

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 251

H. P. 195

House of Representatives, January 20, 1971

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Hewes of Cape Elizabeth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Cause the Central Register of Attorneys to be Maintained by the Administrative Assistant to the Chief Justice of the Supreme Judicial Court.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 4, §§ 901-905, amended. Sections 901 to 905 of Title 4 of the Revised Statutes are amended to read as follows:

§ 901. Establishment and maintenance

It shall be the duty of the ~~Secretary of State~~ **Administrative Assistant to the Chief Justice** to establish and maintain a central register of all persons who have been duly admitted as members of the bar in this State.

§ 902. Preparation

Said list shall be prepared from information furnished to the **Administrative Assistant** by the Secretary of State and by the clerk of courts from the several counties ~~each of whom shall within 3 months after August 20, 1955, prepare in writing, certify and mail to the office of the Secretary of State, a full, true and complete list of all members of the bar now living who have been admitted in their respective counties.~~

§ 903. Revision

It shall likewise be the duty of the clerk of courts in each of the several counties to furnish to the ~~Secretary of State~~ **Administrative Assistant to the Chief Justice** by registered mail a written certificate setting forth any and all additions to the list of members of the bar from his county as well as all deletions by reason of death, resignation, disbarment, suspension or otherwise, and all reinstatements or readmissions not otherwise reported to the

~~Secretary of State~~ **Administrative Assistant to the Chief Justice** as and when they occur and thereupon it shall become the duty of the ~~Secretary of State~~ **Administrative Assistant to the Chief Justice**, forthwith upon receipt of each amendatory certificate, to revise the central register of attorneys accordingly, to the end that said register may be perpetually maintained with current corrections from each county. A list of persons admitted each year together with the date and place of taking the oath and the date of admission shall be supplied annually to the secretary of the Board of ~~Bar~~ **Examiners for the Examination of Applicants for Admission to the Bar** by the ~~Secretary of State~~ **Administrative Assistant to the Chief Justice**.

§ 904. **Register as evidence**

If and whenever in any proceedings before any court of civil or criminal jurisdiction within the State of Maine, it becomes an issue as to whether or not any individual is or is not duly admitted to practice law as a member of the bar in the State of Maine, the certificate of the ~~Secretary of State~~ **Administrative Assistant to the Chief Justice** as to whether or not his name then appears upon the said central roll or register of attorneys shall be prima facie evidence of the fact.

§ 905. **Certificates**

It shall be the duty of the ~~Secretary of State~~ **Administrative Assistant to the Chief Justice** upon payment of a fee of \$5 to furnish his certificate under seal of the **Supreme Judicial Court** in respect of any individual as to whether he is or is not recorded as a member of the bar on the said central register except that such certificate shall be furnished without charge to the Attorney General, his deputies and assistants and the county attorneys of the several counties for use in connection with their public duties.

Sec. 2. Effective date. This Act shall take effect on January 1, 1972.

STATEMENT OF FACT

This bill transfers the responsibility for maintaining a central register of attorneys from the office of the Secretary of State to the office of the Administrative Assistant to the Chief Justice of the Supreme Judicial Court.