

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

January 9, 1951

~~Yes~~
no

To Fred M. Berry, State Auditor
Re: Municipal Court Fees

Reference is made to your memorandum of December 28, 1950, relative to the extending of credit by municipal courts for fees involved in civil actions.

A careful study has been made of the statutes of the State relative to this matter and we confess that we have not found a particular statute applicable to these funds as received by municipal courts. There probably are provisions in municipal court charters in some cases, relative to the handling of civil fees, and there are specific statutes applicable to the fees of probate courts and fines of Superior Courts.

While the statutes appear to be silent on the subject, it is reasonable to suppose, from the general intent and tenor of other statutes applicable to other courts, that the extension of credit for fees due in civil cases would be at the peril of the court officer so extending credit.

It is possible that we have missed an existing statute applicable to this situation. However, if we are correct in that there is no statute, it may be desirable that the Director of Legislative Research be requested to draft a statute which will take care of the situation.

John S. S. Fessenden
Deputy Attorney General

jssf/c