

## §4111. Modifying and extending orders

**1. Extension.** The court may extend a final protection order issued under this chapter at the time of expiration, upon motion of the plaintiff, for such additional time as the court determines necessary to protect the plaintiff or minor child from abuse or conduct specified in section 4103. A final protection order may be extended more than once and without limitation on the duration of the extension. In determining whether extension of a final protection order is necessary, the court may consider:

- A. The underlying reasons for the order, including earlier abuse and the history of abuse; [PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]
- B. Conduct that has occurred since the entry of the final protection order; [PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]
- C. The continued effect of any abuse on the plaintiff; and [PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]
- D. All other relevant factors pursuant to the discretion of the court. [PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]

The court may continue the final protection order in effect until a hearing under section 4109, subsection 1 on the motion to extend.

[PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]

**1-A. Extension after expiration.** The court may reinstate and extend a final protection order issued under this chapter after expiration, upon motion of the plaintiff, only if the court finds:

- A. That the plaintiff has shown good cause for filing the motion to extend a final protection order after expiration of the order, which may include that the filing was not timely due to a dismissal of a prior motion to extend because of an inability to serve the defendant; and [PL 2025, c. 157, §2 (NEW).]
- B. That the filing under this subsection was made within a reasonable amount of time based upon the underlying circumstances. [PL 2025, c. 157, §2 (NEW).]

If the court makes findings for the plaintiff under paragraphs A and B, the court may reinstate the final protection order that has expired until a hearing under section 4109, subsection 1 on the motion to extend and shall apply the standard in subsection 1 to determine whether an extension of the final protection order is necessary to protect the plaintiff or minor child from abuse or conduct specified in section 4103.

[PL 2025, c. 157, §2 (NEW).]

**2. Modification of order.** Upon motion by either party, for sufficient cause, the court may modify an order issued under this chapter from time to time as circumstances require.

[PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]

**3. Action by plaintiff.** A plaintiff may extinguish or modify an order issued under this chapter only by legal process in accordance with the Maine Rules of Civil Procedure. Any other action or inaction on the part of the plaintiff does not alter, diminish or negate the effectiveness of the order. Criminal sanctions may not be imposed upon the plaintiff for violation of a provision of the plaintiff's order for protection.

[PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]

**4. Action by defendant.** A defendant may not file a motion to extinguish a final order issued under this chapter. The court may dismiss a motion to extinguish filed by a defendant without a hearing and before opposition is filed.

[PL 2025, c. 159, §1 (NEW).]

## SECTION HISTORY

PL 2021, c. 647, Pt. A, §3 (NEW). PL 2021, c. 647, Pt. B, §65 (AFF). PL 2025, c. 157, §2 (AMD). PL 2025, c. 159, §1 (AMD).

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