

MAINE STATE LEGISLATURE

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(Filing No. S-79)

JUDICIARY

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STATE OF MAINE

SENATE

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 222, L.D. 504, "An Act to Improve Family Court Procedure"

Amend the bill in section 2 in §1653-B in subsection 1 in the 6th line (page 1, line 25 in L.D.) by striking out the following: "physical or emotional"

Amend the bill in section 2 in §1653-B in subsection 2 in paragraph A in the last line (page 1, line 30 in L.D.) by striking out the following: "physical or emotional"

Amend the bill in section 2 in §1653-B in subsection 3 in the 3rd and 4th lines (page 1, lines 36 and 37 in L.D.) by striking out the following: "physical or emotional"

Amend the bill by inserting after section 3 the following:

'Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Establishes one Judge position, one Deputy Marshal position and one Assistant Clerk position effective January 1, 2026 and provides funding for related All Other costs.

GENERAL FUND	2025-26	2026-27
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$192,895	\$402,799
All Other	\$31,530	\$15,930

GENERAL FUND TOTAL	\$224,425	\$418,729
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Courts - Supreme, Superior and District 0063

Initiative: Provides one-time funding for printing costs to update a Guide to Family Separation in Maine.

GENERAL FUND	2025-26	2026-27
All Other	\$10,000	\$0

COMMITTEE AMENDMENT

ROS

1			
2	GENERAL FUND TOTAL	\$10,000	\$0
3			
4	JUDICIAL DEPARTMENT		
5	DEPARTMENT TOTALS	2025-26	2026-27
6			
7	GENERAL FUND	\$234,425	\$418,729
8			
9	DEPARTMENT TOTAL - ALL FUNDS	\$234,425	\$418,729

10

11 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section

12 number to read consecutively.

13 SUMMARY

14 This amendment changes the legal standard for issuing an ex parte emergency parental

15 rights order. Under the amendment, the plaintiff must show that there is an immediate and

16 present risk of substantial harm to the health or safety of the child. It also adds an

17 appropriations and allocations section.

18 FISCAL NOTE REQUIRED

19 (See attached)

**132nd MAINE LEGISLATURE****LD 504****LR 735(02)****An Act to Improve Family Court Procedure**

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-79)
Committee: Judiciary
Fiscal Note Required: Yes

Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
Net Cost (Savings)				
General Fund	\$234,425	\$418,729	\$433,230	\$448,253
Appropriations/Allocations				
General Fund	\$234,425	\$418,729	\$433,230	\$448,253

Fiscal Detail and Notes

Beginning January 1, 2026, this bill authorizes a party to a family matter involving a child to file a motion requesting that the court issue an ex parte emergency parental rights and responsibilities order under certain circumstances and requires the court to hold a hearing 21 days after issuance on the need for continuation of the order.

The bill includes General Fund appropriations to the Judicial Department of \$234,425 in fiscal year 2025-26 and \$418,729 in fiscal year 2026-27 to establish one Judge position, one Deputy Marshal position and one Assistant Clerk position, effective January 1, 2026, to implement the aforementioned process.

Any additional costs to the Maine Commission on Domestic and Sexual Abuse associated with establishing a working group to evaluate the efficacy of the process for the emergency parental rights and responsibilities order are expected to be minor and can be absorbed within existing budgeted resources.