

STATE OF MAINE  
SUPREME JUDICIAL COURT  
AMENDMENTS TO  
MAINE RULES OF UNIFIED CRIMINAL PROCEDURE

**2015 Me. Rules 04**

Effective: May 1, 2015

All the Justices concurring therein, the following amendments to the Maine Rules of Unified Criminal Procedure are adopted to be effective on the date indicated above. The specific rules amendments are stated below. To aid in 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 27 of the Maine Rules of Unified Criminal Procedure is amended to read as follows:

**RULE 27. ELECTRONIC SOUND RECORDING AND TRANSCRIPTION  
OF PROCEEDINGS**

**(a) Proceedings Recorded.** ~~All proceedings shall be electronically recorded or taken down by a by a court reporter. The procedure for recording in criminal cases is governed by Rule 76H of the Maine Rules of Civil Procedure and Me. Admin. Order JB-12-1, Recording of Trial Court Proceedings. All transcripts of trial court proceedings held in the Unified Criminal Docket shall be reproduced in accordance with M.R. Civ. P. 5(i)(2).~~

**(b) Preservation of Record.** ~~In all other respects, Rule 76H of the Maine Rules of Civil Procedure and Recording of Trial Court Proceedings, Me. Admin. Order JB-12-1, as amended, govern the procedure for electronic recording in criminal cases, except that all recordings and records pertaining to a criminal proceeding shall be retained until the expiration of any sentence that is longer than the retention period provided for such recordings and records in civil cases by rule 76H(e) of the Maine Rules of Civil Procedure.~~

**(be) Expenses.** Upon appropriate motion, the court shall direct that the State bear any expense for listening to recordings by, or preparation of a transcript for, indigent defendants who qualify for the assignment of counsel pursuant to Rule 44.

**Advisory Note – April 2015**

Rule 27 has been largely abrogated, except to serve as a signpost to direct the reader to apply the procedures contained in amended Rule 76H of the Maine Rules of Civil Procedure, and Me. Admin. Order JB-12-1, Recording of Trial Court Proceedings.

Further, the directive in the final sentence of former subdivision (a) regarding the filing of condensed transcripts is now found in new subdivision (f) of M.R.U. Crim. P. 49. See also Advisory Note – April 2015 to M.R.U. Crim. P. 49(f).

2. Rule 49 of the Maine Rules of Unified Criminal Procedure is amended to include a new subdivision (f) as follows:

**(f) Condensed Transcripts.** All transcripts of trial court proceedings held in the District Court or the Superior Court shall be reproduced in accordance with M.R. Civ. P. 5(i)(2).

**Advisory Note – April 2015**

The directive governing the filing of condensed transcripts contained in former M.R.U. Crim. P. 27(a) is relocated to new subdivision (f) of Rule 49. See also Advisory Note – April 2015 to M.R.U. Crim. P. 27.

3. These amendments shall be effective May 1, 2015.

Dated: April 27, 2015

FOR THE COURT<sup>1</sup>



LEIGH L. SAUFLEY

Chief Justice

DONALD G. ALEXANDER

ANDREW M. MEAD

ELLEN A. GORMAN

JOSEPH M. JABAR

JEFFREY L. HJELM

Associate Justices

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<sup>1</sup> This Rule Amendment Order was approved after conference of the Court, all Justices concurring therein.