

MAINE STATE LEGISLATURE

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L.D. 146

(Filing No. H-71)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 109, L.D. 146, Bill, "An Act to Provide Greater Power to the Maine District Court in Emancipation Proceedings"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 15 MRSA §3506-A, sub-§2-A is enacted to read:

2-A. Mediation. Upon the filing of a petition and prior to a hearing under this section, the court may refer the parties to mediation. Any agreement reached by the parties through mediation on any issues shall be stated in writing, signed by the parties and presented to the court for approval as a court order.

Sec. 2. 15 MRSA §3506-A, sub-§7 is enacted to read:

7. Public proceeding; exception. Notwithstanding section 3307, subsection 2, paragraph B, the court shall not exclude the public unless the minor or the minor's parent or parents, guardian or custodian, requests that the public be excluded and the minor or the minor's parent or parents, guardian or custodian, does not object. If the public is excluded, only the parties, their attorneys, court officers and witnesses may be present.

FISCAL NOTE

The Judicial Department can absorb the additional costs associated with this Act within its resources.'

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STATEMENT OF FACT

This amendment deletes from the bill the court's ability to release a minor's medical records in emancipation proceedings. It also removes from the bill the court's authority to impose a sanction upon anyone who refuses to participate in mediation.

This amendment makes clear that emancipation proceedings are public unless the court otherwise orders. The court may exclude the public if at least one of the parties requests that the proceedings not be public, and none of the parties object to excluding the public. The Maine Revised Statutes, Title 15, section 3308, requires that records of public proceedings also be open to the public.

Reported by the Committee on Judiciary
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