



130th MAINE LEGISLATURE

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Legislative Document

No. 1096

S.P. 357

In Senate, March 22, 2021

**An Act To Clarify the Rule-making Authority of the Supreme
Judicial Court Concerning Electronic Records and Filing**

Submitted by the Judicial Department pursuant to Joint Rule 204.

Received by the Secretary of the Senate on March 18, 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 CARNEY of Cumberland.

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

2 **Sec. 1. 4 MRSA §8-C, sub-§1**, as enacted by PL 2015, c. 78, §1, is amended to
3 read:

4 **1. Rules and orders; processes and procedures.** Notwithstanding any other
5 provision of law, the Supreme Judicial Court may adopt rules and issue orders to permit or
6 require the use of electronic forms, filings, records, e-mail and electronic signatures
7 whenever paper forms, filings, records, written notice, postal mail and written signatures
8 are required for judicial, legal or any other court-related process under the Maine Revised
9 Statutes.

10 The Supreme Judicial Court, by rule, may determine any other processes or procedures
11 appropriate to ensure adequate preservation, disposition, integrity, security, appropriate
12 accessibility and confidentiality of the electronic records. After the effective date of the
13 rules as adopted or amended, all laws in conflict with the rules are of no further effect.

14 **SUMMARY**

15 This bill clarifies the rule-making authority of the Supreme Judicial Court regarding
16 rules concerning processes and procedures related to the filing of electronic records. The
17 bill adds a provision that nullifies laws that conflict with duly adopted rules.