislature need not decide custody merits to investigate whether Maine's institutions are structurally harming children by delay, access barriers, and failures of leadership. The question is not whether every official acted with malice. The question is whether a known system of delay and non-implementation was tolerated, repeated, or shielded after its child-impact consequences were obvious.

I. CONSTITUTIONAL FRAME: MADISON'S WARNING AND MAINE'S PROMPT-JUSTICE GUARANTEE

The constitutional premise is straightforward. Government power becomes dangerous when no branch, office, or officer can be held practically responsible for the total effect of the system.

James Madison warned in Federalist No. 47 that "[t]he accumulation of all powers, legislative, executive, and judiciary, in the same hands ... may justly be pronounced the very definition of tyranny." That warning is usually understood as a warning against one official openly holding all powers. It is also a warning against a more subtle modern danger: separate offices that formally disclaim responsibility while their combined operation produces the same practical result - unchecked coercive power over the citizen.

In the modern administrative state, a family can confront judicial officers, clerks, eFiling systems, transcript offices, executive agencies, law-enforcement mechanisms, counsel, and appellate gatekeeping processes, each of which claims a limited role. But the child experiences the aggregate result. If the combined operation of those systems delays relief, blocks review, prevents implementation, and preserves a harmful status quo, then the formal separation of offices does not protect the family. It hides the accountability problem.

The Constitution of Maine supplies the corresponding limit. Article I, section 19 promises remedy by due course of law and provides that right and justice shall be administered freely, completely, promptly, and without delay. That language is not ceremonial. It is a command. It applies most urgently where delay changes the substance of the right being protected.

In child-impact matters, promptness is not a luxury. It is part of the remedy. Without promptness, the remedy changes character. It becomes retrospective commentary on harm already absorbed rather than effective protection against harm as it occurs.

II. RE: THE WEAPONIZATION OF TIME AGAINST MAINE'S CHILDREN

Maine is not merely experiencing delay in family and child-impact matters. Maine has allowed time itself to become an instrument of harm.

In cases involving children, time is never neutral. A delayed order is not merely late paperwork. A delayed hearing is not merely backlog. A delayed transcript is not merely administrative inconvenience. A delayed implementation decision is not merely procedural drift. In child-impact cases, delay means missed contact, weakened bonds, educational instability, delayed counseling, emotional deterioration, and the gradual conversion of a child's lived reality into a new court-tolerated status quo.

That is the core public issue raised by this petition: whether Maine's institutions have permitted the weaponization of time against children and families by normalizing backlog, non-implementation, procedural obstruction, technological gatekeeping, and administrative evasion in precisely the cases where time matters most.

This petition is not submitted merely to revisit one family's record. It is submitted because one heavily documented record can expose a broader public failure. The question for the Legislature is not whether one parent is dissatisfied with one case. The question is whether Maine's Judicial Branch and related executive and administrative systems have become structurally capable of destroying rights without formally denying them - simply by delaying relief until the substance of the right is gone.

III. THE PUBLIC FAILURE: DELAY AS HARM, POWER, COERCION, AND DENIAL

1. Delay as Child Harm

When a parent-child relationship is disrupted, delayed relief is not harmless. Delay is not passive. Delay is not empty time. Delay acts on the child.

Every week of drift changes the child's reality. Every month of non-implementation strengthens the very deprivation the court is supposedly reviewing. Counseling delayed is support denied. School instability left unaddressed becomes educational injury. Information barriers imposed on one parent become structural exclusion. In this context, time does not merely pass. It does damage.

Children do not experience delay as an abstract legal concept. They experience it as lived separation, confusion, silence, stress, adult conflict, disrupted routines, academic instability, and the normalization of loss. The law may speak in terms of hearings, motions, findings, transcripts, scheduling, and implementation. The child experiences something else: the accumulation of days in which support was not provided, contact was not preserved, clarity was not enforced, and adulthood failed to protect childhood from bureaucratic drift.

This is why delay in child-impact matters must be understood differently from delay in ordinary civil disputes. A contract can wait without aging. A business claim can wait without changing developmental reality. A financial dispute can often be compensated later. But a child's time cannot be restored. A child ages in one direction only. Lost months are not held in reserve pending judicial convenience. A missed year of meaningful parental contact is not recoverable by later acknowledgment that the process took too long.

2. Delay as Developmental Loss

Delay harms not only legal positions, but human development. When a matter involving a child is not resolved or implemented promptly, the child continues developing inside the unresolved condition. Emotional narratives harden. Distance becomes normal. Alienated patterns settle into routine. Educational instability compounds. Anxiety, loyalty conflict, and adult-role burden may increase. A child who is repeatedly exposed to drift and uncertainty does not remain unchanged while adults argue about procedure. The child adapts to the deprivation.

That adaptation is itself a harm. Courts and agencies may later treat the child's adapted condition as evidence of what is now stable, established, or familiar. In that way, delay does not merely postpone a remedy. It manufactures a new factual baseline that can then be cited to justify continued inaction. Time becomes self-validating. The system first permits the harm to continue, then points to the continuation of the harm as a reason to avoid disruption. That is not neutral adjudication. That is institutional ratification of deprivation by passage of time.

3. Delay as Evidentiary Distortion

Delay also distorts the evidence future decision-makers rely upon. When a parent-child relationship is interrupted and the interruption remains unresolved for months, later evidence no longer reflects the original injury alone. It reflects

the injury plus the system's failure to intervene. A child's reluctance, withdrawal, anger, silence, school deterioration, or changed routine may be treated as independent evidence of present preference or present stability, when it may also be evidence of what delay has produced.

That is why slow process can corrupt later fact-finding. Delay can transform an emergency into a pattern, a pattern into a status quo, and a status quo into an argument against relief. The court record then risks mistaking system-produced conditions for natural facts. This is especially dangerous where one parent has greater control over the child's daily environment, information flow, transportation, school access, therapy scheduling, or communications. In that setting, every uncorrected month strengthens the position created by non-implementation.

The Legislature should treat this as a public oversight problem. A legal system that permits time to reshape the evidentiary landscape and then uses that reshaped landscape as proof against timely correction is not merely delayed. It is structurally biased toward whoever benefits from waiting.

4. Delay as Administrative Power

Maine families are not harmed only by final rulings. They are harmed by the machinery that controls whether relief is ever reached in usable time.

Hearings are delayed. Orders are issued without clear implementation mechanisms. Transcripts and record materials are blocked by cost or process. Emergency filings are trapped in portal-rejection loops. Clerks route, reject, return, defer, and relabel while the underlying child-impact reality continues to deteriorate. This is not a side issue. It is how harm is administered.

Administrative process is often described as neutral, technical, or ministerial. In practice, however, administrative control over timing can become substantive power. Whoever controls when a filing is accepted, when a motion is routed, when a transcript is prepared, when a matter is presented, when implementation is clarified, and when relief is practically reachable holds enormous influence over outcome. In child-impact matters, that temporal control is often outcome-determinative.

The family does not experience administrative delay as neutral workflow. The family experiences it as continued deprivation. The system may describe the problem as pending review, insufficient record, docket congestion, processing backlog, filing defect, caption correction, service-contact issue, or internal routing. The child experiences the consequence. Time continues to operate while institutions defer.

5. Delay as Coercion

Delay can also function as coercion.

A system does not need to openly deny a right in order to pressure surrender. It can instead make pursuit of that right so slow, fragmented, costly, exhausting, and practically inaccessible that the affected person is worn down into abandonment, silence, or forced accommodation. In this sense, delay is not merely a failure of administration. It can become a coercive use of government structure.

When a parent must spend months or years chasing implementation of an existing order, seeking access to records, trying to obtain audio or transcripts necessary for appeal, re-submitting filings through technical gatekeeping loops, or absorbing the practical consequences of a child-impact status quo while officials defer, the system is not simply taking time. It is using time against the litigant and, more importantly, against the child.

This coercive effect is magnified when the affected parent faces repeated signals that meaningful relief will always arrive later: after one more procedural step, after one more corrected filing, after one more internal review, after one more scheduling cycle, after one more record issue, after one more administrative handoff. Delay then becomes disciplinary. It teaches the affected party that persistence will be punished with additional burden while institutional inaction carries no immediate consequence.

6. Delay as Practical Denial

The Constitution is not satisfied by nominal access that cannot be used in time.

A right that exists only on paper but cannot be meaningfully implemented before the child's circumstances have materially changed is not a fully functioning right. A hearing that occurs too late to prevent relational deterioration is not a complete answer to that deterioration. A record that becomes available only after practical injury has deepened is not equivalent to timely appellate access. A formal order without enforceable logistics is not meaningful implementation. A system that delays relief until the underlying reality has already shifted has not merely processed the matter slowly. It has effectively denied timely justice.

This petition therefore asks the Legislature to look past formalism. The question is not merely whether some procedure eventually occurred. The question is whether relief reached the child in time to matter.

7. Delay as Constitutional Breakdown

The Maine Constitution promises justice administered promptly and without delay. That promise is not satisfied merely because a court file exists, a docket number exists, or an eventual ruling is entered after the practical loss has already occurred. A system that allows rights to erode through waiting, deferral, and non-implementation is not faithfully administering justice. It is replacing adjudication with endurance.

That replacement has serious constitutional implications. A constitutional guarantee that can be nullified by accumulated delay is not secure in practice. A justice system that can maintain procedural form while permitting substantive erosion is not functioning as a true safeguard. It is functioning as a time-based filter through which only the most resourced, persistent, or institutionally favored parties can meaningfully survive.

IV. THE STATEWIDE PATTERN THE LEGISLATURE MUST INVESTIGATE

This petition asks the Legislature to investigate whether the weaponization of time has become a systemic feature of Maine governance in child-impact matters.

The issue is larger than any single case and includes, at minimum:

- family-case backlog that leaves children aging through unresolved conflict;
- trial-court orders entered without prompt, enforceable implementation mechanisms;
- appellate barriers created by transcript cost, record-access failures, and refusal to use workable substitutes;
- eFiling systems that block urgent filings through technical rejection loops rather than reaching the merits;
- administrative routing practices that consume time while presenting themselves as neutrality;
- temporary orders, detention authority, and enforcement tools capable of moving quickly against parents while corrective relief for children moves slowly;
- child-welfare failures in which investigations remain unresolved for extraordinary periods while children remain exposed to risk;
- institutional knowledge of these failures without corresponding structural correction.

The Legislature should investigate not only whether these failures exist, but whether they are now so normalized that they function as a shadow policy: a system in which children lose by delay while officials retain plausible deniability because the harm is spread across procedure rather than concentrated in one explicit act.

This is why broad public investigation is necessary. Systems that cause harm through dispersed procedural delay are often harder to confront than systems that act through one dramatic event. There may be no single order, memo, or public statement declaring that time should be used against families. Instead, the harm is generated by cumulative non-action: no prompt triage, no meaningful timetable, no direct implementation mechanism, no adequate record access, no immediate response to child-impact urgency, no institutional willingness to treat delay itself as dangerous.

That pattern is exactly what legislatures are meant to investigate. The Legislature is not confined to asking whether one judge committed one reversible error. It may ask whether the combined conduct of judicial leaders, administrators, clerks, executive officers, technology systems, transcript systems, and policy choices has produced a persistent public failure incompatible with constitutional government.

V. WHY DELAY IS DIFFERENT IN CHILD-IMPACT MATTERS

Delay in child-impact matters must be understood as qualitatively different from ordinary docket congestion.

In many legal settings, delay is frustrating but not transformative. In child-impact cases, delay is transformative. It alters the relationship under review. It changes school outcomes. It affects treatment continuity. It influences emotional development. It changes what the child views as normal. It shifts evidentiary posture by permitting one reality to persist long enough that it begins to look inevitable.

Delay therefore becomes a hidden decision-maker. Even where a judge has not yet ruled on the merits, the passage of time may already be determining the child's lived outcome. The longer the institutions fail to act, the more the factual status quo becomes aligned with the delay itself. By the time the system responds, it often confronts not the original problem but a more entrenched version of it - one partly created by the system's own inaction.

This is one reason a child-impact court system must be judged not only by the content of its final orders, but by the speed, clarity, and enforceability of its response. Where children are concerned, timing is substance.

The Legislature should therefore require child-impact delay to be measured differently. Aggregate case-disposition statistics are not enough. Public reporting should identify how long children wait for implementation after orders are entered, how long parent-child contact disruptions continue while motions are pending, how often transcript and audio barriers delay review, and how often urgent filings are rejected or rerouted before a judicial officer reaches the merits. A system cannot fix what it refuses to measure.

Temporary Process, Permanent Harm

In child-impact matters, the word temporary can become misleading. A temporary order, temporary restriction, temporary lack of contact, temporary delay in implementation, or temporary administrative barrier can become functionally permanent in the life of a child when it remains in place long enough to reshape the child's reality.

A temporary condition that governs a child's daily life for months or years is not temporary in any meaningful developmental sense. It becomes the lived structure of the child's world. If the system later treats that delayed condition as stability, then the State has allowed temporary process to manufacture permanent harm.

This is one of the central reasons legislative investigation is required. The harm is not limited to final orders. Harm can be produced by temporary measures left in place without meaningful review, by temporary emergency assumptions allowed to harden into unchallenged practice, and by temporary administrative barriers that remain unresolved until the child has already adapted to the deprivation.

Temporary authority is sometimes necessary. But temporary authority without prompt review, prompt correction, and prompt implementation becomes a one-way ratchet. It allows government to move quickly when restricting a parent, while moving slowly when restoring contact, correcting facts, securing records, or protecting the child from the consequences of delayed relief.

VI. LEADERSHIP FAILURE AS A PUBLIC WRONG

Institutions often defend themselves by dividing responsibility. A judge may say a clerk handles filing. A clerk may say the rules control. A technology office may say the platform is neutral. A transcript office may say payment rules control. An appellate office may say presentment limits apply. An executive agency may say staffing limits exist. Each statement may be partially true in isolation. None answers the public question created by the combined effect.

Leadership failure is what turns ordinary strain into constitutional harm. Once public officials know that family matters remain delayed, that post-order implementation is drifting, that record access is costly or unavailable, that eFiling barriers can block urgent relief, and that children are absorbing the consequences, continued inaction is not neutral. It is institutional permission.

This petition therefore focuses not only on trial-level adjudication but on the governing layer above it: judicial leadership, court administration, transcript and record systems, eFiling operations, executive child-welfare leadership, and legislative oversight. The public wrong is not only that one case suffered delay. The public wrong is that officials with authority to know, measure, triage, correct, and publicly account for child-impact delay did not produce timely, transparent, and enforceable protection.

When government can move immediately to restrict, detain, or punish, but cannot move with comparable urgency to implement parent-child contact, protect school access, ensure counseling support, or provide a usable appellate record, the imbalance is itself evidence of a coercive system. Power is not measured only by how fast the State can act against a citizen. It is also measured by how slowly the State can move when the citizen seeks relief from harm.

Constituent Access, Appropriations, and Vendor Oversight

The Legislature cannot and should not instruct judges how to decide the merits of pending cases. But the Legislature does control public funding, statutory procedure, court-access design, vendor oversight, technology procurement, transparency requirements, and the conditions under which public systems receive continued appropriations.

A filing portal is not merely a software product. When the State requires or channels court users into a digital access system, that system becomes part of the public justice infrastructure. If urgent child-impact filings are delayed, rejected, returned, or trapped in technical loops, the problem is not only a court inconvenience. It is a constituent-access failure and a public-services failure.

The same is true for transcripts, audio, and record access. If the cost or timing of the record prevents meaningful appellate review before child-impact harm matures, then the Legislature must examine whether public money, fee schedules, contracts, staffing, and administrative rules are being used in a manner consistent with the constitutional promise of prompt justice.

This is the legislative language of the problem: appropriations without performance metrics, modernization without public accountability, public access systems without child-impact safeguards, and state-funded process that can consume time while children bear the cost. Those are proper subjects for hearings, audits, budget conditions, statutory deadlines, and reporting requirements.

VII. EVIDENTIARY ANCHOR: MY RECORD AS PROOF OF OPERATION

My own matter is presented as an evidentiary anchor because it shows how these statewide failure lanes can operate together in one child-impact case. It is not offered as the whole public theory, but as a documented example of the mechanism.

That record includes a long-running deprivation history; multiple guardian ad litem investigations over the life of the matter; disputed findings concerning a critical Thanksgiving 2024 sequence; repeated implementation issues after a final hearing and order; transcript and audio barriers; eFiling rejection loops; school-record and parent-access concerns; and an appellate posture in which further filings could be docketed without presentment for consideration. These are not separate inconveniences. They are connected forms of time control.

The corrected Thanksgiving 2024 sequence remains a central factual anchor. The record asserts that the child was physically at Father's home until approximately noon on Thanksgiving Eve 2024; was supposed to return at approximately 8:00 a.m. on Thanksgiving Day; did not return as scheduled; remained away until the following Monday; and then had only limited Monday contact. That sequence matters because it shows how a disputed factual premise can become embedded in a written order while the child-impact consequences continue.

The record also includes a coercive asymmetry that this petition asks the Legislature to confront directly. In my own record, coercive powers of government were capable of moving quickly when used against me, including a 48-hour hold without bail based on alleged violation of a temporary order entered after years of parent-child deprivation and litigation history. At the same time, the systems responsible for restoring, clarifying, implementing, or reviewing parent-child contact moved slowly, incompletely, or not at all. That asymmetry is not merely frustrating. It is coercive.

I further contend that earlier proceedings reflected an evidentiary posture so dismissive of non-video forms of parental-rights harm that meaningful intervention became functionally unattainable unless extraordinary proof was produced. The Legislature should investigate whether this reflects a broader institutional tendency to require overwhelming evidence from parents seeking relief while permitting delay, refusal, gatekeeping, and obstruction to continue without comparable scrutiny.

The COVID-era backlog and its aftermath also require investigation. Emergency backlog conditions may have begun as a public-health and operational crisis. But where backlog was later used or tolerated as a practical shield for delayed implementation, delayed hearings, delayed review, and delayed accountability, it became more than background hardship. It became an enabling condition that selfish or obstructionist actors could exploit while institutions looked away.

This record matters not because it is unique, but because it is legible. It shows in concrete form how time can be weaponized without any official ever having to say, openly, that delay itself is the tool.

It also shows how the burden of keeping the matter visible shifts onto the affected parent. When institutions delay, it becomes the parent's task to preserve the timeline, chase the record, document the non-implementation, refile the motion, absorb the rejection, correct the packaging, request the access again, and continue carrying the evidentiary burden while the child continues living inside the unresolved condition. The more the system delays, the more it externalizes the labor of its own failure onto the individual seeking relief. That is not a sustainable model of justice. It is an endurance model. It privileges institutional convenience over the child's timeframe.

VIII. ABUSE OF COERCIVE GOVERNMENT POWER

This petition uses the word coercion deliberately.

Coercion is not limited to physical force. Coercion occurs when public power, legal process, detention authority, filing control, record control, financial barriers, and institutional delay are arranged in a way that pressures a person to abandon rights, accept deprivation, or live under a harmful status quo because resistance is made practically unbearable.

The State can coerce by speed and by slowness. It can coerce by acting immediately to restrain a parent, and it can coerce by failing to act when the parent seeks relief. It can coerce by imposing sanctions, and it can coerce by making record access unaffordable or procedurally inaccessible. It can coerce by ordering compliance, and it can coerce by failing to enforce the logistics needed for compliance. It can coerce through temporary orders that remain practically controlling for long periods, and it can coerce through delay that allows temporary deprivation to become the child's lived normal.

The Legislature should examine whether Maine has allowed coercive tools to operate in one direction more readily than the other: swift restriction, slow remedy; swift enforcement, slow implementation; swift punishment, slow record access; swift gatekeeping, slow judicial review. A justice system that can detain quickly but cannot correct child-impact deprivation quickly has a problem of priorities, not merely calendar pressure.

The abuse this petition identifies is not abuse by the parent seeking timely relief. It is the public abuse of coercive power through delay, inaction, access control, and leadership failure. When state power intensifies harm to a child by refusing to move in time, the absence of overt violence does not make the harm benign.

ADDITIONAL SYSTEMIC-PROOF DEVELOPMENT: PUBLIC, ANONYMIZED, AND VERIFIABLE SOURCES

Because family and child-impact matters often contain confidential information, the Legislature should not rely on unsourced private anecdotes or expose private family records in a public release. Instead, the investigation should build comparative proof from public trails left by administrative breakdowns, official tracking systems, and professional legal networks.

1. Legislative Testimony and Committee Records

The Judiciary Committee and related oversight committees receive public testimony on court funding, child welfare, family law, eCourts implementation, transcript access, and access-to-justice barriers. Those records can provide anonymized, public examples of self-represented litigants, attorneys, legal aid organizations, and advocates describing filing barriers, record-access problems, transcript costs, delayed hearings, and implementation failures. The Legislature should require staff to collect and summarize that testimony by problem type, county, case type, and delay duration.

2. Child Welfare Ombudsman Reports

The Maine Child Welfare Ombudsman publishes annual reports containing anonymized findings from case-specific reviews. These reports are especially important because they identify systemic issues while protecting individual privacy. Where the Ombudsman identifies investigation delays, reunification failures, placement instability, visitation barriers, or practice deviations that affect child safety or parental rights, those examples should be treated as public, third-party evidence of temporal harm.

3. Published Law Court Opinions and Appellate Records

When families are able to overcome transcript costs, record-access barriers, and appellate procedure, published Law Court decisions sometimes reveal serious timeline, evidence, service, and implementation failures. The Legislature should direct research staff or legislative counsel to review recent published family, child-protection, parental-rights, protection-order, and access-to-record decisions to identify cases where delay, missing records, inadmissible evidence, service failures, or state-created support gaps affected child-impact outcomes.

4. Self-Represented Litigant and Family-Advocacy Networks

The Legislature should also solicit structured submissions from self-represented litigants, family-law attorneys, guardians ad litem, legal-aid providers, educators, counselors, domestic-violence advocates, fatherhood organizations, and parent-support networks. The request should focus on objective mechanics rather than private custody merits: filing date, rejection date, rejection reason, transcript quote, record-request timeline, hearing date, implementation date, and measurable child-impact consequence.

Uniform Anonymized Format for Comparative Examples

Any comparative examples used in public hearings should follow a uniform format that protects privacy and prevents emotional overreach: county; case type; filing or order date; nature of the administrative barrier; number of days or months of delay; whether the barrier involved eFiling, transcript access, implementation, scheduling, record access, or agency response; and the resulting child-impact consequence. The point is not to publicize private family conflict. The point is to expose the structural mechanics of delay.

A properly developed record could then compare the petitioner's documented case with publicly sourced examples from legislative testimony, Ombudsman reports, and published appellate decisions. That comparison is what converts a single voice into a systemic oversight record.

IX. ANTICIPATED COUNTERARGUMENTS AND RESPONSES

1. "This is merely one litigant's grievance."

No. My case is the anchor, not the whole case. The petition relies on statewide public materials, constitutional text, official judicial-branch statements, public transcript and eCourts materials, public child-welfare reports, and a documented example showing how multiple failure lanes can converge. One case can expose systemic design. The fact that the proof is particular does not mean the problem is isolated.

The Legislature routinely investigates public problems that become visible through individual records: a single tragedy, a single audit, a single administrative failure, a single whistleblower account, or a single documented pattern. The question is not whether the first visible record is universal. The question is whether the record is serious enough to require inquiry into whether similar mechanisms are harming others.

2. "Delay is unfortunate, but not misconduct or coercion."

Ordinary delay is not automatically misconduct. Delay becomes coercive when the State knows that child-impact matters are materially delayed, that implementation and review are being weakened by record and filing barriers, and that children are absorbing the cost, yet leadership fails to provide timely correction. The public issue is knowledge plus authority plus continued inaction.

Delay can also become coercive because it changes the incentives and pressures facing the affected family. A parent may be forced to choose between continued exhaustion, continued cost, continued exposure to accusation, continued procedural complexity, or surrender. A child may be forced to adapt to a harmful condition because the adults and institutions with power do not intervene in time. That is not merely inconvenience. It is the practical use of time as pressure.

3. "Backlog and modernization problems are resource issues, not constitutional issues."

Resource constraints may explain part of a problem. They do not answer the constitutional command that justice be administered promptly and without delay. Once leadership publicly acknowledges continuing family-case delay, resource scarcity becomes a reason for triage and emergency reform, not an excuse for indefinite child-impact harm.

Modernization also cannot be treated as inherently protective. A digital filing system that rejects urgent filings, produces confusing technical loops, or prioritizes form defects over child-impact substance can become a modernized barrier. Technology does not become constitutional merely because it is new. Its constitutional significance depends on whether it provides usable access to timely relief.

4. "Appellate remedies existed, so no legislative issue is presented."

A remedy that exists only on paper is not a complete answer. If practical access to filing, to a usable record, or to timely review is burdened by portal barriers, transcript deposits, unclear audio pathways, delayed record completion, or presentment limitations, then appellate availability does not answer the child-impact problem.

Nor does eventual review cure lost time. In child-impact matters, appellate correction after a relationship has deteriorated, school instability has compounded, or counseling was delayed may be legally important but developmentally incomplete. The Legislature should investigate whether Maine's appellate and record-access systems operate quickly enough to protect children, not merely whether they exist in theory.

5. "Temporary orders and detention tools are sometimes necessary to protect safety."

That is true. This petition does not argue that temporary orders, detention authority, or protective mechanisms are never legitimate. It argues that coercive tools can be deployed rapidly against one parent while the same institutions fail to move with comparable urgency to implement child-contact logistics, correct record barriers, or protect the parent-child relationship from delay. The asymmetry is the issue.

Protective authority must not become a one-way ratchet. If government can restrict quickly, it must also review, correct, and implement quickly. Otherwise, temporary mechanisms can become long-term deprivation tools, especially when paired with backlog, vague implementation, and record-access barriers.

6. "The Legislature cannot relitigate family-case merits."

Agreed. This petition does not ask the Legislature to determine custody merits, credibility findings, or trial-level facts as though it were a court of appeal. It asks the Legislature to examine administration, oversight, leadership knowledge, structural delay, record access, technology barriers, coercive asymmetry, and whether the constitutional promise of prompt justice is being honored in child-impact matters.

Those are legislative questions. They concern public administration, public accountability, court funding, technology procurement, statutory deadlines, oversight mechanisms, removal powers, and institutional design. They do not require the Legislature to become a family court.

7. "Impeachment or address is too extreme."

This petition does not presume that impeachment or address is warranted in every instance of delay. It asks the Legislature to investigate whether leadership failures were known, tolerated, repeated, or shielded in a manner that may constitute gross neglect, nonfeasance, misfeasance, or other grounds for constitutional action. The seriousness of a remedy cannot be evaluated until the seriousness of the failure is investigated.

Impeachment and address are constitutional tools because some failures cannot be corrected by ordinary appeal or internal administration. If the evidence shows that public officers with authority knowingly permitted child-impact systems to operate in a manner that destroyed practical rights by delay, then the Legislature must not dismiss constitutional remedies as politically inconvenient before reviewing the evidence.

METRICS THE LEGISLATURE SHOULD DEMAND

The Legislature should require measurable public reporting rather than accepting generalized assurances that the backlog is improving or that modernization is working. Child-impact delay cannot be evaluated only through aggregate disposition rates. The relevant question is whether relief reaches children in time to matter.

At minimum, the Legislature should demand data on:

- average time from final hearing to written order in family and child-impact cases;
- average time from written order to enforceable implementation review;
- number of family and child-impact filings rejected by eFileMaine, by county, case type, rejection reason, and resubmission interval;
- number of emergency, expedited, or child-impact filings returned, rejected, or rerouted before judicial review;
- average transcript and audio-request cost, wait time, cancellation rate, and appeal impact;
- number of parental-rights, parent-child contact, protection, or child-support implementation matters pending longer than 90, 180, and 365 days;
- number of temporary child-impact orders or restrictions still effectively controlling after six months or one year;
- number of cases in which implementation logistics remained unresolved after a merits order;
- number of self-represented litigant filings rejected for technical defects later corrected without substantive change;
- number of child-welfare investigations, reunification plans, visitation plans, and safety-plan issues delayed beyond applicable policy or statutory timelines.

Without these metrics, the public cannot tell whether delay is being reduced or merely redistributed. A court system cannot claim meaningful improvement while the specific delay most harmful to children remains unmeasured.

X. QUESTIONS THE LEGISLATURE SHOULD REQUIRE TO BE ANSWERED

The Legislature should investigate, at minimum, the following questions:

1. Who knew that family and child-impact matters remained materially delayed, and what specific corrective measures were implemented after that knowledge became public?
2. Which officers had authority over trial-court scheduling, administrative operations, record access, transcript or audio pathways, eFiling implementation, and case-processing reform?
3. What metrics exist for post-order implementation delay in child-impact matters, not merely for case filing and disposition counts?
4. How often have urgent family or child-impact filings been rejected, returned, or rerouted in ways that caused practical delay after the Region 1 eCourts expansion?
5. What safeguards exist to ensure that transcript fees, deposits, or record-access rules do not prevent timely appellate review where a child's welfare or a parent-child relationship is at stake?
6. How often have child-impact matters involving temporary orders remained effectively controlled by temporary conditions for long periods because final hearing, implementation, or review was delayed?
7. What communication occurred among judicial leadership, court administration, technology operations, transcript operations, and trial-court leadership regarding family-case delay and access barriers?
8. How do executive child-welfare failures, service delays, staffing shortages, and court delay interact to compound harm to children and families?
9. What policies exist to ensure that coercive state powers, including detention and temporary restriction, are matched by equally prompt review and corrective mechanisms?
10. If leadership knew that these systems were harming families by delay, drift, selective enforcement, or non-implementation, why was corrective action not faster, clearer, and more measurable?

STAGED ESCALATION OF LEGISLATIVE REMEDIES

The petition does not ask the Legislature to begin with removal as a predetermined outcome. It asks the Legislature to proceed through a staged constitutional response proportionate to the evidence.

First, the Legislature should audit the access systems: eFiling rejection data, transcript and audio access, record-request timelines, emergency filing pathways, and post-order implementation delays.

Second, the Legislature should hold public hearings to determine whether delay in child-impact matters is being treated as ordinary backlog when it should be treated as developmental harm and constitutional injury.

Third, the Legislature should enact statutory deadlines and mandatory escalation triggers for child-impact implementation, record access, transcript or audio alternatives, and urgent filings that cannot safely wait for ordinary administrative routing.

Fourth, if investigation shows knowing leadership failure, gross neglect of duty, refusal to correct known harm, misuse of public power, or a pattern of shielding administrative breakdown from accountability, then the Legislature must consider its constitutional removal and discipline tools, including address, impeachment, censure, referral, resignation demand, budget conditions, or structural reorganization.

This staged approach prevents dismissal of the petition as rhetorical excess. It makes clear that impeachment or address is not a slogan. It is the constitutional endpoint if the evidence establishes that officers with authority knew of child-impact harm and failed to act.

XI. REQUESTED LEGISLATIVE ACTION

I respectfully request that the Legislature treat this not as an isolated complaint but as a constitutional warning.

The Legislature should:

11. Open a formal legislative investigation into delay, non-implementation, filing barriers, transcript and audio-access barriers, coercive asymmetry, and child-impact harm in Maine family and related child-welfare matters.
12. Hold public hearings focused specifically on the weaponization of time against children and families, including testimony from parents, self-represented litigants, educators, counselors, guardians ad litem, court users, former court personnel, technology users, and child-welfare stakeholders.
13. Compel production of public and internal materials sufficient to evaluate leadership knowledge, corrective authority, institutional response, and the practical operation of access barriers.
14. Determine which officers had notice, authority, and responsibility to correct these failures, and whether the evidence supports impeachment, address, censure, referral, structural reform, budgetary conditions, or statutory corrective action.
15. Enact reforms that prioritize rapid implementation, record access, and meaningful review in child-impact matters, including workable use of audio or other record substitutes where appropriate.
16. Require transparent public reporting on family-case delay, post-order implementation performance, rejected urgent filings, record-access wait times, and child-impact triage outcomes so that harm cannot hide inside aggregate statistics or generalized assurances of modernization.
17. Create mandatory escalation procedures when child-contact implementation, school access, medical or therapy access, or record access remains unresolved beyond short statutory deadlines.
18. Review procurement, rollout, and oversight of any technology system that controls court access, including whether vendor-driven or platform-driven processes have imposed unconstitutional practical barriers on self-represented families.

The Legislature should also consider whether child-impact cases require statutory deadlines for implementation review, mandatory escalation triggers when post-order logistics remain unresolved, presumptive access to affordable record alternatives, and special oversight mechanisms when administrative barriers impede timely relief. A justice system that handles children's time as if it were interchangeable with institutional convenience requires legislative correction.

XII. MATERIALS AVAILABLE UPON REQUEST

This public edition does not attach the full evidentiary record. That omission is intentional. A public release should identify the constitutional issue, the statewide pattern, the specific leadership questions, and the request for legislative action without unnecessarily publishing sensitive child-related records or overwhelming the public reader with a full exhibit dump.

Supporting materials are preserved and available upon request to members of the Legislature, committee staff, or legislative counsel. Those materials include timelines, orders, motions, portal-rejection records, transcript and audio materials, school-impact records, correspondence, docket materials, and related source sets organized for review.

The absence of attached exhibits in this public edition should not be mistaken for absence of documentation. It reflects a deliberate public-facing posture: protect sensitive materials from unnecessary circulation while making them available to officials with oversight authority and appropriate review responsibilities.

XIII. CONCLUSION

The people of Maine should not be instructed to accept this as normal. A system that can acknowledge family delay, continue expanding technological gatekeeping, maintain pay-first record-access rules, allow implementation to drift, and deploy coercive tools faster than corrective tools is not merely strained. It is constitutionally failing children.

This petition is about more than one family, one judge, one clerk, one order, or one technology platform. It is about a governing failure far more dangerous than ordinary disagreement: a public system that can destroy rights by delaying them.

Children do not get their lost months back. Families do not get their lost years back. A parent does not recover a child's adolescence because a procedural point is eventually recognized after time has already done the work of deprivation. A child does not recover lost support because an institution later admits that a system was overburdened. A relationship is not restored by explaining, after the fact, that the docket was crowded, the transcript was expensive, the filing was rejected, or the matter was routed elsewhere.

If Maine has allowed its institutions to operate in a manner where delay performs the real work of denial, then the Legislature must name that reality for what it is. The weaponization of time against children is not a private problem. It is a public scandal. And if it has been known, tolerated, repeated, or shielded by officers of this State, then legislative action is not optional. It is the constitutional remedy.

Respectfully submitted,

/s/Justin A. Tahai

Justin A. Tahai

SELECTED PUBLIC AUTHORITIES AND REPORTS

- [1] The Federalist No. 47 (James Madison).
- [2] Constitution of Maine, art. I, section 19.
- [3] Constitution of Maine, art. IV, pt. 1, section 8.
- [4] Constitution of Maine, art. IV, pt. 2, section 7.
- [5] Constitution of Maine, art. IX, section 5.
- [6] Chief Justice Valerie Stanfill, State of the Judiciary Address to the 132nd Maine Legislature (Feb. 12, 2026), official Maine Judicial Branch publication.
- [7] Maine Judicial Branch, 2025 Annual Report (published 2026).
- [8] Maine Judicial Branch, official Maine eCourts rollout notices for Judicial Region 1 and related eFiling implementation materials.
- [9] Maine Judicial Branch, Court Transcripts webpage and Office of Transcript Operations guidance.
- [10] Maine Judicial Branch, Revised Court Fees Schedule and related administrative materials governing transcript and audio fees.
- [11] Maine Judicial Branch, Maine eCourts and eFileMaine webpages identifying Region 1 courts and the Mar. 30, 2026 implementation date.

- [12] U.S. Department of Health and Human Services, Office of Inspector General, Maine Did Not Comply With Screening, Assessment, and Investigation Requirements for Responding to Reports of Child Abuse and Neglect (Nov. 2024).
- [13] Maine Department of Health and Human Services, Office of Child and Family Services, Child Welfare Reports webpage and linked 2024 Child Welfare Ombudsman materials.
- [14] Supporting case-specific materials, timelines, orders, filings, correspondence, transcript/audio materials, school-impact records, and eFiling records are preserved and available upon request to members of the Legislature, committee staff, or legislative counsel.

[15] Maine Judicial Branch, State of the Judiciary Address (Feb. 12, 2026), acknowledging that many family cases remain significantly delayed.

[16] Maine Judicial Branch, 2025 Annual Report, reporting that pending family matters remained around 8% higher than the 2019 average.

[17] Maine Judicial Branch, News and Announcements, Updates and Reminders in Preparation for Maine eCourts and eFiling in York County Courts (Mar. 23, 2026), describing Region 1 expansion to all case types on Mar. 30, 2026.

[18] U.S. Department of Health and Human Services, Office of Inspector General, Maine Did Not Comply With Screening, Assessment, and Investigation Requirements for Responding to Reports of Child Abuse and Neglect, A-01-23-02500 (issued Nov. 7, 2024; posted Nov. 14, 2024).

[19] Maine Child Welfare Ombudsman, 2024 Annual Report, identifying significant struggles in child-welfare practice, especially during investigations and reunification.

[20] Maine Child Welfare Services Ombudsman, 2025 Annual Report, reporting 747 inquiries, 66 opened cases, and children represented across opened reviews.

[21] *In re Child of Barni A.*, 2024 ME 16, public Law Court decision addressing state failure to provide legally qualifying 24/7 private nursing care in a parental-rights matter.

[22] *In re Children of Jennifer B.*, 2026 ME 47, public Law Court decision vacating a termination judgment after evidentiary error concerning drug-test testimony.