

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 933

S.P. 343

In Senate, March 4, 1991

Received by the Secretary of the Senate on March 4, 1991. Referred to the Committee on Judiciary and 1,400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

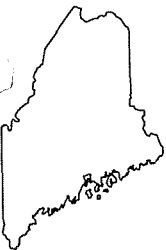
Presented by Senator GAUVREAU of Androscoggin

Cosponsored by Senator CONLEY of Cumberland, Representative OTT of York and Representative LIPMAN of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Promote Equity in Court Filing Fees.



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

2 Sec. 1. 4 MRSA §8, as amended by PL 1983, c. 653, is further
4 amended by adding after the first paragraph a new paragraph to
6 read:

8 The Supreme Judicial Court may prescribe rules establishing
10 the fees of the Administrative, District and Superior Courts of
12 Maine. Filing fees may be based on the amount in controversy.

14 Sec. 2. 4 MRSA §175, as repealed and replaced by PL 1979, c.
16 425, §1, is repealed.

18 STATEMENT OF FACT

20 The purpose of this bill is to revise the filing fee
22 schedule for civil cases. Under the current schedule, all civil
24 litigants are subject to the same fees, no matter what the type
of case, the complexity of the case or the amount of damages or
other debt in question. This means that some litigants are
paying a fee that is quite small in relation to the size of their
cases and the amount of court resources necessary for the
litigation. To increase uniformly the filing fees would price
some litigants out of the courthouse.

26 This bill specifically permits the Supreme Judicial Court to
28 set filing fees based on the amount in controversy. Section 2
30 repeals the provision regarding the Supreme Judicial Court's
authority to set fees for the District Court, because all the
courts are included in section 1.