

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

2026 Me. Rules 02

Effective: June 1, 2026

All of the Justices concurring therein, the following amendments to the Maine Rules of Civil Procedure are adopted to be effective on the date indicated above. The specific amendments are stated below. To aid in the understanding of each amendment, an Advisory Note appears after the text of the 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 100 of the Maine Rules of Civil Procedure is amended to read as follows:

RULE 100. SCOPE OF THE FAMILY DIVISION RULES

The rules in this chapter shall govern procedure in the District Court and, where applicable, procedure on post-judgment motions in the Superior Court, in all actions for divorce, annulment, judicial separation, paternity or parentage, parental rights and responsibilities, child support, guardianship, adoption, name change, emancipation, visitation rights of grandparents, and any post-judgment motions arising from these actions. In addition, Rule 101(c) applies to minor plaintiffs in protection from abuse cases, and Rule ~~126~~ 129 establishes the procedure to be used in child protection cases ~~when there is a Probate Court case involving the same child or children that must be transferred to the District Court~~ when a child who is in the custody of the Department of Health and Human Services is placed in a children's residential treatment program that qualifies as a qualified residential treatment program. The District Court shall have exclusive jurisdiction over such actions, except that (1) any issue on which there is a constitutional right to a trial by jury may be heard and decided by a jury in the Superior Court upon a proper and timely request for transfer in accordance with Rule 76, and (2) the Superior Court may continue to hear post-judgment motions in actions that were pending or concluded in the Superior Court on or before December 31, 2000 and have not

been transferred to the District Court. Reference to the court within this chapter includes District Court Judges, Superior Court Justices, and Family Law Magistrates, unless otherwise specified.

The Maine Rules of Civil Procedure shall govern all matters not addressed in these Family Division Rules.

The rules in this chapter shall be construed to provide a system of justice that is responsive to the needs of families and the support of their children.

Advisory Note – June 2026

Rule 100 is amended, together with Rule 101(c), in response to Public Law 2025, chapter 158 (codified at 19-A M.R.S. § 4103(2)), which allows minors to commence protection from abuse proceedings on their own. This rule is also amended to clarify that the only Family Division Rule in Chapter XIII of the Maine Rules of Civil Procedure that applies to child protection cases is Rule 129.

2. Rule 101 of the Maine Rules of Civil Procedure is amended to read as follows:

(c) Minor as a Party. Notwithstanding the provisions of Rule 17(b), a minor party to any action under this chapter including, for purposes of this subdivision, protection from abuse cases, need not be represented by next friend, guardian ad litem, or other fiduciary at the time of filing or thereafter, unless the court so orders. Nothing in this rule shall be construed to change the current and limited matters in which a minor may be a party to the action.

Advisory Note – June 2026

Rule 101 is amended, together with Rule 100, to indicate that subdivision (c) applies to protection from abuse cases filed by minors. This change is made in response to Public Law 2025, chapter 158 (codified at 19-A M.R.S.

§ 4103(2)), which allows minors to request protection from abuse orders on their own.

Dated: May 15, 2026

FOR THE COURT,*

_____/s/_____
VALERIE STANFILL
Chief Justice

ANDREW M. MEAD
CATHERINE R. CONNORS
RICK E. LAWRENCE
WAYNE R. DOUGLAS
JULIA M. LIPEZ
CHRISTOPHER C. TAUB
Associate Justices

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