

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 291

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S.P. 127

In Senate, February 3, 2021

### **An Act Regarding Continuances for Protection from Abuse Hearings**

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Received by the Secretary of the Senate on February 1, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator STEWART of Aroostook.  
Cosponsored by Senator: DIAMOND of Cumberland.

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

2 **Sec. 1. 19-A MRSA §4006, sub-§1**, as enacted by PL 1995, c. 694, Pt. B, §2 and  
3 affected by Pt. E, §2, is amended to read:

4 **1. Full hearing.** Within 21 days of the filing of a complaint, unless the defendant has  
5 requested a continuance to prepare for the hearing, a hearing must be held at which the  
6 plaintiff must prove the allegation of abuse by a preponderance of the evidence. If a request  
7 for temporary, emergency or interim relief is denied, the hearing must be held as soon as  
8 practicable within the 21-day period, unless the defendant has requested a continuance to  
9 prepare for the hearing.

10 **SUMMARY**

11 This bill provides that the hearing on a protection from abuse complaint may be held  
12 more than 21 days after the complaint was filed if the defendant requests a continuance to  
13 prepare for the hearing. A hearing after the request for temporary, emergency or interim  
14 relief has been denied may also be delayed if the defendant has requested a continuance.