

STATE OF MAINE  
SUPREME JUDICIAL COURT  
AMENDMENTS TO  
MAINE RULES OF APPELLATE PROCEDURE

**2022 Me. Rules 04**

Effective: September 2, 2022

All of the Justices concurring therein, the following amendments to the Maine Rules of Appellate Procedure are adopted to be effective on the date indicated above. The specific amendments are stated below. To aid in the understanding of the amendments, an Advisory Note appears after the text of each amendment. The Advisory Note states the reason for recommending the amendment, but the Advisory Note is not part of the amendment adopted by the Court.

1. Rule 19(a)(2)(J) of the Maine Rules of Appellate Procedure is amended to read as follows:

(J) An appeal from a final judgment entered under 15 M.R.S. § 2254 ~~2264~~(5) or (7), pursuant to 15 M.R.S. § ~~2258~~ 2267(1), when the appeal is taken by a ~~the~~ person who filed ~~the~~ a motion seeking a court order sealing the person's ~~for obtaining the special restrictions on dissemination and use of~~ criminal history record information relating to a qualifying criminal judgment.

**Advisory Note – September 2022**

Rule 19(a)(2)(J) originally provided for the discretionary appeals permitted by 15 M.R.S. § 2258(1), which was adopted by P.L. 2015, ch. 354, § 1, and which provided a temporary mechanism for a person who had been convicted of a qualifying crime to request special restrictions on dissemination and use of criminal history record information relating to the crime. That legislation repealed itself effective October 1, 2019.

On May 1, 2022, P.L. 2021, ch. 674 adopted 15 M.R.S. §§ 2261-2269 to provide a permanent mechanism for a person who has been convicted of a qualifying crime to move to seal criminal history record information relating to the conviction. As with the previous legislation, the new legislation permits a

discretionary appeal by a convicted person aggrieved by an order on a motion to seal the records. The amendment to Rule 19(a)(2)(J) replaces the statutory citations and changes the description of the order appealed from to match the terminology used in the new legislation.

2. Rule 23(b)(5) of the Maine Rules of Appellate Procedure is amended to read as follows:

(5) *Response*. Within 14 days any other party in interest may file with the Clerk of the Law Court 10 copies of a response to the petition for appellate review. The response may not exceed ~~10~~ 12 pages.

### **Advisory Note – September 2022**

In May 2018, Rule 23(b)(1)(B) was changed to increase the page limit for petitions for appellate review and responses to petitions from 10 pages to 12 pages. The amendment, however, created an inconsistency with Rule 23(b)(5), which continues to limit responses to 10 pages. This amendment increases the page limit in Rule 23(b)(5) to match the limit in Rule 23(b)(1)(B).

Dated: September 2, 2022

FOR THE COURT,\*

\_\_\_\_\_/s/\_\_\_\_\_  
VALERIE STANFILL  
Chief Justice

ANDREW M. MEAD  
JOSEPH M. JABAR  
ANDREW M. HORTON  
CATHERINE R. CONNORS  
RICK E. LAWRENCE  
Associate Justices

---

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