STATE OF MAINE JUDICIAL BRANCH
PANDEMIC MANAGEMENT ORDER
Order Issued December 14, 2020

Order Regarding Submission of Documents by Email in Protection from Abuse and Protection from Harassment Cases

This order governs the filing of documents by email only in protection from abuse and protection from harassment cases. **The filing of documents by email in civil, criminal, juvenile, family matter, and appellate cases shall be governed by PMO-SJC-3.**

PMO-SJC-3A(A). DOCUMENTS THAT CAN BE FILED BY EMAIL

Effective December 15, 2020, all Maine courts will accept the filing by email of all documents in protection from abuse and protection from harassment cases, **except for**:

1. Complaints for protection from harassment that require a filing fee;

2. Post-judgment motions to extend, to modify, or for contempt in protection from harassment orders that require a filing fee (even if the party requests that the filing fee be waived);[1] and

3. Trial exhibits for remote hearings, which shall be filed as required by PMO-SJC-7(C).

PMO-SJC-3A(B). FILING DATE AND DOCKETING OF DOCUMENTS THAT ARE FILED BY EMAIL

The filing date will be the business day the document is submitted. A day begins at 12:00:00 a.m. and ends at 11:59:59 p.m. in the time zone where the

[1] Complaints for protection from harassment and post-judgment motions to extend, to modify, or for contempt in protection from harassment cases that do not require a filing fee are those which are based on allegations of domestic violence, sexual assault, stalking, sex trafficking, or unauthorized dissemination of certain private images.

courthouse is located. If a document is submitted on a Saturday, Sunday, or legal holiday, the filing date will be the next business day.

Complaints and motions to extend will be docketed the same day they are submitted by email provided they are filed before 3:00 p.m. on a business day. If they are submitted by email on a weekend, a legal holiday, or after 3:00 p.m. on a business day, they will be docketed the next business day.

It may take up to two business days for all other documents to be docketed, and all filers should expect that delay. Even when there is a delay in docketing, the filing date will be the date of submission.

PMO-SJC-3A(C). FORMAT OF DOCUMENTS THAT ARE FILED BY EMAIL

Attorneys and parties may submit documents by email for filing in Word, PDF, or other common document formats. Proposed orders, however, must be sent in Word format or a fillable PDF. All documents, including proposed orders, must be sent to the correct email address, as provided in the appendix attached to this order.[2] Note that the type of document to be filed will determine which address will be used for each court.

PMO-SJC-3A(D). ELECTRONIC SIGNATURE AND NOTARIZATION

1. Any document filed by email must contain an electronic signature. An electronic signature is the paperless equivalent of signing one's name on a piece of paper. In order to comply with PMO-SJC-2(G), each electronic signature on a document filed by email must

    a. Be the electronic signature of the attorney or party filing the document; and

    b. Take the form of either a "facsimile signature," defined as a captured image incorporated into the document, or a "typographical signature," defined as a signature block with the name of the signatory typed on the signature line preceded by "/s/".

[2] These email addresses are for the sole purpose of submitting documents for filing and may not be used for other types of communication with the clerks, judges, or other Judicial Branch personnel.

The electronic signature shall have the same force and effect as if the attorney or party had signed a paper copy of the document.

2. A party may file by email a document without notarization provided that, in place of a notarized signature, the party affixes the party's typographical or facsimile signature immediately below a declaration that states the following:

> I swear under penalty of perjury that the above statements are true and correct. I understand that these statements are made for use as evidence in court and that I am subject to prosecution for perjury punishable by up to 5 years in prison and a fine of up to $5,000.00 if I give false information to the court.

This declaration is included on the Complaint for Protection from Abuse (PA-001), Complaint for Protection from Harassment (PA-006), Motion to Extend (PA-013), and on the Cover Sheet for Email Filing (PA-030) that is required to be submitted with all emailed filings under section E(2).

PMO-SJC-3A(E). EMAIL SUBJECT LINE AND COVER SHEETS FOR DOCUMENTS THAT ARE FILED BY EMAIL

1. Each document filed by email after the complaint must list the docket number of the case and must be filed with a subject line that lists the docket number. If there is no docket number, the filing party must list the names of the parties in the subject line (for example, "Jane Doe v. John Doe").

2. All documents filed by email, including initial complaints and motions to extend, must be accompanied by the Cover Sheet for Email Filing (PA-030) that includes the following information concerning the attorney or party:

   a. Printed name;

   b. Address;

c. Telephone number;

d. Email address; and

e. If the signer is an attorney, the name of that attorney's law firm and the attorney's Maine Bar number.

If the filing party has completed an Affidavit for Confidential Address (PA-015), the filing party does **not** need to complete the Cover Sheet for Email Filing (PA-030), and can instead write "confidential address" in the email that accompanies the emailed document.

PMO-SJC-3A(F). PAPER ORIGINALS FOR THE COURT WHEN DOCUMENTS ARE FILED BY EMAIL

No paper original of any document filed by email is to be mailed or delivered to the court.

PMO-SJC-3A(G). JUDICIAL REVIEW OF COMPLAINTS AND MOTIONS TO EXTEND THAT ARE FILED BY EMAIL

Complaints for protection from abuse, complaints for protection from harassment that do not require a filing fee,[3] and motions to extend protection orders that do not require a filing fee **that are filed by email before 3:00 p.m. on a business day** will be presented to a judicial officer for review and determination the same day they are submitted. If they are submitted by email on a weekend, legal holiday, or after 3:00 p.m. on a business day, they will not be reviewed until the next available business day.

If a plaintiff is emailing a complaint for protection from abuse or a complaint of protection from harassment, or a motion to extend a protection order, the plaintiff must file PA-027 and follow the instructions on that form.

[3] Complaints for protection from harassment that involve allegations of domestic violence, stalking, sexual assault, sex trafficking, or unauthorized dissemination of certain private images do not require a filing fee.

PMO-SJC-3A(H). SERVICE OF DOCUMENTS THAT ARE FILED BY EMAIL

1. **Complaints and Motions to Extend that Are Filed by Email**

   The court will arrange for the service by law enforcement of complaints for protection from abuse, motions to extend protection from abuse orders, complaints for protection from harassment that do not require a filing fee, and motions to extend protection from harassment orders that do not require a filing fee that are filed by email.

2. **Service of Documents, other than Complaints and Motions to Extend, and Response Deadlines**

   a. **Service on the Opposing Party**

      i. When a document is filed in a case in which **both parties are represented by counsel**, the filing party shall always copy opposing counsel on the email to the court. **Copying opposing counsel on the email to the court qualifies as service for purposes of this Order.**

      ii. If **only one party is represented by counsel,** the filing party shall send a copy of the filed document to the opposing party by mail.

      iii. If **neither party is represented**, the filing party shall **not** copy the opposing party on the email, and instead the court shall mail a copy of the filed document to the opposing party.

   b. **Response Deadlines**

      Response deadlines will be controlled by the applicable rules of civil procedure and statutory provisions, **except, while this Order is in effect, the response period for a motion to continue will be 3 days from the date of filing.**

PMO-SJC-3A(I). APPEALS

Email filing in appeals concerning protection from abuse and protection from harassment cases is governed by PMO-SJC-3.

PMO-SJC-3A(J). REJECTION OF DOCUMENTS THAT ARE FILED BY EMAIL

The email thread shall not be used for argument or dialogue between or among the parties. Any email filing received that does not comply with this order, including those that include argument or dialogue between or among the parties, will be rejected by the Clerk, and no filing will have occurred. **Repeated violations of this order may result in sanctions.**

Dated: December 14, 2020

For the Court:

/s/
Andrew M. Mead
Acting Chief Justice

APPENDIX PMO-SJC-3A

Proposed Orders in Word format or child support orders and worksheets in an editable format may be submitted to proposedorders@courts.maine.gov . The proposed order email address is not for any other type of filing such as child support affidavits, guardian ad litem reports, motions, closing arguments, or anything else that is not an editable version of a proposed order.

Documents in protection from abuse and protection from harassment cases on appeal before the Maine Supreme Judicial Court sitting as the Law Court should be emailed, as permitted by PMO-SJC-3, to lawcourt.clerk@courts.maine.gov.

All other documents, as permitted by PMO-SJC-3A, may be submitted to the applicable court's regional protection order email address listed below.

Region 1 - Biddeford, Springvale, and York District Courts: region1pafilings@courts.maine.gov

Region 2 - Bridgton and Portland District Courts: region2pafilings@courts.maine.gov

Region 3 - Farmington, Lewiston, Rumford, and South Paris District Courts: region3pafilings@courts.maine.gov

Region 4 - Augusta, Skowhegan, and Waterville District Courts: region4pafilings@courts.maine.gov

Region 5 - Bangor, Dover-Foxcroft, Lincoln, Millinocket, and Newport District
Courts: region5pafilings@courts.maine.gov

Region 6 - Belfast, Rockland, West Bath, and Wiscasset District Courts: region6pafilings@courts.maine.gov

Region 7 - Calais, Ellsworth, and Machias District Courts: region7pafilings@courts.maine.gov

Region 8 - Caribou, Fort Kent, Houlton, Madawaska, and Presque Isle District Courts: region8pafilings@courts.maine.gov