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FOR IMMEDIATE RELEASE

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Maine Judicial Branch Revises Schedule for Hearing Cases in the COVID Era

**November 3, 2020, Portland, Maine.** The Maine Judicial Branch announced today that it has adopted a revised COVID-19 Phased Management Plan (Plan) and issued revisions of two Pandemic Management Orders to clarify how Maine courts are allocating limited judicial resources during the COVID-19 pandemic, including extending the date when many civil case types will be scheduled until into 2021. Also released are new amendments to the Business Docket Procedural Rules.

In a [statement from Maine Supreme Court Acting Chief Justice Andrew M. Mead](#), the Judicial Branch said these steps are necessary because of the extensive resources and complex planning required to schedule and conduct criminal trials and other top tier priority cases in the COVID era.

**Released today:**

**(1) [COVID-19 Phased Management Plan \(Revised November 3, 2020\)](#)**

The Plan creates a five-phased process for reopening Maine courts based on the most recent scientific data available from the Maine Center for Disease Control and Prevention (CDC) and stakeholder input. New revisions to Plan make clear that although all case types and jury trials are *permitted* to be heard under the terms of Phase 5, the actual setting of any matter for trial or hearing remains subject to the Judicial Branch's longstanding priority schedule policy. The extensive measure undertaken to provide safe and secure in-person proceedings have substantially limited the numbers of matters that can be address by the Judicial Branch. Therefore, matters such as money judgments, disclosures, small claims, land use violations, and other civil matters will not be schedule or heard before 2021; Foreclosures will not be scheduled or heard before February 28, 2021, and the scheduling of jury trials will be limited to criminal matters. A comprehensive plan regarding the scheduling of jury trials will be released in the near future.

**(2) [PMO-SJC-6 \(Revised Nov. 3, 2020\)](#)**

Revises procedures for handling Forcible Entry and Detainer (FED) (eviction) cases, including eliminating the requirement that a federal CARES Act verification form be filed in order to pursue an FED case.

**(3) [PMO-SJC-7 \(Revised Nov. 3, 2020\)](#)**

The revision confirms that participation of witnesses or parties by telephone or remote video may be permitted at the court's discretion, with consideration given to party witnesses who are over age 60 or at risk for COVID-19 complications.





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**(4) Amendments to Business and Consumer Docket Procedural Rules**

The BCD Procedural Rules, which are part of the Maine Rules of Civil Procedure, have been amended to operate consistent with the Odyssey Electronic Filing System (EFS).

In advance of the release of the attached documents, Chief Justice Mead asked that I share them with you. Please see:

- **A Statement from the Acting Chief Justice Regarding Case Scheduling:** - A statement to the public regarding the challenges and realities of case scheduling;
- **Version 3 of our Phased Pandemic Management Plan** -The most significant change includes an ADDENDUM to Phase Five which addresses the realities of case scheduling and planning;
- **PMO-SJC-6** - This revision alleviates the requirement that a CARES Act verification form must be filed in order to initiate or pursue an FED action;
- **PMO-SJC-7** - This revision removes the previous language in the hybrid proceedings section, PMO-SJC-7(B)(3)(b), and replaces it with language that confirms that participation of witnesses or parties by telephone or remote video may be permitted at the court's discretion and provides guidance to judges regarding allowing participation for witnesses and parties who are over the age of 60 or at risk for COVID-19 complications;
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