

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 917

6
7 H.P. 647

House of Representatives, March 5, 1985

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

9 EDWIN H. PERT, Clerk

10 Presented by Representative Ridley of Shapleigh.

Cosponsored by Representative Crowley of Stockton Springs,
Representative Gwadosky of Fairfield and Representative Weymouth of West
11 Gardiner.

12 STATE OF MAINE
13

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

17 AN ACT Relating to Protection from Abuse Law.
18

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

21 Sec. 1. 19 MRSA §764, sub-§3, as amended by PL
22 1979, c. 677, §8, is further amended to read:

23 3. Fees. No fee shall be charged for forms
24 or filing a complaint. A plaintiff may apply for
25 leave to proceed in forma pauperis. If a plaintiff
26 fails to appear at a full hearing as required by sec-
27 tion 765, subsection 7, without good cause, the
28 plaintiff shall be required to pay a fee not to ex-
29 ceed \$10 prior to filing a subsequent complaint pur-
30 suant to this chapter. A plaintiff who cannot afford
31 this fee may apply for leave to proceed in forma
32 pauperis.

33 Sec. 2. 19 MRSA §765, sub-§7 is enacted to read:

1 7. Dismissal of complaint. If the plaintiff de-
2 termines that an interim order issued by the court,
3 pursuant to section 765, subsection 4, is no longer
4 necessary, the plaintiff must appear at the full
5 hearing scheduled pursuant to section 765, subsection
6 1. The plaintiff shall at that time make an oral
7 motion to dismiss and provide the court with reasons
8 for the request to dismiss the order. Failure of the
9 plaintiff to appear as required by this subsection
10 shall result in the consequences provided for in sec-
11 tion 764.

12 STATEMENT OF FACT

13 The purpose of this bill is to provide incentive
14 to a plaintiff in an action for protection from abuse
15 to appear at the hearing to determine whether an or-
16 der should be issued.

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