

## **RULE 57. DECLARATORY JUDGMENTS**

The procedure for obtaining a declaratory judgment pursuant to 14 M.R.S.A. §§ 5951-5963 shall be in accordance with these rules, and the right to trial by jury is preserved under the circumstances and in the manner provided in Rules 38 and 39. The existence of another adequate remedy does not preclude a judgment for declaratory relief in cases where it is appropriate. The court may order a speedy hearing of an action for a declaratory judgment and may advance it on the calendar.

### **Explanation of Amendment (Jan. 1, 1967)**

The amendment effective January 1, 1967, updates the statutory references.

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

This rule, which is substantially the same as Federal Rule 57, simply provides that actions under the declaratory judgment statute shall be in accordance with these rules.

A declaratory judgment action may be either legal or equitable in its nature. *Maine Broadcasting Co. v. Eastern Trust & Banking Co.*, 142 Me. 220, 49 A.2d 224. If it is legal in nature, the right to trial by jury is preserved.