

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 735

6
7 S.P. 277

In Senate, February 27, 1985

8 Reference to the Committee on Judiciary suggested and ordered printed.

9 JOY J. O'BRIEN, Secretary of the Senate

10 Presented by Senator Carpenter of Aroostook.

Cosponsored by Representative Stetson of Damariscotta and
Representative Warren of Scarborough.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Clarify Recoverable Costs in Civil
18 Actions.
19

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

22 Sec. 1. 14 MRSA §1502 is repealed and the fol-
23 lowing enacted in its place:

24 §1502. Recoverable costs

25 The following costs shall be allowed to prevail-
26 ing parties in civil actions:

27 1. Filing fees. Filing fees;

28 2. Fees for service of process. Fees for ser-
29 vice of process and other documents served by sher-
30 iff, deputy, constable or other person authorized by
31 law;

1 3. Fees and travel costs paid to subpoenaed wit-
2 nesses. Fees and travel costs paid to subpoenaed
3 witnesses;

4 4. Reasonable fees and expenses paid to expert
5 witnesses. Reasonable fees and expenses paid to ex-
6 pert witnesses, including fees and expenses incurred
7 in investigation, consultation, preparation for trial
8 and trial;

9 5. Fees of court reporters. Fees of court re-
10 porters, including costs of transcripts of depositions;
11

12 6. Reasonable travel expenses of the parties'
13 attorneys. Reasonable travel expenses of the parties'
14 attorneys incurred during discovery;

15 7. Cost of medical reports. The cost of medical
16 reports, not part of the treatment of a patient,
17 which are prepared for the purposes of litigation and
18 which are exchanged by the parties during case prepara-
19 tion;

20 8. Costs of charts, diagrams, photographs and
21 other visual aids. The costs of charts, diagrams,
22 photographs and other visual aids necessary for clear
23 understanding of the case by the court or jury; or

24 9. Other costs. Such other costs as the Supreme
25 Judicial Court may direct by rule.

26 The prevailing party or his attorney shall submit
27 a bill of costs to the court not later than 10 days
28 after entry of judgment and serve copies on all parties
29 required to pay these costs. Any party required
30 to pay all or any part of these costs may, within 10
31 days after the date of service, challenge any items
32 of cost as excessive and request review by the court.
33 The prevailing party shall, within 10 days after such
34 a challenge, submit to the court any vouchers or other
35 records verifying any challenged items of cost.
36 Either side may request oral argument and submit af-
37 fidavits and briefs. Any evidentiary hearing on the
38 reasonableness of costs will be held only when the
39 judge determines that there exists a compelling need
40 for the hearing and the amount of challenged costs

