

MAINE STATE LEGISLATURE

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STATE OF MAINE
132ND LEGISLATURE
SECOND REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON
JUDICIARY**

May 2026

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3. It requires the court to consider the trauma to the child of removal from the child’s home and whether the department has exhausted options to mitigate the immediate risk of serious harm to the child and avoid removing the child from the child’s home when deciding both whether to grant an ex parte request for a preliminary protection order and whether to continue the removal after a summary preliminary hearing.

LD 1667 Resolve, to Allow Hemphill Farms, Inc. to Sue the State

Resolve 2025, chapter 129 authorizes Hemphill Farms, Inc., in Presque Isle, which claims to have suffered damages in connection with actions taken by the Department of Agriculture, Conservation and Forestry, to sue the department for damages resulting from those actions.

Resolve 2025, chapter 129 was finally passed in both the House and the Senate prior to the adjournment sine die of the First Special Session in 2025 but was not signed by the Governor. Pursuant to the Constitution of Maine, Resolve 2025, chapter 129 became law without the Governor’s signature on January 11, 2026.

LD 1796 An Act to Implement the Recommendations of the Maine Commission on Public Defense Services to Clarify the Types of Cases for Which the Commission Is Responsible for Providing Counsel

Public Law 2025, chapter 511 makes the following changes to the laws governing court-appointed counsel.

1. It amends the definition of “indigent legal services” to include services that an attorney performs at the direction of the Maine Commission on Public Defense Services that aid the commission in its duty to provide indigent legal services.
2. It provides that the commission is not responsible for compensating counsel appointed by a District Court or a county probate court to represent a party in a proceeding under the Maine Uniform Probate Code. It further clarifies that if a court appoints an attorney to represent a party who has a right to counsel at public expense under the Maine Uniform Probate Code, the court is responsible for paying reasonable compensation to and reimbursing the reasonable expenses of the attorney. The court is also responsible for paying reasonable compensation to and reimbursing the reasonable expenses of an attorney appointed at the court’s discretion to represent a minor or an indigent party in a proceeding under the Maine Uniform Probate Code.
3. It provides that the commission is not responsible for compensating a guardian ad litem appointed by a District Court or a county probate court in a termination of parental rights proceeding or in any proceeding under the Maine Uniform Probate Code.
4. It provides that if a termination of parental rights proceeding is brought under the Maine Revised Statutes, Title 19-A, the court is responsible for compensating any counsel the court may, in its discretion, appoint to represent the petitioner in the termination proceeding. By

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contrast, the commission is responsible for compensating counsel appointed to represent the parent whose rights may be terminated.

5. It clarifies that the commission, not the court, is responsible for compensating an attorney appointed to represent a person subject to an involuntary commitment proceeding.
6. It prohibits a court from directly assigning public defenders or employed counsel, who are employees of the commission, to represent parties in particular proceedings.

Public Law 2025, chapter 511 was finally enacted in both the House and the Senate prior to the adjournment sine die of the First Special Session in 2025 but was not signed by the Governor. Pursuant to the Constitution of Maine, Public Law 2025, chapter 511 became law without the Governor's signature on January 11, 2026.

LD 1871 An Act to Permit Sealing Criminal History Record Information of Victims of Sex Trafficking or Sexual Exploitation

Public Law 2025, chapter 513 amends provisions of the law governing post-judgment motions to seal criminal history record information by allowing a person to file a motion to seal criminal history record information for a criminal conviction for any current or former crime if the person shows by a preponderance of the evidence that the person has been a victim of sex trafficking or sexual exploitation and the commission of the crime for which the person was convicted was a substantial result of sex trafficking or sexual exploitation.

The law also provides that a person who is regularly engaged in the business of collecting, assembling, evaluating or disseminating criminal history record information related to specific individuals for a fee, also called a business screening service, is required to disseminate only complete and accurate records; investigate disputed records; correct or delete records found to be inaccurate or reflecting a criminal conviction that was sealed or pardoned; and provide a notice with disseminated records including the date the record was collected and a notice that information may include criminal records that have been sealed or otherwise have become inaccessible to the public. A person is considered in violation of these provisions only if the person's conduct violates these provisions and also violates relevant provisions of the federal Fair Credit Reporting Act. A person found in violation of both the state and federal law is liable to the subject of the record for a penalty of \$1,000 and additional remedies.

Public Law 2025, chapter 513 was finally enacted in both the House and the Senate prior to the adjournment sine die of the First Special Session in 2025 but was not signed by the Governor. Pursuant to the Constitution of Maine, Public Law 2025, chapter 513 became law without the Governor's signature on January 11, 2026.