

§2247. Service

1. Form of service; transmittal. A petition, emergency extreme risk protection order, extreme risk protection order or notice of a hearing issued pursuant to this chapter must be served by a law enforcement officer in accordance with the Maine Rules of Civil Procedure. A court that issues an order under this chapter shall promptly transmit the order electronically or by other means to a law enforcement agency for service and shall deliver a copy to the appropriate law enforcement agency. [IB 2025, c. 1, §6 (NEW).]

2. Service on respondent. A respondent who attends a hearing held under section 2244, 2245 or 2246 at which an emergency extreme risk protection order or extreme risk protection order is issued and who receives notice from the court at the hearing that the order has been issued is deemed to have been served. Regardless of whether the court has previously notified the respondent of the order, the court shall transmit the order for service on the respondent by a law enforcement agency. [IB 2025, c. 1, §6 (NEW).]

3. Performance of service. A petition, emergency extreme risk protection order, extreme risk protection order or notice of a hearing issued pursuant to this chapter must be served in a manner calculated to ensure the safety of the parties. Law enforcement agencies must have a written policy that prioritizes methods of service that do not involve advance notification of a request for an emergency extreme risk protection order to the respondent. The law enforcement agency shall make a good faith effort to serve process expeditiously. Notice of an emergency extreme risk protection order must be served as soon as practicable, but no later than 24 hours after issuance of the order. The law enforcement officer making service shall file a return of service with the court stating the date, time and place at which the order was delivered personally to the respondent.

[IB 2025, c. 1, §6 (NEW).]

4. Service of termination and renewal. A motion to terminate or renew an extreme risk protection order must be served by a law enforcement officer in accordance with the Maine Rules of Civil Procedure. A notice of hearing may be provided in accordance with the Maine Rules of Civil Procedure.

[IB 2025, c. 1, §6 (NEW).]

SECTION HISTORY

IB 2025, c. 1, §6 (NEW).

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