

§4653. Commencement of proceedings

1. Filing. A person who has been a victim of harassment, including a business, may seek relief by filing in an appropriate court:

A. A sworn complaint alleging harassment; and [PL 2011, c. 559, Pt. C, §3 (NEW).]

B. If the alleged harassment does not meet the definition in section 4651, subsection 2, paragraph C or is not related to an allegation of domestic violence, violence against a dating partner, sexual assault, stalking or harassment as described in Title 17-A, section 506, subsection 1, paragraph A-1 or A-2, a copy of a notice to stop harassing the plaintiff issued to the defendant pursuant to Title 17-A, section 506-A, subsection 1, paragraph A, subparagraph (1), division (a) or subparagraph (3) or a statement of good cause why such a notice was not sought or obtained. The court has discretion, based on the nature of the allegations as well as any further inquiry that the court may make of the plaintiff, to issue an order even if notice to stop harassing the plaintiff has not been issued to the defendant as described in Title 17-A, section 506-A, subsection 1, paragraph A, subparagraph (1), division (a) or subparagraph (3). [PL 2021, c. 634, Pt. B, §1 (AMD).]

[PL 2021, c. 634, Pt. B, §1 (AMD).]

2. Assistance. The court shall provide separate forms with a summons and clerical assistance to assist either party to proceed under this chapter in completing and filing a complaint or other necessary documents. This assistance may not include legal advice or assistance in drafting legal documents.

[PL 2003, c. 658, §3 (AMD).]

3. Fees. No fee may be charged for forms. A plaintiff may apply for the right to proceed in forma pauperis.

[PL 1989, c. 371, §1 (AMD).]

SECTION HISTORY

PL 1987, c. 515, §1 (NEW). PL 1987, c. 708, §3 (AMD). PL 1989, c. 371, §1 (AMD). PL 1993, c. 199, §2 (AMD). PL 1995, c. 265, §3 (AMD). PL 1995, c. 650, §3 (AMD). RR 2003, c. 2, §7 (COR). PL 2003, c. 658, §§2,3 (AMD). PL 2011, c. 559, Pt. C, §3 (AMD). PL 2017, c. 455, §2 (AMD). PL 2019, c. 359, §1 (AMD). PL 2021, c. 634, Pt. B, §1 (AMD).

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