STATE OF MAINE JUDICIAL BRANCH
PANDEMIC MANAGEMENT ORDER
Issued March 30, 2020
(revised April 14, 2020)

Revised Emergency Order and Notice from the Maine Supreme Judicial Court

In light of public health concerns arising from the novel coronavirus (COVID-19), Maine's Judicial Branch is taking steps to adhere to the guidance provided by the Maine and United States Centers for Disease Control and Prevention.

IDENTIFYING CURRENTLY EFFECTIVE ORDERS

As the Judicial Branch continues its response to the novel coronavirus pandemic, this and other Orders will be revised from time to time. This Order augments and supersedes the prior Revised Emergency Order and Notice.

This and other Orders of the Supreme Judicial Court will be numbered to reflect the Pandemic Management Order as follows: **PMO-SJC-1.**

Orders issued by the Trial Courts will be similarly numbered to reflect the Pandemic Management Order of the Trial Chiefs: **PMO-TC-1**

COURTHOUSE SCHEDULES

Courthouse schedules can be found here:

https://www.courts.maine.gov/covid19/court-hours.html

Most courthouses remain open to the public. **You should go to a courthouse only if you are required to be there, or if you are seeking protection from abuse or harassment.** If you have questions about whether you should go to a courthouse, please call 207-753-2999.

Persons identified as being infected by COVID-19, having had contact with those infected by COVID-19, or having visited areas identified as problematic due to the prevalence of COVID-19 should not come to Maine's courthouses. If that happens, call the courthouse where you were required to attend. Courthouse phone numbers can be found using the following link:

https://www.courts.maine.gov/maine_courts/index.shtml

CASE TYPES CANCELLATIONS AND POSTPONEMENTS

Effective immediately, and continuing through May 1, 2020, unless otherwise ordered by the court, the following case types and proceedings will **NOT** be scheduled or heard:

- FED (eviction, landlord/tenant)
- Disclosures
- Foreclosures
- Small Claims
- Medical Malpractice proceedings including Panel Hearings
- Family matters
- Contested adoptions
- Juvenile matters (unless the juvenile is being detained)
- Criminal matters (except as related to the incarceration of a defendant)
- All other nonjury civil matters including civil violations
- All actions to recover personal property
- All Violations Bureau hearings (traffic tickets)

All previously scheduled cases are postponed. An extension of these limitations beyond May 1, 2020 is likely but has not yet been ordered.

The courts **WILL** schedule and hear only the following:

- Arraignments and first appearances of defendants held in custody
- Motions for review of bail of defendants held in custody
- Juvenile detention hearings
- Protection from Abuse requests and hearings
- Protection from Harassment requests and hearings
- Child Protection petitions and proceedings
    - Proceedings are limited to Summary Preliminary Hearings, Jeopardy Hearings, Judicial Reviews, and Case Management Conferences.
- Mental health requests and hearings
- Emergency guardianships
- Uncontested adoptions
- Petitions for Review concerning Control of Notifiable Diseases (22 M.R.S. §820)

EXCEPTIONS IN EXTRAORDINARY AND URGENT CIRCUMSTANCES

In those matters that are not being scheduled or heard during this phase of the pandemic management, an exception to that prohibition may be made in individual cases upon an order of the court in the following circumstances.

1. If a party or the party's attorney contends that there are urgent and compelling reasons that the court should hold the party's criminal, civil, or family trial or hearing, the party or counsel shall immediately file a written motion.

2. That motion, explaining why this particular case must be heard before May 1, must be served on the other party or parties. If any party objects to the motion, it must file its written opposition within three days after the motion is filed. The court will rule on the motion expeditiously.

3. Hearings may be held if the court has determined that:

    - The nature of the matter for which a hearing or other court action has been requested is urgent and compelling;

    - The hearing can be held without requiring the presence of additional court staff;

    - The proceeding can be undertaken without requiring the in-person participation of any parties, witnesses, or attorneys; and

    - The proceeding can be undertaken without requiring the physical proximity of any participants or placing undue stress on those necessary to the proceeding.

JURORS AND JURY TRIALS

All jury matters, civil and criminal, including grand jury proceedings, are postponed to a date after May 29, 2020.

LITIGANTS: If your jury trial is now scheduled between March 16 and May 29, 2020, your trial will be rescheduled, and you will receive notice of the new trial date.

Availability of jury trials will be reviewed on an ongoing basis with notice provided to all parties.

BOARDS, COMMITTEES, AND CLE

Effective immediately and until further order of the Court, all boards and committees established by the Maine Supreme Judicial Court are hereby authorized to conduct any and all meetings, conferences, and other activities by means of an electronic medium without in-person participation.

In addition, effective immediately and until further order, any in-person participation requirements for continuing legal education, including but not limited to the requirement in M. Bar. R. 5(c)(3), are hereby suspended and participation may be by an electronic medium.

ORAL ARGUMENTS IN THE SUPREME JUDICIAL COURT

All oral arguments scheduled before the Supreme Judicial Court, sitting as the Law Court, are hereby cancelled until further notice. All appeals scheduled to be argued in April 2020 will be decided on the briefs. No oral arguments will be held in May 2020, unless otherwise ordered by the court.

The Court will be monitoring events and providing updates with respect to the status of its calendar as to oral argument after May 2020 and thereafter.

OTHER PANDEMIC MANAGEMENT ORDERS

This Order is not intended to be comprehensive. Other pandemic management orders of the Supreme Judicial Court and the Trial Court Chiefs can be found at this site: https://www.courts.maine.gov/covid19.shtml.

Dated: April 14, 2020

For the Court:

Andrew M. Mead
Acting Chief Justice