

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

JOINT STANDING COMMITTEE ON JUDICIARY

July 2022

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JOINT STANDING COMMITTEE ON JUDICIARY

This drinking water-related jurisdiction of the United States Environmental Protection Agency and of the Passamaquoddy Tribe does not extend beyond the Passamaquoddy Indian territory.

LD 913 An Act To Make Certain Civil Court Records Accessible by the Public Only at the Courthouse

ENACTED LAW SUMMARY

Public Law 2021, chapter 644 limits the public accessibility of certain court records that are part of eviction actions brought pursuant to the Maine Revised Statutes, Title 14, section 6001 and small claims actions brought pursuant to Title 14, section 7481. It provides that the records are available only at the courthouse, and not online, if the eviction action or small claims action is dismissed, is resolved in favor of the defendant, more than three years have elapsed since the judgment was entered or the parties agree that the records should be accessible by the public only at the courthouse.

LD 1310 An Act Regarding a Post-judgment Motion To Seal the Criminal History Record Information for Certain Criminal Convictions

ENACTED LAW SUMMARY

Public Law 2021, chapter 674 reestablishes a special statutory process to seal certain criminal records that was originally created by Public Law 2015, chapter 354 that was repealed by its own terms on October 1, 2019. Chapter 674 uses the same process to seal criminal records of an eligible criminal conviction as in the repealed law but expands the eligibility for record sealing by increasing the maximum age at which the crime was committed.

“Eligible criminal conviction” includes all current and former Class E crimes except for sexual assault crimes contained in the Maine Revised Statutes, Title 17-A, chapter 11. A person with an eligible criminal conviction may file a motion to seal the criminal history record information for the eligible criminal conviction if at least four years have passed since the person fully satisfied each of the sentencing alternatives imposed for the conviction; the person has not been convicted of another crime in this State and has not had a criminal charge dismissed as a result of a deferred disposition since satisfying the sentencing alternatives; the person has not been convicted of a crime in another jurisdiction since satisfying the sentencing alternatives; the person does not have any presently pending criminal charges in this State or in another jurisdiction; and the person was at least 18 years of age but less than 28 years of age at the time of the commission of the underlying crime.

The court must hold a hearing on the motion and, if the court determines all the requirements have been met, the court must issue an order sealing the criminal history record information. Notice of the order must be provided to the person, the prosecutorial office that prosecuted the person and the Department of Public Safety, Bureau of State Police, State Bureau of Identification, which must promptly amend its records relating to the sealed criminal history record information.