

STATE OF MAINE
SUPREME JUDICIAL COURT
AMENDMENT TO
MAINE RULES OF PROBATE PROCEDURE

2019 Me. Rules 01

Effective: July 1, 2019

All of the Justices concurring therein, the following amendment to the Maine Rules of Probate 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 Committee Note appears after the text of the amendment. The Advisory Committee Note states the reason for recommending the amendment, but the Advisory Committee Note is not part of the amendment adopted by the Court.

1. Rule 84 of the Maine Rules of Probate Procedure is amended to read as follows:

RULE 84. FORMS

(a) Use of Official Forms. ~~The forms listed in the Appendix of Forms are official forms.~~ All persons involved in matters within the Probate Court's jurisdiction must use official forms. ~~The official forms are intended to indicate the simplicity and brevity of statement which the rules contemplate and may serve as guides in cases for which no official form exists.~~ "Official forms" shall be those forms as promulgated by the Maine Advisory Committee on Probate Rules, after review by the Maine Probate Judges Assembly and the Maine Association of Registers of Probate.

(b) ~~Printing and Certification~~ Requirements for Official Forms ~~Not Purchased from the Register.~~ Rule 5(i) of the Maine Rules of Civil Procedure governs proceedings in the Probate Courts, except that all official forms shall be printed in accordance with the following standards:

Official forms filed in the Probate Court ~~forms are to~~ must be printed in a uniform format and type approved by the Maine Association of Registers of Probate. ~~Any official form not purchased from the Register shall include, at the~~

~~time of filing, a written certification by the preparer of the form that no alteration has been made to the official form as most recently approved and promulgated by the Supreme Judicial Court, which certification must appear on the form immediately following the last line of the form. Official forms must be purchased from the Register or obtained from the official Maine Probate Court website.~~

(c) Fees for Official Forms. Fees for official forms shall be set by the Registers of Probate in accordance with Title ~~18-A~~ 18-C, Section 1-511. The fee will be charged at the time an official form is purchased from the Register. If the official form is prepared in accordance with paragraph (b) of this rule, the fee will be charged at the time the official form is presented to the Register for filing.

(d) Electronically Filed Forms. No fee shall be charged for an electronically filed form.

Advisory Committee Note - July 2019

This Amendment clarifies that the Maine Advisory Committee on Probate Rules is responsible for promulgating all official probate forms and eliminates the ability to use “nonofficial” forms. In addition, it refers to Title 18-C, which will be in effect as of July 1, 2019.

Dated: April 10, 2019

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.