

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1358

H.P. 980

House of Representatives, April 26, 1989

Reference to the Committee on Judiciary suggested and ordered printed.

*Ed Pert*

EDWIN H. PERT, Clerk

Presented by Representative RICHARDS of Hampden.

Cosponsored by Representative MARSANO of Belfast and Representative LAWRENCE of Kittery.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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An Act to Amend the Law Concerning Taxing of Costs in Civil Actions.

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1 **Be it enacted by the People of the State of Maine as follows:**

3 **14 MRSA §1502-D**, as reallocated by PL 1985, c. 737, Pt. A,  
5 **§36**, is amended to read:

7 **§1502-D. Taxing of costs; hearing**

9 The prevailing party or his the party's attorney shall  
11 submit a bill of costs to the court not later than 10 days after  
13 entry of judgment and serve copies on all parties required to pay  
15 these costs except that no notice of a bill of costs is required  
17 to be served on defendants against whom a default judgment was  
19 entered in the action. Any party required to pay all or any part  
21 of these costs may, within 10 days after the date of service, as  
23 provided in this section, challenge any items of cost and request  
25 review by the court. The prevailing party shall, within 10 days  
27 after such a challenge, submit to the court any vouchers or other  
records verifying any challenged items of cost. Either side may  
request oral argument and submit affidavits and briefs. Any  
evidentiary hearing on the reasonableness of costs will be held  
only when the judge determines that there exists a substantial  
need for the hearing and the amount of challenged costs are  
substantial. If the presiding judge determines that the  
imposition of costs will cause a significant financial hardship  
to any party, he that judge may waive all or part of the costs  
with respect to that part.

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**STATEMENT OF FACT**

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This bill resolves a conflict between the Maine Rules of  
Civil Procedure and law pertaining to the notice requirement to  
defaulted judgment debtors.

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