

STATE OF MAINE
SUPREME JUDICIAL COURT
AMENDMENT TO
MAINE RULES OF ELECTRONIC COURT SYSTEMS

2025 Me. Rules 05

Effective: June 13, 2025

All of the Justices concurring therein, the following amendment to the Maine Rules of Electronic Court Systems is adopted to be effective on the date indicated above. The specific amendment is stated below. To aid in the understanding of the amendment, an Advisory Note appears after the text of the amendment. The Advisory Note states the reason for recommending the amendment, but the Advisory Note is not part of the amendment adopted by the Court.

1. Rule 6 of the Maine Rules of Electronic Court Systems is amended to read as follows:

RULE 6. JUVENILE CASES

~~(A) Juvenile Case Records that are Nonpublic. There is no public access to the juvenile case records listed below:~~

~~(1) Juvenile petitions and orders of adjudication that are not open to inspection pursuant to subdivision (B);~~

~~(2) Juvenile case records of an alleged or adjudicated offense that would be a Class D or E crime or a civil violation if committed by an adult;~~

~~(3) Juvenile case records for a juvenile offense that is dismissed by the court;~~

~~(4) Any other juvenile case records where the Legislature has explicitly closed the proceedings; and~~

~~Any other juvenile case records that are not explicitly identified as public by law. If there is any ambiguity as to the level of access to a juvenile case record, the juvenile records are nonpublic unless determined otherwise by court order.~~

~~**(B) Juvenile Petitions and Orders of Adjudication Accessible by the Public.** Upon request, the following juvenile case records will be printed by the court clerk and provided for inspection by the public in paper form at a courthouse:~~

~~**(1)** Juvenile petitions alleging murder, felony murder, or manslaughter; and~~

~~**(2)** Orders adjudicating a juvenile of an offense that would constitute murder, or a Class A, B, or C crime if committed by an adult.~~

(A) Juvenile Case Records That the Public May Inspect.

~~**(1)** Unless access is limited or sealed pursuant to 15 M.R.S. § 3308-C(10) or Juvenile Court proceedings are suspended pursuant to 15 M.R.S. § 3318-A(5), the public may inspect the following juvenile case records:~~

~~**(a)** Juvenile petitions that are open to public inspection pursuant to 15 M.R.S. § 3308-C(2);~~

~~**(b)** Orders of adjudication as defined under 15 M.R.S. § 3003(19-C) that are open to public inspection pursuant to 15 M.R.S. § 3308-C(3); and~~

~~**(c)** Competency orders that are open to public inspection pursuant to 15 M.R.S. § 3318-C(2)(C).~~

~~**(2)** Names and identifying information of any victims, including alleged victims, shall be redacted by the prosecuting attorney when filing a juvenile petition, and by the court when issuing an order of adjudication or competency order that is accessible by the public.~~

(3) When a juvenile petition, order of adjudication, or competency order is open to public inspection under the applicable law, it will be made available for inspection only once printed by the court clerk at a courthouse and must be returned to the court clerk after the document is inspected.

(4) There is no public access to any other juvenile case records, except as allowed under subdivisions (B) and (C) of this rule.

(CB) Juvenile Case Records that ~~are Accessible to~~ Alleged Victims May Inspect.

(1) Access for Alleged Victims. Juvenile case records that are open to inspection by an alleged victim pursuant to ~~15 M.R.S. § 3308(2)~~ 15 M.R.S. §§ 3308-C(5) and 3318-C(2)(A) and (B) will be printed by the clerk and provided for inspection in paper form at a courthouse, and must be returned to the court clerk after the document is inspected.

(2) Alleged Victim Defined. For purposes of this rule, alleged victim of the juvenile crime includes:

(a) The alleged victim;

(b) If the alleged victim is a minor, the parent or parents, guardian, or legal custodian of the alleged victim; or

(c) If the alleged victim cannot act on the alleged victim's own behalf due to death, age, physical or mental disease or disorder or intellectual disability or autism or other reason, an immediate family member, guardian, legal custodian of the alleged victim, or ~~a licensed professional investigator under Title 32, Chapter 89~~ an attorney representing the alleged victim.

(C) Dissemination of Juvenile Case Records. Whenever dissemination of juvenile case records is allowed pursuant to 15 M.R.S. §§ 3308-C(4) or (6), the method of dissemination will be in the court's discretion.

~~**(D) Enhanced Access to Juvenile Case Records.** Juvenile case records are accessible at the courthouse, and upon request, are accessible remotely by the following:~~

- ~~(1) The juvenile's parent, guardian, or legal custodian;~~
- ~~(2) An agency to which legal custody of the juvenile was transferred as a result of adjudication;~~
- ~~(3) The Department of Health and Human Services prior to adjudication if commitment to the Department of Health and Human Services is a proposed disposition; and~~
- ~~(4) The Victims' Compensation Board established in 5 M.R.S. § 12004-J(11) if a juvenile is alleged to have committed an offense upon which an application to the board is based.~~

~~**(E) Access to Juvenile Case Records as Allowed by the Court.** Whenever the court grants access to juvenile case records pursuant to 15 M.R.S. §§ 3308(4), (5), or (7), or 3308-A, the records may be accessed in the format allowed by the court.~~

~~**(F) Nonpublic Juvenile Case Data, Documents, and Information.** Even when filed in otherwise public juvenile case records, the data, documents, and information listed below are nonpublic:~~

- ~~(1) Names and dates of birth of persons, other than the accused and alleged adult accomplices;~~
- ~~(2) Personally identifying information, including:
 - ~~(a) Residence addresses;~~
 - ~~(b) Telephone numbers;~~
 - ~~(c) Personal, business, or school email addresses and other electronic addresses;~~
 - ~~(d) Financial account numbers or statements, such as those that identify loans, bank accounts, mortgages, investment~~~~

~~accounts, credit card numbers, personal identification numbers, or similar numerical identifiers;~~

~~(e) Driver's license numbers;~~

~~(f) Other personal identification numbers, such as Social Security and employer identification numbers, passport numbers, and state identification numbers; and~~

~~(g) DNA-identifying data or information.~~

~~(3) Disability accommodation requests;~~

~~(4) Names, addresses, and personally identifying information of parties protected under a protection order, restraining order, or injunction, and of alleged victims of sexual offenses, domestic violence, or stalking;~~

~~(5) Images of minors and of persons of any age subject to guardianship, conservatorship, or mental health commitment proceedings;~~

~~(6) Images depicting nudity or of a sexual nature, including sexual acts, sexual contact, or sexual touching;~~

~~(7) Immigration and visa documents and related work authorizations;~~

~~(8) Court records relating to applications for court-appointed counsel, including indigency affidavits;~~

~~(9) Exhibits, affidavits, and other materials that are filed that contain otherwise confidential information as set out in these rules;~~

~~(10) Personal financial documents, including financial statements, tax documents including W-2s, paystubs, bank statements, account statements, and payment histories;~~

~~(11) Personal health information and medical records, including HIV/AIDS testing information and results, all mental health evaluations and records, forensic evaluations, substance use evaluations and~~

~~treatment records, psychological records, and intelligence test documents and results;~~

~~(12) School and education records, including discipline and scholastic achievement information and data;~~

~~(13) Birth certificates and death certificates;~~

~~(14) Trade secrets;~~

~~(15) Requests for appointment of a guardian ad litem, orders appointing guardians ad litem, and guardian ad litem reports;~~

~~(16) Reports of sexual assault kits;~~

~~(17) Documents concerning the issue of the juvenile's competency unless and until there is a decision finding the juvenile competent to stand trial;~~

~~(18) Any information in an order of adjudication or other document about determination of Special Immigrant Juvenile Status;~~

~~(19) Presentence reports, including attachments and evaluation reports; and~~

~~(20) Any other information or court record to which public access is prohibited by law.~~

(GD) Sealing or Impounding Public Juvenile Case Records.

(1) Sealing of ~~j~~Juvenile ~~e~~Case ~~r~~Records of a ~~p~~Person ~~a~~Adjudicated to ~~h~~Have ~~e~~Committed a ~~j~~Juvenile ~~e~~Crime.

(a) The procedure to seal juvenile case records of a person adjudicated to have committed a juvenile crime shall be governed by 15 M.R.S. § 3308-C(10). Pursuant to 15 M.R.S. § 3308(8), a person adjudicated to have committed a juvenile crime may petition the court to seal from public inspection all juvenile case records pertaining to the juvenile crime and its disposition, and to any prior juvenile case records and their dispositions if:

~~(i) At least 3 years have passed since the person's discharge from the disposition ordered for that juvenile crime;~~

~~(ii) Since the date of disposition, the person has not been adjudicated to have committed a juvenile crime and has not been convicted of committing a crime; and~~

~~(iii) There are no current adjudicatory proceedings pending for a juvenile or other crime.~~

~~(b) The court may grant the petition if it finds that the requirements of subdivision (G)(1)(a) are satisfied, unless it finds that the general public's right to information substantially outweighs the juvenile's interest in privacy.~~

~~(c) Section 3308(8)(C) 3308-C(10)(D) of Title 15 controls which persons have access to the sealed juvenile case records. Whenever access is allowed under this subdivision, the juvenile case records shall be accessible remotely and at the courthouse.~~

~~(d) If juvenile case records are sealed pursuant to subdivision (G)(1)(a) of this rule, the juvenile may respond to inquiries other than from the courts and criminal justice agencies about that person's juvenile crimes, the juvenile case records of which have been sealed, as if the juvenile crimes had never occurred, without being subject to any sanctions.~~

(2) Limitation of Access to Juvenile Case Records Pre-Adjudication. The procedure for sealing limiting access to juvenile case records pre-adjudication shall be governed by Rule 10(A)(2), except as otherwise provided by 15 M.R.S. § 3308-C(2). It is the responsibility of the filing party filer to ensure that sealed or impounded juvenile case records juvenile case records to which access has been limited are submitted to the court in accordance with Rule 12.

Advisory Note – June 2025

The amendments to Rule 6 align the provisions regarding the confidentiality of records in juvenile cases with the significant changes that

have been made to the statutes governing the confidentiality of those records since the adoption of the rules.

Dated: June 13, 2025

FOR THE COURT,*

_____/s/_____
VALERIE STANFILL
Chief Justice

ANDREW M. MEAD
ANDREW M. HORTON
CATHERINE R. CONNORS
RICK E. LAWRENCE
WAYNE R. DOUGLAS
JULIA M. LIPEZ
Associate Justices

* This Rule Amendment Order was approved after conference of the Court, all Justices concurring therein.