

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

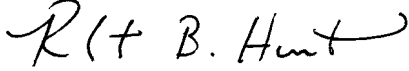
No. 1129

H.P. 748

House of Representatives, March 18, 2025

**An Act to Clarify Standards for Defendants' Post-judgment Motions
for Relief from Protection from Abuse Orders**

Reference to the Committee on Judiciary suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative KUHN of Falmouth.

Cosponsored by Representatives: CLOUTIER of Lewiston, MEYER of Eliot, MURPHY of Scarborough, PUGH of Portland, SINCLAIR of Bath, STOVER of Boothbay.

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

2 **Sec. 1. 19-A MRSA §4111, sub-§4** is enacted to read:

3 **4. Action by defendant.** Absent extraordinary circumstances, a defendant may file a
4 motion to extinguish a final order only in accordance with the Maine Rules of Civil
5 Procedure pertaining to relief from judgments. Motions to enforce a temporary or final
6 order and motions for contempt are not post-judgment remedies available to defendants
7 under this chapter. The court may dismiss any motion under this subsection without a
8 hearing.

9 **SUMMARY**

10 This bill clarifies that a defendant seeking relief from a protection from abuse order
11 may file a motion to extinguish a final order only in accordance with the Maine Rules of
12 Civil Procedure unless there are extraordinary circumstances. The bill further clarifies that
13 motions to enforce an order and motions for contempt are unavailable remedies to those
14 defendants. Under the bill, the court may dismiss without a hearing any motion filed by the
15 defendant seeking post-judgment relief.