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An Act To Allow the Request for and Granting of Permanent Protection from Abuse Orders

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

Sec. 1. 15 MRSA §321, sub-§3, as enacted by PL 1983, c. 619, is amended to read:

3. Scope of order. A protective order may be a condition of release. It may require the offender:

- A. To stay away from the home, school, business or place of employment of the victim;
- B. Not to visit, or to visit only at certain times or under certain conditions, a child residing with the victim; or
- C. Not to do specific acts ~~which~~that the court finds may harass, torment or threaten the victim.

The court may issue a permanent protective order pursuant to this section.

Sec. 2. 19-A MRSA §4005, sub-§2, ¶B, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

B. If a judge is unavailable to review a request for temporary relief under this chapter, the clerk shall immediately notify the plaintiff of other courts at which a judge or justice is available.

Sec. 3. 19-A MRSA §4005, sub-§3, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

3. Forms. The forms provided by the court must be uniform throughout the State and must include a summons and an affidavit for temporary or permanent emergency relief from abuse. The summons must include a section in which to list places where the defendant may be located or available to be served. The clerk shall inquire where the defendant may be located or available to be served and list those locations on the summons or direct the plaintiff to do so.

Sec. 4. 19-A MRSA §4007, sub-§2-A is enacted to read:

2-A. Permanent order. Notwithstanding subsection 2, the court may grant a permanent protective order once a hearing under section 4006, subsection 1 is held.

SUMMARY

This bill allows a person to request a permanent protection from abuse order from the court and allows the court to issue such an order.