



Administrative Office of the Courts

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Judicial Branch testimony neither for nor against LD 870, An Act to Strengthen Freedom of Speech Protections by Extending Laws Against Strategic Lawsuits Against Public Participation:

Senator Carney, Representative Moonen, and members of the Joint Standing Committee on Judiciary, my name is Julie Finn and I represent the Judicial Branch. I would like to provide brief testimony regarding the recently circulated amendments to this bill.

While the Judicial Branch does not take a position on the bill, we would like to ask that you consider two issues. First, in section 738 of the proposed Uniform Public Expression Protection Act, there is a deadline imposed on the Court for issuing a ruling. We would ask that the time limit be removed and instead retain the language of the current statute which allows priority over other cases unless the interests of justice require otherwise.

Second, section 739 of the proposed Uniform Act codified the rights of the moving party to appeal from an order denying the section 733 motion. This section should be amended to state that appeals are governed by the Maine Rules of Appellate Procedure, since the 21-day period to appeal can be enlarged by appropriate post-judgment motions (M.R.App.P. 2B(c)(2)) or for good cause (M.R.App.P. 2B(d)).

Thank you for your time and consideration.