



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1034

H.P. 670

House of Representatives, March 7, 2023

**An Act to Require That Service of a Temporary Protection Order
Be Attempted Within 48 Hours from the Issuance of the Order**

Reference to the Committee on Judiciary suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative SMITH of Palermo.

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

2 **Sec. 1. 19-A MRSA §4107, first ¶**, as enacted by PL 2021, c. 647, Pt. A, §3 and
3 affected by Pt. B, §65, is amended to read:

4 If the court issues an order under this chapter, the court shall order an appropriate law
5 enforcement agency or, if the defendant is present in the courthouse, a court security officer
6 qualified pursuant to Title 4, section 17, subsection 15 or, if the defendant is in the custody
7 of the Department of Corrections, the Department of Corrections to serve the defendant
8 personally with the order. Temporary orders must be served with the summons and
9 complaint. The court shall cause the order to be delivered to the law enforcement agency,
10 the court security officer or the correctional facility in which the defendant is incarcerated
11 as soon as practicable following the issuance of the order. The law enforcement agency,
12 court security officer or chief administrative officer of a correctional facility or the chief
13 administrative officer's designee shall make a good faith effort to serve process
14 expeditiously, except that service of a temporary order must be attempted within 48 hours
15 after receiving the order from the court.

16 **SUMMARY**

17 This bill requires that service of a temporary protection from abuse order be attempted
18 within 48 hours after receipt of the order by a law enforcement agency, court security
19 officer or chief administrative officer of a correctional facility or the chief administrative
20 officer's designee.