

## **RULE 58. ENTRY OF JUDGMENT**

Unless the court otherwise directs and subject to the provisions of Rule 54(b), judgment upon the verdict of a jury shall be entered forthwith by the clerk; but the court shall direct the appropriate judgment to be entered upon a special verdict or upon a general verdict accompanied by answers to interrogatories returned by a jury pursuant to Rule 49. When the court directs that a party recover only money or costs or that all relief be denied, the clerk shall enter judgment forthwith upon receipt by the clerk of the direction; but when the court directs entry of judgment for other relief, the court shall promptly settle or approve the form of the judgment and direct that it be entered by the clerk. The notation of a judgment in the civil docket in accordance with Rule 79(a) constitutes the entry of the judgment. Any judgment or other order of the court is effective and enforceable upon signature by the court, or if not signed by the court, then upon entry of the judgment in the civil docket. The date of entry of the judgment or order shall govern time calculations pursuant to these rules or applicable statutes. The entry of the judgment shall not be delayed for the taxing of costs.

### **Advisory Committee's Notes 2004**

Rule 58 is amended to change the time when a judgment is effective and enforceable from entry on the docket to the time when a judgment or order is signed by a judge. This change is necessary because, in current practice, due to court staffing shortages, there is sometimes a considerable delay between the time when a judgment or order is signed and the time when that judgment or order is entered into the docket. This difference has created some problems, particularly in domestic relations cases where changes to parental rights orders, meant to be promptly effective, were delayed in effect because of delays in entry into the docket. Confusion also existed because, while Rule 58 addresses judgments, and particularly final judgments, some clerks and attorneys were construing it as applicable to prejudgment or post-judgment orders. Under Rule 58, as amended, any judgment or other order of the court becomes effective and enforceable upon signature by a judge. Where a court judgment or order is not signed by a judge, but is entered into the docket by the clerk upon direction by a judge, such an order or judgment continues to be effective and enforceable only when it is entered into the docket. While a judgment or order that is signed by a judge becomes effective and enforceable when signed, the date of entry of the judgment or order in the docket will continue to govern time calculations under the rules or applicable

statues. Thus, when the date of the judge's signature differs from the date of entry of a judgment or order into the docket, the date of entry of the judgment or order into the docket will continue to control the time for filing a notice of appeal or a motion for new trial under M.R. Civ. P. 59 or a motion for reconsideration or amendment of judgment under M.R. Civ. P. 60. For money judgments, calculation of interest at prejudgment or post-judgment rates would change based on the date of entry of the judgment in the docket. The rule amendment does not change requirements relating to notice of judgments or orders to make them effective and enforceable.

**Advisory Committee's Note**  
**April 15, 1975**

This amendment adds the phrase "in accordance with Rule 79(a)" in the next to the last sentence. It is made for purposes of clarity, at the same time that Rule 79(a) is amended to permit, in appropriate exceptional cases, the notation of judgment to consist of incorporation by reference of documents filed with the clerk by the court.

**Reporter's Notes**  
**December 1, 1959**

This rule is the same as Federal Rule 58. Time for appeal starts running from the date of judgment, which in a jury case is entered forthwith upon the verdict. This is unlike the existing Maine practice at law. See the discussion in the Note to Rule 54.