

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 928

H. P. 741

House of Representatives, March 2, 1979

On Motion of Mr. Hughes of Auburn, referred to the Committee on Judiciary.
Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hobbins of Saco.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Permit the Consolidation of Certain Court Cases.

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

14 MRSA § 6001, as last amended by PL 1977, c. 401, § 2, is further amended by adding a new paragraph after the first paragraph to read:

Whenever a forcible entry and detainer action is pending in district court, and another action concerning the same premises and the same parties is pending in another court, either party may request consolidation of the 2 actions.

STATEMENT OF FACT

At present, when a landlord seeks to evict a tenant through a forcible entry and detainer action, he is prohibited from pursuing any other claims against the tenant. Likewise, the tenant is prohibited from filing any counterclaims.

This bill provides that at the request of either party a court can permit other pending claims and legal actions to be consolidated and heard at the same time.

It is anticipated that by removing the necessity for duplicate judicial proceedings, court time and expenditures can be reduced, while not jeopardizing the quality of judicial determinations.