

MAINE STATE LEGISLATURE

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June 18, 1943.

John H. San Filippo, Esq.,
50 Court Street,
Brooklyn New York.

Dear Sir:-

Your letter of June 16th, addressed to the Marriage License Bureau, has found its way to this office.

Section 12 of Chapter 73 of the Revised Statutes of Maine, reads as follows: "When residents of the state go out of it for the purpose of obtaining a divorce for causes which occurred here while the parties lived here, or which do not authorize a divorce here, and a divorce is thus obtained, it shall be void in this state; but in all other cases, a divorce decreed out of the state according to the law of the place, by a court having jurisdiction of the cause and of both parties, shall be valid here."

The decisions of the Maine courts in connection with divorces granted outside the State have been made on the facts in each individual case, and no general rule can be laid down. There is no assurance that the Maine courts would recognize a divorce granted in another State. It would seem there is even less assurance of recognition of a foreign divorce.

Please understand that this letter is entirely unofficial in its nature, as this office cannot render advice or opinions except to the various State departments and organizations.

Very truly yours,

Frank A. Farrington
Deputy Attorney General

FAF:c