

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1423

S.P. 501

March 15, 2007

**An Act To Allocate Punitive Damage Awards in Civil Cases To
Include an Amount To Ensure Access to Justice for Maine Citizens**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MITCHELL of Kennebec.

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

2 **Sec. 1. 14 MRSA §1602-D** is enacted to read:

3 **§1602-D. Judgments including punitive or exemplary damages; funding access to**
4 **justice programs**

5 Beginning October 1, 2007, in all civil actions in this State in which a judgment is
6 entered that includes punitive or exemplary damages, the court shall require the plaintiff
7 to distribute 25% of the punitive or exemplary damages actually collected from the
8 defendant to a statewide nonprofit organization devoted exclusively to law-related
9 charitable work for the purpose of funding access to justice programs in this State,
10 including, without limitation, volunteer lawyer programs and elderly and low-income
11 legal assistance programs.

12 **SUMMARY**

13 This bill requires a plaintiff in a civil case who receives punitive or exemplary
14 damages to distribute 25% of those damages to a statewide nonprofit organization
15 devoted exclusively to law-related charitable work for the purpose of funding access to
16 justice programs.