

**STATE OF MAINE JUDICIAL BRANCH
PANDEMIC MANAGEMENT ORDER**

Order Issued March 30, 2020

(revised May 5, 2020)

(replaced September 3, 2020)

(revised September 23, 2020)

(revised September 28, 2020)

(revised December 14, 2020)

(revised May 27, 2021)

(revised March 30, 2023)

Order Regarding Submission of Documents by Email

This order replaces and supersedes the prior revised Pandemic Management Orders PMO-SJC-3 and PMO-SJC-3A.

Maine courts will no longer accept the filing by email of any documents except as permitted by this Order, the Maine Rules of Court, or Administrative Orders. Email filing was permitted by the Supreme Judicial Court as a special accommodation at a time when the COVID-19 pandemic was surging, vaccinations were not yet available, and the courts were holding proceedings in a very limited number of cases. With the availability of COVID-19 vaccines, courts are now able to begin to address their backlog of cases. That effort, however, continues to be hampered by shortages of clerks and marshals and the ongoing need for court closures. The clerks' offices are simply not able to handle the regular business of the courts while also handling the additional tasks caused by email filing.

Therefore, email filing will not be permitted in Maine's courts after April 24, 2023, except as specified in this Order.

This Order does not affect the electronic filing of documents in the Bangor District Court, the Penobscot County Superior Court, or the Business and Consumer Docket.

PMO-SJC-3(A). PROTECTION FROM ABUSE AND PROTECTION FROM HARASSMENT CASES

1. Documents that May Be Filed by Email

Effective April 24, 2023, the District Court will, in protection from abuse and protection from harassment cases, accept the filing by email of only the following documents:

- a. Complaints for protection from abuse;
- b. Complaints for protection from harassment that do not require a filing fee;¹
- c. Post-judgment motions to extend protection from abuse orders;
- d. Post-judgment motions to extend protection from harassment orders that do not require a filing fee;² and
- e. Entries of appearance by counsel for the cases related to the complaints or post-judgment motions described above that are filed at the same time as those complaints or post-judgment motions.

2. Filing Date and Docketing of Complaints and Motions to Extend that are Filed by Email

The filing date will be the business day the complaint or motion to extend 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 courthouse is located. If a complaint or motion to extend is submitted on a Saturday, Sunday, or legal holiday, the filing date will be the next business day.

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, stalking, sexual assault, sex trafficking, or unauthorized dissemination of certain private images. See Revised Court Fees Schedule and Document Management Procedures, Me. Admin. Order JB-05-26 (as amended).

² See footnote 1 above.

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.

3. Format of Complaints or Motions to Extend that are Filed by Email

Attorneys and parties may submit complaints or motions to extend by email for filing in Word or PDF format. All documents, must be sent to the correct email address, as provided in the Appendix to PMO-SJC-3(A) attached to this order. These email addresses are for the sole purpose of submitting complaints and motions to extend for filing and may **not** be used for other types of communication with the clerks, judges, or other Judicial Branch personnel.

4. Electronic Signature and Notarization

- a. Any complaint or motion to extend 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. To comply with PMO-SJC-2(G), each electronic signature on a document filed by email must:
 - i. Be the electronic signature of the attorney or party filing the document; and
 - ii. 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/".

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

- b. A party may file by email a complaint or motion to extend 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 all court protection order forms that require notarization.

5. Email Subject Line

Each complaint filed by email must be filed with the names of the parties in the subject line (for example, "Pat Doe v. Alex Doe").

Each motion to extend must be filed with a subject line that also lists the docket number.

6. Paper Originals for the Court when Complaints or Motions to Extend are Filed by Email

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

7. 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, and motions to extend protection orders that do not require a filing fee³ **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 on the same day that they are submitted. If they are submitted by email on a weekend, legal holiday, or after 3:00

³ See footnote 1 above.

p.m. on a business day, they will not be reviewed until the next available business day.

A plaintiff who files a complaint or motion to extend by email must also file court form PA-027 and follow the instructions on that form.

8. Service of Complaints or Motions to Extend on Defendant that are Filed by Email

The court will arrange for the service by law enforcement of complaints for protection and motions to extend and any resulting temporary orders, **except that** the plaintiff (not the court) must arrange for service of a complaint for protection from harassment that does **not** involve domestic violence, stalking, sexual assault, sex trafficking, or unauthorized dissemination of certain private images, **and** for which the court denies the request for a temporary order.

9. Rejection of Complaints or Motions to Extend that are Filed by Email

Any email filing received that does not comply with this Order, will be rejected by the clerk, and no filing will have occurred. **Repeated violations of this order may result in sanctions.**

PMO-SJC-3(B). PROPOSED ORDERS

Proposed orders must be sent to proposedorders@courts.maine.gov in accordance with the requirements of Administrative Order JB-22-01.

PMO-SJC-3(C). GUARDIAN AD LITEM REPORTS

Guardian ad litem reports may be sent by email to the court in which the matter is pending.

Dated: March 30, 2023

For the Court:

_____/s/
Valerie Stanfill
Chief Justice

APPENDIX TO PMO-SJC-3(A)

Documents that may be filed by email in protection from abuse and protection from harassment cases under PMO-SJC-3(A)(1) 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