

# Bar Talk – April 7, 2020

- Emergency Order updates
  - notarization
  - response from Judicial Branch
- Guest: Bill Nugent, Director of MAP
- Business side updates
  - communication
  - MSBA
- Personal side updates
  - journal, tempo
- Questions/requests; MSBA can liaise – please send to [aarmstrong@mainebar.org](mailto:aarmstrong@mainebar.org)

# Question to Judicial Branch

- An attorney received a final order dated March 19 from a judge on a FM case; Rule 59 allows for a motion to amend, and a motion for findings of fact and conclusions of law. Does the attorney have what the rule allows 14 days, plus 49 days as referenced in PMO-SJC-2 to file for same? And, at the same time, are notices of appeal for this same final order due 21 days after March 30? And, if so, how do those periods work together?

# Response from Judicial Branch

- The 49-day extension referenced in SJC-PMO-2 applies to the motion for findings, and the appeal period would not run until that is resolved. Under the scenario presented, the attorney would have the full 14 days plus 49 days to file the post-judgement motion and can then file a notice of appeal within 21 days of the ruling on the post-judgment motion.
- Alternatively, under Me. R. App. P 2B, the attorney can do both - file the post-judgment motion and the notice of appeal. The appeal will be suspended until after the post-judgment motion is ruled on. (If this approach is taken, the attorney should make sure that notice of appeal gets filed within the 21 days of the judgment.)