

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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ONE HUNDRED AND SEVENTH LEGISLATURE

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**Legislative Document**

**No. 2214**

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H. P. 2040 House of Representatives, February 13, 1976  
Referred to the Committee on Judiciary. Sent up for concurrence and  
ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Martin of Eagle Lake.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SIX

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**AN ACT** Relating to the Priority of Attorneys' Liens in Regard to  
Allegedly Stolen Property.

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

14 MRSA § 2602-A is enacted to read:

§ 2602-A. Attorneys' liens; allegedly stolen property

In any civil action in which the plaintiff or plaintiffs seek the restoration of or compensation for money or other personal property allegedly taken by theft and in which trustee process is used with regard to money or other personal property which the defendant or defendants have placed in this State, the claim of the plaintiff or plaintiffs shall have priority over an attorney's lien for services performed or to be performed for the defendant or defendants.

STATEMENT OF FACT

This bill would give a plaintiff's claim priority over a defendant's attorney's lien for services, with regard to money or property that a defendant has placed in the custody of his attorney, when the purpose of the plaintiff's claim is to recover stolen money or property. In a recent case under the present law, the court was obliged to give priority to the attorney's lien.