

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 540

H.P. 397

House of Representatives, January 31, 2019

An Act Regarding Qualifications for District Attorneys

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MORRIS of Turner.

Cosponsored by Representatives: COSTAIN of Plymouth, HALL of Wilton, MASON of Lisbon, MORALES of South Portland, PICKETT of Dixfield, Senator: TIMBERLAKE of Androscoggin.

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

2 **Sec. 1. 30-A MRSA §251, sub-§2**, as enacted by PL 1987, c. 737, Pt. A, §2 and
3 Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; c. 104, Pt. C, §§8 and 10, is further
4 amended to read:

5 **2. Qualifications.** Only ~~attorneys~~ an attorney who is admitted to the general practice
6 of law in ~~this~~ the State, who has not been suspended from the practice of law in the State
7 or in any other jurisdiction during the previous 10 years and who ~~reside~~ resides in the
8 prosecutorial district may be elected or appointed district attorney. Removal from the
9 prosecutorial district or disbarment or suspension from the practice of law vacates the
10 office.

11 **SUMMARY**

12 Current law requires that only attorneys who are admitted to the practice of law in the
13 State may be elected or appointed district attorney. This bill adds the requirement that an
14 attorney may not have been suspended from the practice of law in the State or any other
15 jurisdiction during the previous 10 years in order to be elected or appointed district
16 attorney and specifies that disbarment or suspension from the practice of law vacates the
17 office.