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Maine Judicial Branch Establishes Process for Resumption of Processing Eviction Cases

July 21, 2020, Portland, Maine. The Maine Judicial Branch released an order [PMO-SJC-6](#) today setting forth procedures that will apply to all Forcible Entry and Detainer (FED) (eviction) cases pending from March 18, 2020, the date of the first order issued by the Supreme Judicial Court in response to the COVID-19 pandemic, through August 31, 2020. The Court's first order, PMO-SJC-1 issued on March 13, 2020 and subsequent orders, suspended many types of cases from being heard in Maine courts consistent with emergency orders issued by the Governor in response with the COVID-19 pandemic. Under the Judicial Branch's May 27th [COVID-19 Phased Management Plan](#), Maine courts are scheduled to begin scheduling and hearing eviction cases during phase 4 of the Plan—August 3, 2020 through September 4, 2020.

Today's order provides that, in addition to lifting the restriction on scheduling and hearing evictions during phase 4, plaintiffs in eviction cases initiated between March 18, 2020 and August 31, 2020, or on further order of the court, must file a form verifying that the property at issue in the eviction action is not a "covered dwelling" under the federal Coronavirus Aid, Relief, and Economic Security Act (CARES) or otherwise subject to federal agency moratoria and program prohibiting evictions. The CARES Act provides a temporary moratorium on eviction filings and other protections for tenants in certain rental properties with federal rental assistance or federally-related financing.

The Court sets forth procedures and provides that every eviction case will first be scheduled for an initial telephone status conference before being referred to mediation, when appropriate, or scheduled for a final hearing. Hearings will be scheduled to be held in person at the courthouse unless otherwise ordered by the court or agreed upon by the parties and the court.

