

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1611

H.P. 1157

House of Representatives, May 10, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Judiciary suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative MAHANY of Easton.

Cosponsored by Representative CONLEY of Portland and Senator HOLLOWAY of Lincoln.

STATE OF MAINE

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

**An Act to Eliminate Unnecessary Hearings by District Court Judges
and Superior Court Justices.**

(AFTER DEADLINE)



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

3 **19 MRSA §696 is enacted to read:**

5 **§696. Decree issued without hearing**

7 Notwithstanding any provision in this Title, Title 14 or in
9 the Maine Rules of Civil Procedure, a hearing shall not be
11 required in an action for a decree of divorce when:

13 1. Uncontested actions. When the respondent has not filed
15 an answer, or when the parties to the divorce action have
17 stipulated that a divorce decree may be granted; or

19 2. Settlement agreements. The parties to the divorce
21 action have, with or without mediation, entered into an agreement
23 settling the issues arising from their divorce.

25 **STATEMENT OF FACT**

27 This bill provides that a hearing is not required when a
divorce is uncontested or when the parties to the divorce have
entered into a settlement agreement. This nullifies the effect
of the Maine Rules of Civil Procedure, Rule 80, which provides
that no judgment, other than a dismissal for want of prosecution,
can be entered in an action for divorce except after hearing.