

STATE OF MAINE
SUPREME JUDICIAL COURT
PROPOSED AMENDMENTS TO THE
MAINE RULES OF APPELLATE PROCEDURE

1. Rule 5(b) of the Maine Rules of Appellate Procedure is amended to read as follows:

RULE 5. RECORD ON APPEAL

...

(b) Transcripts. Unless excused for good cause by a Justice of the Supreme Judicial Court, the record on appeal shall include both a print and an electronic copy of any transcript filed in support of the appeal. The electronic copy of each transcript shall be in a native .pdf format. The electronic copy of any transcript shall be filed in the same manner as electronic copies of briefs are filed pursuant to Rule 7A(i)(2).

Advisory Note - _____ 2019

This amendment to Rule 5(b) clarifies any uncertainty by indicating that, absent an excuse for good cause having been demonstrated, the record on appeal must include both a print and an electronic copy of any transcript filed in support of any appeal.

2. Rule 7(b)(1) of the Maine Rules of Appellate Procedure is amended to read as follows:

RULE 7. SCHEDULE FOR BRIEFING AND CONSIDERATION

...

(b) Time for Filing Briefs.

(1) Track A Appeals. In a Track A appeal, the appellant shall file the

appellant's brief within 28 days (4 weeks) after the date that the record on appeal is complete. The appellee shall file the appellee's brief within 56 days (8 weeks) after the date that the record on appeal is complete, and the appellant may file a reply brief within 14 days after the date that the appellee's brief is filed.

An appeal is a Track A appeal if it results from a trial court judgment that:

- (A)** determines jeopardy pursuant to 22 M.R.S. § 4035;
- (B)** terminates parental rights pursuant to 22 M.R.S. § 4055 or 18-A M.R.S. § 9-204;
- (C)** grants a decree of adoption pursuant to 18-A M.R.S. § 9-308;
- (D)** appoints a guardian for a minor pursuant to 18-A M.R.S. § 5-207;
- (E)** denies the termination of a guardianship for a minor pursuant to 18-A M.R.S. § 5-210;
- (F)** grants or denies the termination of a guardianship for an adult pursuant to Title 18-A, Article 5, part 3;
- (G)** establishes or changes contact between a parent and child pursuant to 19-A M.R.S. § 1653(2) or (10);
- (H)** grants or denies a determination of de facto parenthood or parentage in any parentage proceeding defined in 19-A M.R.S. § 1834;
- (I)** grants contact pursuant to the Grandparents Visitation Act 19-A M.R.S. § 1801 et seq.;
- (J)** involuntarily commits an individual to an institution or a progressive treatment program, or orders the involuntary medication of a person;
- (K)** determines that a criminal defendant is not criminally responsible by reason of insanity; or

(L) resolves an appeal from an agency's denial of a request pursuant to the Freedom of Access Act, 1 M.R.S. § 400 et seq.; or

(M) results in a juvenile adjudication or disposition, pursuant to 15 M.R.S. § 3402.

Advisory Note - ____ 2019

This amendment adds appeals of juvenile adjudication or disposition to the list of appeals subject to expedited briefing.