

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1041

H. P. 852

House of Representatives, March 12, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. Ingegneri of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Increase Costs and Fees Taxed and Allowed in the District Court.

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

Sec. 1. 4 MRSA § 174, sub-§ 1 is amended to read:

1. Damages \$20 or more. Where the damages recovered amount to \$20 or more;

Summons	\$3.50	\$5.00
Entry	1.00	2.50
Officers' fees for serving summons and writ of attachment, as allowed by the court		—
Attendance	3.50	5.00
Travel	.66	1.00
Witness fees, as allowed by the court		—

Sec. 2. 4 MRSA § 174, sub-§ 2 is amended to read:

2. Damages less than \$20. Where the damages recovered amount to less than \$20;

Summons	2.00	3.50
Entry	1.00	2.00
Officers' fees for serving summons and writ of attachment, as allowed by the court		—
Attendance	2.00	2.50
Travel	.66	1.00
Witness fees, as allowed by the court		—
To defendants who prevail:		

Pleadings	2.00	3.50
Witness fees as allowed by the court		—
Attendance	2.00	3.50
Travel	.66	1.00
To trustees who make disclosure:		
Disclosure	1.00	2.00
Attendance	2.00	3.50
Travel	.66	1.00
Witness fees, as allowed by the court		—

Sec. 3. 4 MRSA § 174, last 5 ¶¶, as amended by PL 1965, c. 19, § 2, are further amended to read:

If the prevailing party actually travels more than 10 miles for the special purpose of attending court in any such action, he may be allowed by the court for every 10 miles so traveled ~~\$.33~~ \$1.00

Copies of papers for removal or appeal to the Superior Court, to be paid by the appellant to the District Court and taxed in his cost by the Superior Court if he finally prevails ~~\$5.00~~ \$20.00

If any attorney at law or other person demands or takes for a writ of attachment with a summons or for an original summons and complaint, returnable before a Judge of a District Court, more than the costs and fees allowed in the preceding paragraphs of this section from the defendant, he forfeits to the defendant not less than ~~\$5~~ \$10 nor more than ~~\$10~~ \$20, to be recovered in a civil action, but nothing ~~herein~~ contained in this section shall be so construed as to reduce the fees of District Courts otherwise established by law.

Fees in criminal cases.

Receiving a complaint and issuing a warrant	\$5.00	\$10.00
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The aforesaid fees when received shall be disposed of as provided by the public laws.

Sec. 4. 4 MRSA § 175 is amended to read:

§ 175. Fees of court

The fees of the District Courts shall be as follows:

For every blank document with or without seal	\$.10	\$.50
Filing of action	1.00	10.00
Copy of summons, complaint, writ of or other process, or abstract thereof, together with copy of order of notice thereon, not less than 1.00 for the first page or part thereof, and 25¢ for each additional page or part thereof		
Exemplifying copies, not less than		\$1.00
Copy of decree of divorce or certificate of same not less than	\$1.00	5.00
Computing damages and taxing cost	1.00	2.00

Writ of execution or renewal	1.00	2.00
Every other writ and seal	1.00	2.00
Subpoena for one witness or more or with a duces tecum	.75	.50
Removal or appeal of court action to Superior Court including entry fee	\$7.00	\$25.00

STATEMENT OF FACT

The schedule of fees for Superior Court was increased to become effective January 1, 1975. Because of the increase in costs in the District Court, the fee schedule should be increased as was the fee schedule for the Superior Court.