

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 860

H.P. 635

House of Representatives, February 6, 1997

An Act to Extend the Waiting Period for Obtaining a Divorce.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative DESMOND of Mapleton.
Cosponsored by Senator PARADIS of Aroostook and
Representatives: AHEARNE of Madawaska, BERRY of Livermore, FISHER of Brewer,
GOOLEY of Farmington, O'NEAL of Limestone, SIROIS of Caribou, WHEELER of Eliot,
WRIGHT of Berwick.

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

4 **Sec. 1. 19 MRSA §666** is enacted to read:

6 **§666. Time of trial**

8 An action for divorce is not in order for hearing until 6
10 months or more after service of the summons and complaint unless
12 one of the parties proves abuse by the other party by a
14 preponderance of the evidence.

16 **Sec. 2. 19-A MRSA §908** is enacted to read:

18 **§908. Time of trial**

20 An action for divorce is not in order for hearing until 6
22 months or more after service of the summons and complaint unless
24 one of the parties proves abuse by the other party by a
26 preponderance of the evidence.

28 **Sec. 3. Effective date.** That section of this Act that enacts
30 the Maine Revised Statutes, Title 19-A, section 908 takes effect
32 October 1, 1997.

SUMMARY

34 The current waiting period for a divorce is 60 days from the
36 service of summons and complaint to the hearing date. This bill
38 extends the period to 6 months unless there has been proof of
40 abuse by a preponderance of the evidence, which is the same
42 standard that is required for protection orders.