

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1679

S.P. 631

In Senate, April 24, 1991

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.

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

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CONLEY of Cumberland

Cosponsored by Representative PARADIS of Augusta and Representative MARSANO of Belfast.

STATE OF MAINE

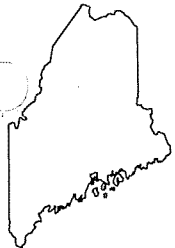
IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Reduce the Filing Fee for Jury Trials.

(AFTER DEADLINE)

(EMERGENCY)

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2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 Whereas, on January 30, 1991, the Maine Supreme Judicial
Court issued an order requiring that, in all civil actions in
which a trial by jury is demanded, a jury fee in the amount of
8 \$300 be paid by the plaintiff; and

10 Whereas, this additional cost will bar certain plaintiffs
from asserting their rights and thus result in irreparable
12 damage; and

14 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
16 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
18 safety; now, therefore,

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

22 **Sec. 1.** 14 MRSA c.13 is enacted to read:

24 **CHAPTER 13**

26 **FEEES**

28 **\$261. Fees for trial by jury**

30 In all civil actions in which a trial by jury is demanded,
32 the court shall require a filing fee in the amount of \$100. An
34 additional civil jury fee may not be required of the plaintiff or
plaintiffs.

36 **Sec. 2. Retroactivity.** This Act applies retroactively to
January 30, 1991.

38 **Emergency clause.** In view of the emergency cited in the
40 preamble, this Act takes effect when approved.

42 **STATEMENT OF FACT**

44 In the past, a filing fee of \$100 was charged for the entry
of a civil action in Superior Court. On January 30, 1991, the
46 Maine Supreme Judicial Court issued an administrative order
requiring that, in all civil actions in which a trial by jury is
48 demanded, a jury fee in the amount of \$300 be paid by the
plaintiff. This bill establishes a filing fee of \$100 for civil
50 actions in which a jury trial is demanded and prohibits the
imposition of an additional civil jury fee.
52