

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1381

H. P. 1016

House of Representatives, March 2, 1965

Received by unanimous consent. Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Brennan of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

**AN ACT Relating to Appointment of Agent or Guardian Ad Litem in Actions
for Equitable Relief in Mortgage Foreclosures.**

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

R. S., T. 36, § 946, sub-§ 1, amended. Subsection 1 of section 946 of Title 36 of the Revised Statutes is amended by adding at the end, a new paragraph, as follows:

‘If after notice has been given or served as ordered by the court and the time limited in such notice for the appearance of the defendants has expired, the court finds that there are or may be defendants who have not been actually served with process and who have not appeared in the action, it may of its own motion, or on the representation of any party, appoint an agent, guardian ad litem or next friend for any such defendant, and if any such defendants have or may have conflicting interests, it may appoint different agents, guardians ad litem or next friends to represent them. The cost of appearance of any such agent, guardian ad litem, or next friend, including the cost of compensation of his counsel, shall be determined by the court and paid by the plaintiff, against whom execution may issue therefor in the name of the agent, guardian ad litem, or next friend.’