

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 611

H. P. 456

House of Representatives, February 4, 1971

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Hewes of Cape Elizabeth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Revising Probate Rules and Blanks.

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

Sec. 1. R. S., T. 4, § 351, amended. The 2nd sentence of the first paragraph of section 351 of Title 4 of the Revised Statutes is amended to read as follows:

The blanks for use in said courts approved by the Supreme Judicial Court September 30, 1916, February 16, 1932, January 26, 1956 and January 21, 1960, and as thereafter revised and approved, shall be used in all courts of probate and insolvency, and no other blanks shall be used therein.

Sec. 2. R. S., T. 4, § 351, amended. The last 4 sentences of the first paragraph and all of the 2nd paragraph of section 351 of Title 4 of the Revised Statutes are repealed and the following enacted in place thereof:

The judges of probate may make new rules and blanks or amendments to existing rules and blanks, or discontinue the use of blanks as changes in statutes or convenience requires. Such new rules and blanks, or amended rules and blanks, when submitted to the Supreme Judicial Court, by a majority of the judges of probate, and when approved by the Supreme Judicial Court or a majority of the justices thereof, shall take effect and be in force in all courts of probate and insolvency, and no other blanks shall be used therein.

A majority of the judges of probate may designate a judge of probate who shall have the approved changes in rules and blanks printed and the expense thereof shall be paid from any appropriation made therefor.

STATEMENT OF FACT

The purpose of this bill is to clarify the duties of a judge of probate on the Commission on Probate Rules and Blanks.