

STATE OF MAINE
SUPREME JUDICIAL COURT
AMENDMENT TO THE
MAINE RULES OF APPELLATE PROCEDURE

2018 Me. Rules 06

Effective: June 1, 2018

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

1. Rule 8(e)(6) of the Maine Rules of Appellate Procedure is amended to read as follows:

(e) Contents, Mandatory - SPECIFIC PROCEEDINGS. Following the contents required by subdivision (d), the appendix shall contain the following contents for specific proceedings:

....

(6) Domestic Relations, Parentage, or Child Protection Matters. If the appeal is from a decision related to a domestic relations, parentage, or child protection matter: the child support affidavits, if child support is at issue on appeal; ~~a transcript or recording of the testimony concerning the issues on appeal;~~ the financial statements of the parties, if property distribution or child or spousal support is at issue on appeal; the report of the guardian ad litem, if any, if a parental rights or parentage decision is at issue on appeal.

Advisory Note - June 2018

When the Maine Rules of Appellate Procedure were initially redrafted in the process leading to the 2017 restyling, the specific requirement regarding inclusion of the transcript in the appendix was included in the draft of Rule 8(e)(6). As finally adopted, the restyled Rules, and specifically Rule 8(g)(4),

barred inclusion of transcripts in the appendix, except where required by other Rules. The transcript requirement in Rule 8(e)(6) should have been removed to be consistent with the later drafted Rule 8(g)(4). Leaving the transcript requirement in Rule 8(e)(6) was a drafting oversight which is corrected with this amendment. Transcripts of proceedings on appeal must be prepared and included in the record on appeal as required by Rule 5(b)(2), but full transcripts of domestic relations, parentage, or child protection matters should not be included in the appendix.

Dated: May 23, 2018

FOR THE COURT,*

_____/s/_____
LEIGH I. SAUFLEY
Chief Justice

DONALD G. ALEXANDER
ANDREW M. MEAD
ELLEN A. GORMAN
JOSEPH M. JABAR
JEFFREY L. HJELM
THOMAS E. HUMPHREY
Associate Justices

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