

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1433

H.P. 1027

House of Representatives, May 3, 1989

Reference to the Committee on Legal Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative DUFFY of Bangor.

Cosponsored by Representative RICHARDS of Hampden, Representative CONLEY of Portland and Senator GAUVREAU of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Increase Civil Service of Process Fees



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

3 Sec. 1. 15 MRSA §706, as amended by PL 1987, c. 736, §23, is
5 further amended to read:

7 §706. District Court; warrants

9 Judges of District Courts shall have all authority and
11 powers now granted by law to judges of municipal courts, provided
13 no Judge of the District Court may sit as the trial judge in any
15 case arising from a complaint to such judge and warrant of arrest
17 resulting therefrom, unless by consent of the defendant.

19 When complaint is made to any Judge of the District Court,
21 to a justice of the peace or to any other officer of the District
23 Court authorized to issue process charging a person with the
25 commission of an offense, such judge, justice of the peace or
other officer shall issue a warrant in the name of the District
Court for the arrest of such person, in such form and under such
circumstances as the Supreme Judicial Court shall by rule
provide. Such justice of the peace or other officer shall not
have authority to preside at any trial, and neither shall appear
as counsel in any criminal case in which he that officer has
heard the complaint. A clerk of the District Court may accept a
guilty plea upon payment of fines as set by the judge.

27 A Judge of the District Court may try those brought before
29 him the judge for offenses within his the judge's jurisdiction,
although even though the penalty or fine accrues wholly or partly
to the municipality of which he the judge is a resident.

31 All warrants issued shall be kept at the sheriff's
33 department in each county.

35 Sec. 2. 30-A MRSA §421, sub-§1, as enacted by PL 1987, c. 737,
37 Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, cc. 6 and 9,
is further amended to read:

39 1. Civil process. For service of all writs or complaints
41 with summonses, precepts, notices, executions, court orders,
orders of service, copies and all other civil process or papers
43 requiring service which are not specified in this section, \$4 ~~\$25~~
for each such service and ~~\$8-if-the-service-is-made-in-hand;~~

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47 STATEMENT OF FACT

49 This bill increases the fee to be charged for service of
civil process and designates the county sheriff departments as
the location for arrest warrants to be kept.

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