

§4107. Service of order

If the court issues an order under this chapter, the court shall order an appropriate law enforcement agency or, if the defendant is present in the courthouse, a court security officer qualified pursuant to Title 4, section 17, subsection 15 or, if the defendant is in the custody of the Department of Corrections, the Department of Corrections to serve the defendant personally with the order. Temporary orders must be served with the summons and complaint. The court shall cause the order to be delivered to the law enforcement agency, the court security officer or the correctional facility in which the defendant is incarcerated as soon as practicable following the issuance of the order. The law enforcement agency, court security officer or chief administrative officer of a correctional facility or the chief administrative officer's designee shall make a good faith effort to serve process expeditiously. [PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]

1. Electronically transmitted printed copies of order. Notwithstanding any provision of law to the contrary, service of an order may be made pursuant to this section through the use of electronically transmitted printed copies of orders that have been transmitted directly from the court to the law enforcement agency or correctional facility making service. Return of proof of service may be made by electronic transmission of the proof of service directly to the court from the law enforcement officer making service or the chief administrative officer, or the chief administrative officer's designee, of the correctional facility making service.

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

2. Officer who served order as witness. In any subsequent criminal prosecution for violation of this chapter when the service of an order was made through the use of an electronically transmitted printed copy of the order, with 10 days' advance written notice to the prosecution, the defendant may request that the prosecution call as a witness the law enforcement officer who served the order or the chief administrative officer, or the chief administrative officer's designee, of the correctional facility that served the order.

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

SECTION HISTORY

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

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