

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1126

S. P. 338

In Senate, March 19, 1975

On Motion of Senator Katz of Kennebec referred to the Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Clifford of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Concerning the Granting of Ex Parte Temporary Injunctive Relief by the Superior and Supreme Judicial Courts.

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

14 MRSA § 6051, sub-§ 14 is enacted to read:

14. Ex parte injunctive relief. The justices of the Superior Court and of the Supreme Judicial Court shall have jurisdiction to grant ex parte temporary injunctive relief in appropriate circumstances and in accordance with the Maine Rules of Civil Procedure, notwithstanding that an action has not been formally commenced in accordance with the Maine Rules of Civil Procedure, provided, however, that in granting such relief, such justice shall require that the applicant for such relief shall commence an action in accordance with the Maine Rules of Civil Procedure prior to the end of the next business day upon which the clerk of courts' office is open, unless such justice for good cause shown requires otherwise, in which case such justice shall state such good cause in his order.

STATEMENT OF FACT

The purpose of this Act is to clarify jurisdiction of the Superior Court in temporary restraining order cases.