

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 853

H.P. 621

House of Representatives, March 8, 2021

**An Act To Increase the Fees Paid to Sheriffs and Their Deputies for
Service of Civil Process Documents**

Reference to the Committee on Judiciary suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative MATLACK of St. George.
Cosponsored by Senator CYRWAY of Kennebec and
Representative: PICKETT of Dixfield.

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

2 **Sec. 1. 30-A MRSA §421, sub-§1**, as amended by PL 1989, c. 6; c. 9, §2; c. 104,
3 Pt. C, §§8 and 10; and c. 303, is further amended to read:

4 **1. Civil process.** For service of all writs or complaints with summonses, precepts,
5 notices, executions, court orders, orders of service, copies and all other civil process or
6 papers requiring service ~~which~~ that are not specified in this section:

7 A. For proceedings in forma pauperis, ~~\$4~~ \$8 for each such service and ~~\$8~~ \$40 if the
8 service is made in hand;

9 B. For service on behalf of the State, ~~\$4~~ \$8 for each such service and ~~\$8~~ \$40 if the
10 service is made in hand; and

11 C. For all other proceedings, ~~\$8~~ \$16 for each such service and ~~\$16~~ \$40 if the service
12 is made in hand;

13 **Sec. 2. 30-A MRSA §421, sub-§2**, as amended by PL 1989, c. 6; c. 9, §2; c. 104,
14 Pt. C, §§8 and 10; and c. 303, is further amended to read:

15 **2. Disclosure subpoena.** For the service of a disclosure subpoena as provided by Title
16 14, chapter 502, ~~\$16~~ \$40;

17 **Sec. 3. 30-A MRSA §421, sub-§3**, as enacted by PL 1987, c. 737, Pt. A, §2 and
18 Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further
19 amended to read:

20 **3. Complaint for divorce.** For the service of a complaint for divorce with a writ of
21 attachment by serving summonses and attested copy of the writ and complaint, or for the
22 service of a complaint for divorce with an order of court by attested copy, ~~\$8~~ \$40;

23 **Sec. 4. 30-A MRSA §421, sub-§4**, as amended by PL 1997, c. 5, §1, is further
24 amended to read:

25 **4. Attachment of real estate.** For the attachment of real estate at the registry of deeds,
26 ~~\$16~~ \$40;

27 **Sec. 5. 30-A MRSA §421, sub-§5**, as amended by PL 1997, c. 5, §1, is further
28 amended to read:

29 **5. Attachment of personal property; replevin.** For the attachment of personal
30 property or for the service of a writ of replevin, ~~\$16~~ \$40, and ~~\$10 more an hourly rate~~
31 determined by the sheriff to be charged for each hour after the first required for the service;

32 **Sec. 6. 30-A MRSA §421, sub-§6**, as amended by PL 2009, c. 205, §3, is further
33 amended to read:

34 **6. Civil arrests and custody.** For civil arrests and custody under the arrest, including
35 arrest and custody under paternity proceedings, ~~\$25~~ \$60 and an hourly rate determined by
36 the sheriff to be charged for each hour after the first required for the service plus mileage
37 at a at least the same rate of 42¢ per mile as provided under Title 5, section 8;

38 **Sec. 7. 30-A MRSA §421, sub-§14**, as amended by PL 1989, c. 6; c. 9, §2; c. 104,
39 Pt. C, §§8 and 10; c. 303; and c. 502, Pt. A, §112 and repealed and replaced by c. 878, Pt.
40 A, §82, is further amended to read:

