

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1353

H. P. 991

House of Representatives, March 5, 1971

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

BERTHA W. JOHNSON, Clerk

Presented by Mrs. Doyle of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Legal Grievances.

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

Sec. 1. R. S., T. 4, § 801, amended. The first sentence of section 801 of Title 4 of the Revised Statutes is repealed and the following enacted in place thereof:

The Board of Examiners for the Examination of Applicants for Admission to the Bar and Grievance Board, as heretofore established and hereinafter in this chapter called the "board," shall be composed of 6 members appointed by the Governor for a term of 5 years, 2 members shall be competent lawyers of the State, one of whom shall not be a member of the State Bar Association, 4 members shall be nonlawyers, 2 of whom shall be from low-income groups. No member shall be associated in any way, either professionally or personally, with any state-regulated industry or corporation.

Sec. 2. R. S., T. 4, §§ 812 and 813, additional. Title 4 of the Revised Statutes is amended by adding 2 new sections to read as follows:

§ 812. Condition to practice

An attorney licensed to practice law in this State shall not be required to join or belong to any organization or association as a condition of practicing law in this State.

§ 813. Reregister

Every person licensed under this chapter and wishing to continue in the practice of the legal profession in this State shall annually on or before January 1st reregister with the board on a form to be provided by the board,

but reregistration under this section shall not be required of an attorney during the calendar year in which he is originally licensed under this chapter. The reregistration form, to be signed by the applicant, shall contain his name, his residence address, the address at which he is engaged in practice, and such other identifying information as the board may require, and an annual reregistration fee of \$25 shall accompany such form. A licensee who fails to reregister before January 1st shall be so notified by certified mail to his last known address, and until March 1st may reregister as provided, except that the reregistration fee for the year shall be \$60. An attorney duly licensed under this chapter shall be exempted from the payment of the fees provided for any calendar year during which he is in the active service of the Armed Forces of the United States. The license of a licensee who has not reregistered before March 1st shall be considered suspended until such time as he shall reregister, at which time he may be reinstated by the board upon the payment of a reregistration fee of \$10, and no further examination shall be required by the board as a condition to such reinstatement. When any person licensed under this chapter and practicing in this State shall change his place of residence in this State, or shall move out of the State, he shall, within 30 days after such change, so notify the board. Nothing in this section shall preclude the exercise by the board of such other powers and duties as are stated in this chapter. This section shall be effective for the calendar year beginning January 1, 1972 and thereafter.

Sec. 3. R. S., T. 4, § 852, amended. Section 852 of Title 4 of the Revised Statutes is amended by adding at the end the following new paragraph:

The board may disbar or suspend attorneys licensed in this State for misconduct and reinstate licenses to practice law.

STATEMENT OF FACT

The purpose of this bill is to give statutory recognition that the bar will fulfil its duties in the matter of admitting suitable candidates to practice law and of protecting the public from errant lawyers.