

STATE OF MAINE
SUPREME JUDICIAL COURT
ADMINISTRATIVE ORDER JB-20-03 (A. 6-25)
(Corrected June 10, 2025)

APPLICATION OF THE MAINE RULES OF ELECTRONIC COURT
SYSTEMS (M.R.E.C.S.) DURING THE IMPLEMENTATION OF
MAINE eCOURTS

Effective: June 6, 2025

This order further 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 Maine eCourts, a new eFiling, online payment, electronic court records, and electronic case management system.

The Maine Judicial Branch has started the process of implementing Maine eCourts on a court-by-court basis. To guide the use of Maine eCourts, the Maine Supreme Judicial Court adopted the M.R.E.C.S. on August 21, 2020, and has amended those rules since.

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

Maine eCourts and e-filing have not yet been implemented, all other court rules remain in full force and effect.

- B. *Redaction or Omission in Conventional Filings.* In courts where Maine eCourts 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 omitted or redacted in the filing and that the nonpublic information is submitted in a separate document along with the filing. When a separate document is filed containing nonpublic information, the user must mark it as "NONPUBLIC." After conventionally filed documents are scanned and entered into the Maine eCourts system as electronic documents, they are subject to the M.R.E.C.S. rules of access, except as provided herein.
- C. Court records received after implementation of electronic filing that contain information that is nonpublic shall be redacted or omitted by the filer pursuant to M.R.E.C.S. 38(A). Failure to redact or omit nonpublic information as required by the Maine Rules of Electronic Court Systems may result in that information being accessible by the public. Failure to comply with these rules may be grounds for a finding of contempt of court and imposition of sanctions pursuant to M.R.E.C.S. 40.

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 Maine eCourts 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;
2. Criminal Judgment and Commitment (form CR-121) unless specifically impounded by the court; and
3. Court records the court makes accessible by the public remotely.

C. *Copies of court records.* During the period of implementation, and until further order of the court, M.R.E.C.S. 9(E), which prohibits photographing electronic court records viewed on public access computer (PAC) screens, is hereby suspended. Persons are permitted to photograph electronic court records made available to the public on PACs to save records.¹

D. *Confidential charges.*

1. *Juvenile charges.* If a prosecutor files an adult criminal complaint that contains a charge that should instead be filed in juvenile court, the prosecutor must dismiss the case and file a new adult criminal complaint, without the juvenile charge. Upon dismissal of the original adult criminal complaint, the court shall seal the dismissed case to ensure the juvenile charge is not accessible to the public.

¹ Any court records that are available only for public inspection, including public juvenile case records, are not available on PACs.

2. *Pardoned criminal charges.* If a defendant receives a full and free (unconditional) pardon on a charge, the court shall amend the case security to nonpublic. If a case has charges remaining after an unconditional pardon, the public may only access court records related to the remaining charges by requesting paper copies at the courthouse.
3. *Sealed criminal charges.* If a criminal case contains charges that have been sealed, the court shall amend the case security to nonpublic. If a case has unsealed charges remaining, the public may only access court records related to the unsealed charges by requesting paper copies at the courthouse.

Promulgation Date: June 10, 2025

For the Court:



Valerie Stanfill

Chief Justice, Supreme Judicial Court

AO JB-20-03 (A. 6-25) dated and effective June 6, 2025

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

Issued to clarify that Maine eCourts is the collective name for the new eFiling, online payment, electronic court records, and electronic case management system of the Maine Judicial Branch; to add the criminal judgment and commitment as a court record that is accessible by the public remotely and at a courthouse in courts where Maine eCourts has been implemented; to provide that persons are permitted to photograph electronic court records made available to the public on PACs to save records; to address access to juvenile charges, pardoned criminal charges, and sealed criminal charges in Maine eCourts; and to note that M.R.E.C.S. 38 requires the filer to redact or omit nonpublic information and failure to comply with this requirement may result in nonpublic information being accessible by the public and prompt a finding of contempt of court or the imposition of sanctions.

Historical Derivation of JB-20-03

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.

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.