



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 291

S.P. 127

In Senate, February 3, 2021

An Act Regarding Continuances for Protection from Abuse Hearings

Received by the Secretary of the Senate on February 1, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator STEWART of Aroostook.
Cosponsored by Senator: DIAMOND of Cumberland.

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

2 **Sec. 1. 19-A MRSA §4006, sub-§1**, as enacted by PL 1995, c. 694, Pt. B, §2 and
3 affected by Pt. E, §2, is amended to read:

4 **1. Full hearing.** Within 21 days of the filing of a complaint, unless the defendant has
5 requested a continuance to prepare for the hearing, a hearing must be held at which the
6 plaintiff must prove the allegation of abuse by a preponderance of the evidence. If a request
7 for temporary, emergency or interim relief is denied, the hearing must be held as soon as
8 practicable within the 21-day period, unless the defendant has requested a continuance to
9 prepare for the hearing.

10 **SUMMARY**

11 This bill provides that the hearing on a protection from abuse complaint may be held
12 more than 21 days after the complaint was filed if the defendant requests a continuance to
13 prepare for the hearing. A hearing after the request for temporary, emergency or interim
14 relief has been denied may also be delayed if the defendant has requested a continuance.