

STATE OF MAINE
SUPREME JUDICIAL COURT
AMENDMENT TO
MAINE RULES OF CIVIL PROCEDURE

2018 Me. Rules 15

Effective: July 1, 2018

All of the Justices concurring therein, the following amendment to the Maine Rules of Civil Procedure 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 Rule amendment. The Advisory Note states the reason for the amendment, but the Advisory Note is not part of the amendment adopted by the Court.

1. Rule 4(d)(1) of the Maine Rules of Civil Procedure is amended to read as follows:

RULE 4. PROCESS

....

(d) Summons: Personal Service. The summons, complaint, and notice regarding Electronic Service shall be served together. Personal service within the state shall be made as follows:

(1) Upon an individual other than a minor or an incompetent person, by delivering a copy of the summons, ~~and of the complaint, and notice regarding Electronic Service~~ to the individual personally or by leaving copies thereof at the individual's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein or by delivering a copy of the summons, complaint, and notice regarding Electronic Service to an agent authorized by appointment or by law to receive service of process, provided that if the agent is one designated by statute to receive service, such further notice as the statute requires shall be given. The court, on motion, upon a showing that service as prescribed above cannot be made with due diligence, may order service to be made pursuant to subdivision (g) of this rule.

Advisory Note – July 2018

The amendment to Rule 4(d)(1) corrects an oversight in a package of amendments promulgated effective July 1, 2018. *See* 2018 Me. Rules 08. The amended language requires that a notice regarding Electronic Service be served upon an individual other than a minor or an incompetent person along with a copy of the summons and complaint.

Dated July 27, 2018

FOR THE COURT,*

_____/s/_____
LEIGH I. SAUFLEY
Chief Justice

DONALD G. ALEXANDER
ANDREW M. MEAD
ELLEN A. GORMAN
JOSEPH M. JABAR
JEFFREY L. HJELM
THOMAS E. HUMPHREY
Associate Justices

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