



Administrative Office of the Courts

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Judicial Branch testimony in opposition to LD 1896, Resolve, to Support Pro Se Litigants Regarding the Return Receipt of Service:

Senator Carney, Representative Kuhn, members of the Joint Standing Committee on Judiciary, my name is Julie Finn and I represent the Judicial Branch. I would like to provide testimony in opposition to this bill.

The Supreme Judicial Court (SJC) has the sole authority to promulgate rules for the District, Superior and Probate Courts of Maine pursuant to 4 M.R.S. § 8. In order to effectuate the drafting, amendment and updating of court rules, the SJC has formed eight different rules committees to work on rules in different subject areas; such as civil, criminal, evidence and the like. These committees include multiple practicing attorneys as well as District, Superior and Supreme Court judges and justices. Attached to this testimony is the membership roster of the Advisory Committee on the Rules of Civil Procedure.

The Judicial Branch respectfully notes that the appropriate venue for requesting a change in a rule is to contact the appropriate Advisory Committee.

With respect to the existing rules, electronic service is currently permitted if the person being served acknowledges service. *See* Maine R.Civ.P. 4(c)(1). If acknowledgement is not received within 20 days, service may be made by a sheriff, or other person authorized to serve process. *See* Maine R.Civ.P. 4(c)(2). Finally, if these options fail, service may be made by alternate means if the party requesting service by alternate means files a motion that is granted by the court. *See* Maine R.Civ.P. 4(g)(1).

Thank you for your time.

Advisory Committee on the Rules of Civil Procedure

Membership Roster

Until October 1, 2024

Travis Brennan, Esq., of Lewiston (2)

Until September 1, 2025

Erica M. Johanson, Esq., of Portland (3)

Amy P. Dieterich, Esq., of Auburn (3)

Eric J. Wycoff, Esq., of Portland (**Chair**) (3)

Until September 1, 2026

Amy Olfene, Esq., of Portland (1)

Katherine T. McGovern, Esq., of Pine Tree Legal Assistance, Portland (2)

Allison A. Economy, Esq., of Bangor (1)

Sandra L. Guay, Esq., of Portland (1)

Until March 1, 2027

Jeffrey A. Thaler, Esq., of Portland (2)

Simon Beirne, Esq., of Augusta (1)

Members *ex officio*

Thomas Knowlton, Assistant Attorney General- designee of the Attorney General

Elizabeth G. Stouder, Esq.- as Chair of the U.S.D.C. Local Rules Committee

Justice Thomas McKeon, Maine Superior Court, trial court liaison

Judge John Lucy, Maine District Court, trial court liaison

Consultant

Vacant

Supreme Judicial Court Liaison

Associate Justice Wayne R. Douglas