



Practice Tips for Attorneys from the Clerk's Office

General Tips

1. The courts and clerks' offices cannot accept pleadings filed by email, except as allowed by [Pandemic Management Order \(PMO-SJC-3\)\(revised 3-30-23\)](#), available on the Court Rules page of the Maine Judicial Branch website.
2. Clerks cannot provide legal advice, but may answer procedural questions, including questions about case scheduling or status.
3. Please be patient with the clerks. The clerks' offices send notices and documents from the courts in due course. Although it may sometimes be appropriate to call the clerk's office to confirm or correct information, please be mindful that calling the clerk's office multiple times to check on the status of a case does not result in faster court action.
4. Do not initiate communication with a clerk using the clerk's individual email address. You may, however, contact the court using court group email addresses that are publicly available.
5. You must register with the MJB case management system. If you are newly admitted to practice in Maine, you must submit the **Attorney Information Form (OTH-008)** and submit it as specified on the form. The same form is used to update your contact information after registering. The form can be found on the Forms page of the MJB website.

Court Services

1. To request a transcript or audio recording, please use the **Transcript and Audio Order Form (CV-CR-JV-165)** and make sure to include the required fee.
2. If your client has limited English proficiency, and you need to find an interpreter you can try Language Partners at (207) 523-2700 or House of Languages at (207) 423-9962.
3. English is the official language of the court. All submissions must be filed in English. It is the attorney's or party's responsibility to translate evidence, affidavits, and other court submissions.
4. Inform the clerk's office what languages need interpretation for court events, with as much notice as possible. You may also email interpreters@courts.maine.gov about court interpreter and translation services.
6. Inform the clerk's office if you know of anyone needing captioning [CC] or other disability accommodations for a court event. You may also email accessibility@courts.maine.gov about accommodations and court access issues.

Filing Tips

1. Include your bar number, phone number, and email address with your court submissions.
2. All documents filed with the court should include the correct docket number, including the prefix indicating the court location. If there are multiple relevant docket numbers, include them all.
3. Verify the correct filing fee for your submission. A list of filing fees can be found in [Administrative Order JB-05-26](#).
4. If you have created a form motion for your office, be sure to check to make sure you have all the necessary and required information filled in, such as the correct docket number(s), parties, and names for the case(s).
5. File separate motions for separate requests. Do not consolidate separate requests in one motion.

6. "Consolidated for hearing" does not mean consolidated for all purposes. You still need to file pleadings in each case.
7. When filing a motion to extend deadlines, include all deadlines that you are requesting to extend.
8. File motions to continue with as much notice as possible, as soon as the need for the continuance arises. If a motion to continue must be filed on short notice, avoid calling the clerks to inquire about the status of the motion to ensure the clerk can dedicate the necessary time to process the filing quickly.
9. Obtain the position of the other party when you are filing a motion. Be sure to indicate if you were unable to obtain the position of the other party. If the motion does not include the other party's position, the motion will be held 21 days for the objection to be filed or for the other side to assent.
10. Give the clerk's office as much notice as possible when a case needs to be added to the docket that was not previously scheduled. The clerks must pull and prepare the cases for the courtroom, and they have a process they must follow that takes time.
11. Make it clear that you are formally representing the moving party by filing an entry of appearance or signing your pleading.
12. Do not file your exhibits ahead of time if your hearing is in person. Simply bring them to the hearing.
13. If your hearing is scheduled to be held in person and you wish to appear via Zoom, you must make that request before the hearing and get court approval first.
14. If you have filed something via ShareFile, do not also email or file a duplicate copy.
15. Be mindful of the scheduled times that ShareFile is checked by the court. If you file last-minute motions, even though it is filed as of the time it was submitted, the motion might not get reviewed and ruled on until the next day. A response is never immediate.
16. Include a proposed order with your motion.
17. If you want an expedited ruling, you must ask for it. Otherwise, the motion will be processed in the ordinary course.
18. When filing an appearance or a plea and waiver in a criminal or juvenile case, provide the date of violation, charge, police department and date of arraignment/initial appearance. If you are waiving appearance, you must so indicate.
19. When a party's name changes from what was provided in the original filing document, you must file a motion to have it changed. The clerk does not have authority to change a party's name without an order to do so.
20. If you leave a firm and will not continue to represent a party, you must file a motion to withdraw; otherwise, you remain counsel of record. The clerk cannot remove you as counsel of record without a court order.
21. When asking for a stay, include the length of the requested stay.
22. If you are filing a document that is permitted to be filed by ShareFile, be mindful of the scheduled times that ShareFile is checked by the court. If you file a last-minute motion, even though it is filed as of the time it was submitted, the motion might not get reviewed and ruled on until the next day. A response is never immediate.
23. Registration of a foreign judgment is confirmed only after the applicable notice period has passed and there is no objection. After that period, the writ can be issued.

Clerical and Drafting Tips

1. If you have multiple cases and only intend to file in one of the cases, use the correct docket number and only that docket number.
2. Do not staple filings or give the clerk's office FedEx labels for return. Many offices do not have access to FedEx pickup service.
3. If you are filing a motion in multiple docket numbers, file as many copies as there are docket numbers.

Proposed Judgments

1. When filing a proposed judgment, indicate "judgment for x and against y."
2. If requesting interest on a judgment other than what is in the contract, you must ask for it specifically.
3. If there are motions pending in the case at the time you file a proposed judgment, remember to include language in the proposed judgment that all other motions not specifically ruled on are moot.
4. You must pay for writs when you request them, not when you receive them. Requests filed without payment will be returned as incomplete.
5. Proposed divorce judgments must include the grounds for divorce.

Hearings and Court Events

1. Come prepared.
2. Talk with your client before appearing for your scheduled case.
3. Have a system to keep track of your scheduled hearings. Do not rely on the clerks to send you a list or call you to remind you of a scheduled hearing.
4. At court, connect your client with the interpreters, as needed.
5. At court, ask for assistive listening devices for anyone you know who needs them.
6. If you are looking to do a global plea in related criminal cases but only one case is scheduled, contact the clerk's office prior to the hearing so they can ensure the files are prepared.
7. Do not have private or confidential conversations in the courtrooms near live microphones. Not only does this disrupt the audio recording of the proceedings, but your conversation will end up enmeshed in the record.
8. When speaking openly in court, speak directly into the microphone so that the audio recording, PA system, and assistive listening system all pick up your speech.
9. Make sure you know in advance what format the hearing or court event will be held (Zoom or in-person). If you need to request a change in format, use the form **Motion for Alternative Format (CR-CV-FM-260)**.
10. Just because you filed a motion to continue that was agreed to by opposing counsel, does not mean it will be granted. If you do not get an order or notice from the court, you must appear for your hearing as originally scheduled.
11. When the hearing is concluded, do not remain in the courtroom. Please have any necessary discussions with your client or opposing counsel in an available vestibule, conference room, or quiet part of the hallway.

Health and Safety in the Courthouse

1. Your clients must always enter the courthouse through the public entrance and go through entry screening, even if you have permission to enter the courthouse through a separate, secure entrance.
2. If you become aware of a medical or security event, inform a judicial marshal immediately.
3. Photography and videorecording are not permitted in the courtroom without express permission, for any reason.

For more information for attorneys visit: www.courts.maine.gov/attorneys/index