

MAINE STATE LEGISLATURE

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STATE OF MAINE
132ND LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

JOINT STANDING COMMITTEE ON JUDICIARY

August 2025

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JOINT STANDING COMMITTEE ON JUDICIARY

LD 966 An Act Allowing Access by State Agencies and Hospitals to Certain Confidential Probate Court Records

ENACTED LAW SUMMARY

Public Law 2025, chapter 18 amends the provisions of the Maine Uniform Probate Code regarding the confidentiality of probate proceedings in the following ways.

1. It provides that an authorized employee or legal counsel of the Department of Health and Human Services, the Office of the Attorney General, an agency designated by the Governor to provide protection and advocacy for persons with disabilities, a private mental hospital or a hospital may access confidential probate court records in adult or minor guardianship, conservatorship and protective arrangement proceedings if the access is to carry out an official function, duty or responsibility in the public interest.
2. It permits an authorized employee or legal counsel of a nonprofit organization that provides civil legal services to elderly residents of the State and that receives funding from the Maine Civil Legal Services Fund to access confidential probate court records in adult guardianship, conservatorship and protective arrangement proceedings if the access is to carry out an official function, duty or responsibility in the public interest.
3. It delays the April 1, 2025 effective date of the statutes governing the confidentiality of records in adult and minor guardianship, conservatorship and protective arrangement proceedings. Under Public Law 2025, chapter 18, these statutes take effect on January 15, 2026 or on the effective date of amendments to the Maine Rules of Probate Procedure incorporating the substantive requirements of the law, whichever is earlier.
4. It directs the Supreme Judicial Court when it adopts amendments to the Maine Rules of Probate Procedure to carry out the provisions of this law to specify how an entity described in this law may designate an employee who must have the ability to access and to review probate court records to carry out an official function, duty or responsibility in the public interest; the process by which a register of probate shall ensure that an individual seeking access to probate court records is authorized to access those records; and the process by which the register shall provide access to those records.
5. It requires the Supreme Judicial Court to submit reports by May 1, 2025 and by June 1, 2025 to the Joint Standing Committee on Judiciary describing the progress made toward adopting amendments to the Maine Rules of Probate Procedure to carry out the provisions of this law and identifying the estimated date by which those amended rules will take effect.

Public Law 2025, chapter 18 was enacted as an emergency measure effective April 1, 2025.