§355. Affidavit of plaintiff as prima facie evidence; exception

In all actions brought on an itemized account annexed to the complaint, including an action brought in small claims court pursuant to Title 14, chapter 738, the affidavit of the plaintiff, made before a notary public using a seal, that the account on which the action is brought is a true statement of the indebtedness existing between the parties to the action with all proper credits given and that the prices or items charged therein are just and reasonable is prima facie evidence of the truth of the statement made in such affidavit and entitles the plaintiff to the judgment unless rebutted by competent and sufficient evidence. When the plaintiff is a corporation, the affidavit may be made by its president, vice-president, secretary, treasurer or other person authorized by the corporation. If the plaintiff is a debt buyer within the meaning of the Maine Fair Debt Collection Practices Act, the affidavit must also conform to the requirements of Title 32, section 11019. [PL 2017, c. 216, §1 (AMD); PL 2017, c. 216, §11 (AFF).]

SECTION HISTORY

PL 1977, c. 564, §81 (AMD). PL 1977, c. 696, §364 (AMD). PL 1981, c. 470, §A34 (AMD). PL 2017, c. 216, §1 (AMD). PL 2017, c. 216, §11 (AFF).

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