

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 345

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H.P. 243

House of Representatives, February 8, 2021

**An Act Updating Certain Probate Filing and Certification Fees To  
Reflect Current Costs**

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Received by the Clerk of the House on February 4, 2021. Referred to the Committee on  
Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative RECKITT of South Portland.

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

2 **Sec. 1. 18-C MRSA §1-602**, as enacted by PL 2017, c. 402, Pt. A, §2 and affected  
3 by PL 2019, c. 417, Pt. B, §14, is amended to read:

4 **§1-602. Filing and certification fees**

5 The person making the request shall pay the register the following fees for filing or  
6 certifying documents.

7 **1. Certification.** For making and certifying to the register of deeds copies of devises  
8 of real estate, abstracts of petitions for appointment of a personal representative or for an  
9 elective share and any other document for which certification is required, the fee is ~~\$15~~ \$20  
10 plus the fee for recording as provided by Title 33, section 751, except as otherwise  
11 expressly provided by law. The fee must be paid by the personal representative, petitioner  
12 or other person filing the document to be certified when the copy of the devise, abstract,  
13 petition for elective share or other document for which certification is required is requested.  
14 The register of probate shall deliver the certified document to the register of deeds together  
15 with the fee for recording as provided by Title 33, section 751.

16 **2. Filing.** For receiving and entering each petition or application for all estates, testate  
17 and intestate, including foreign estates, and the filing of a notice by a domiciliary foreign  
18 personal representative, except for the filing of a successor personal representative, when  
19 the value of the estate is:

- 20 A. \$10,000 and under, the fee is ~~\$20~~ \$40;
- 21 B. \$10,001 to \$20,000, the fee is ~~\$40~~ \$60;
- 22 C. \$20,001 to \$30,000, the fee is ~~\$60~~ \$75;
- 23 D. \$30,001 to \$40,000, the fee is ~~\$75~~ \$95;
- 24 E. \$40,001 to \$50,000, the fee is ~~\$95~~ \$125;
- 25 F. \$50,001 to \$75,000, the fee is ~~\$125~~ \$190;
- 26 G. \$75,001 to \$100,000, the fee is ~~\$190~~ \$250;
- 27 H. \$100,001 to \$150,000, the fee is ~~\$250~~ \$325;
- 28 I. \$150,001 to \$200,000, the fee is ~~\$325~~ \$375;
- 29 J. \$200,001 to \$250,000, the fee is ~~\$375~~ \$450;
- 30 K. \$250,001 to \$300,000, the fee is ~~\$450~~ \$500;
- 31 L. \$300,001 to \$400,000, the fee is ~~\$500~~ \$575;
- 32 M. \$400,001 to \$500,000, the fee is ~~\$575~~ \$625;
- 33 N. \$500,001 to \$750,000, the fee is ~~\$625~~ \$700;
- 34 O. \$750,001 to \$1,000,000, the fee is ~~\$700~~ \$750;
- 35 P. \$1,000,001 to \$1,500,000, the fee is ~~\$750~~ \$875;
- 36 Q. \$1,500,001 to \$2,000,000, the fee is ~~\$875~~ \$950; or
- 37 R. More than \$2,000,000, the fee is ~~\$950~~ \$1,200, and continuing in steps of ~~\$100~~ \$250  
38 for every increase in value of \$500,000 or part thereof above \$2,500,000.

- 1 For filing a will for no probate, ~~there the fee is no charge~~ \$15.
- 2 For filing a will to be probated and without an appointment, the fee is ~~\$15~~ \$20.
- 3 **3. Copies of court records.** For making copies from the records of the court, the fee  
4 is \$1 for each page.
- 5 **4. Certificate of appointment.** For each certificate, under seal of the court, of the  
6 appointment and qualification of a personal representative, guardian, conservator or trustee,  
7 the fee is ~~\$5~~ \$10, and for each double certificate, the fee is ~~\$10~~ \$20.
- 8 **5. Petition for appointment as guardian.** For filing a petition for appointment as  
9 guardian, the fee is ~~\$50~~ \$90.
- 10 **6. Application for involuntary hospitalization.** For filing an application for  
11 involuntary hospitalization, the fee is \$10.
- 12 **7. Petition for guardian and conservator.** For filing a joined petition for guardian  
13 and conservator, the fee is ~~\$75~~ \$115.
- 14 **8. Petition for appointment of conservator.** For filing a petition for appointment of  
15 conservator, the fee is ~~\$50~~ \$90.
- 16 **9. Petition for elective share.** For filing a petition for elective share, the fee is \$120.
- 17 **10. Subsequent informal appointments.** For all other subsequent informal  
18 appointments, the fee is ~~\$25~~ \$50.
- 19 **11. Other formal proceeding.** For filing any other formal proceeding, the fee is ~~\$25~~  
20 \$50.
- 21 **12. Registration of guardianship order from another state or acceptance of**  
22 **transfer.** For registering a guardianship order from another state or acceptance of transfer,  
23 the fee is ~~\$25~~ \$50.
- 24 **Sec. 2. 18-C MRSA §1-701, sub-§4,** as enacted by PL 2017, c. 402, Pt. A, §2 and  
25 affected by PL 2019, c. 417, Pt. B, §14, is amended to read:
- 26 **4. Filing fee.** The fee for filing a name change petition is ~~\$40~~ \$75.

## 27 SUMMARY

28 This bill updates certain probate filing and certification fees to reflect current costs.