

STATE OF MAINE
SUPREME JUDICIAL COURT
ADMINISTRATIVE ORDER JB-20-03 (A. 9-23)

APPLICATION OF THE MAINE RULES OF ELECTRONIC COURT
SYSTEMS (M.R.E.C.S.) DURING THE IMPLEMENTATION OF THE
ODYSSEY CASE MANAGEMENT SYSTEM

Effective: September 15, 2023

This order amends JB-20-03, signed on November 23, 2020, and effective on November 30, 2020. This Order governs the application of the Maine Rules of Electronic Court Systems (M.R.E.C.S.) during the transitional period while the Maine Judicial Branch completes its adoption and implementation of a new electronic case management system (Odyssey CMS) and e-filing throughout the state court system.

The Maine Judicial Branch has started the process of converting its case management system from the Maine Judicial Information System (MEJIS) platform to the Odyssey platform and implementing an e-filing initiative on a court-by-court basis. To guide the use of the Odyssey CMS and to allow for e-filing, the Maine Supreme Judicial Court adopted the M.R.E.C.S. on August 21, 2020, and amended those rules effective March 15, 2021.

This Administrative Order provides guidance when there are conflicts between M.R.E.C.S. and other rules and administrative orders during the period of implementation. This order also suspends certain M.R.E.C.S. provisions governing public access to court records during the period of implementation.

To promote efficient court functions during the period of implementation, the Court ORDERS:

I. FILING

- A.** *Conflicts with M.R.E.C.S.* With the exception of this administrative order, the M.R.E.C.S. will govern in any circumstance where a conflict between M.R.E.C.S. and any other court rule or administrative order exists. Where there is no conflict between

M.R.E.C.S. and other court rules, and also in those courts where the Odyssey CMS and e-filing have not yet been implemented, all other court rules remain in full force and effect.

- B.** *Redaction in Conventional Filings.* In courts where the Odyssey CMS and e-filing have been implemented, conventional filers must comply with the provisions of all court rules, including M.R.E.C.S. For conventionally filed documents containing nonpublic information, the filer must ensure that nonpublic information is appropriately redacted in the filing. An unredacted version of the document must also be filed and must be marked as nonpublic. After conventionally filed documents are scanned and entered into the Odyssey system as electronic documents, they are subject to the M.R.E.C.S. rules of access, except as provided herein.

II. ACCESS

- A.** *Court records received before implementation of electronic filing.*
1. *Public access.* Any file, document, information, or data received or maintained by the court before the implementation of electronic filing is accessible by the public in paper at the courthouse unless otherwise prohibited by law or court order.
 2. *Party access.* Any file, document, information, or data received or maintained by the court before the implementation of electronic filing that becomes an electronic court record through scanning or other digitization is accessible remotely by the parties and their attorneys unless access is otherwise prohibited by law or court order.
- B.** *Court records received after implementation of electronic filing.* In courts where Odyssey has been implemented, court records that are accessible by the public by law are accessible by the public only at a courthouse, except that the following court records are accessible by the public remotely and at a courthouse:

1. The Registry of Actions in cases where M.R.E.C.S. allows remote access pursuant to Rules 4 and 5; and
2. Court records the court makes accessible by the public remotely.

Promulgation Date: August 31, 2023

For the Court:

/s/
Valerie Stanfill
Chief Justice, Supreme Judicial Court

AO JB-20-03 (A. 9-23) dated August 31, 2023, and effective September 15, 2023

Signed by: Valerie Stanfill, Chief Justice, Maine Supreme Judicial Court

Issued to indicate that the M.R.E.C.S. were amended effective March 15, 2021; to provide guidance when there are conflicts between M.R.E.C.S. and other rules and administrative orders during the period of implementation; and to suspend certain M.R.E.C.S. provisions governing public access to court records during the period of implementation.

Historical Derivation of JB-20-03

AO JB-20-03 dated November 23, 2020, and effective November 30, 2020

Signed by: Andrew M. Mead, Acting Chief Justice, Maine Supreme Judicial Court

Original promulgation.