

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 587

H. P. 465

House of Representatives, February 15, 1979

On Motion of Mr. Hobbins of Saco referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Kelleher of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Allow Former Judges to Practice Criminal Law.

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

4 MRSA § 157-A, first ¶, last sentence, as enacted by PL 1973, c. 417, § 2, is amended to read:

The right of any judge drawing such compensation to continue to receive it shall cease immediately, if he acts as attorney or counsellor in any action or legal proceeding, **other than a criminal action or criminal proceeding**, in which the State is an adverse party or has any interest adverse to the person or persons in whose behalf he acts.

STATEMENT OF FACT

This bill provides that a District Court Judge receiving retirement compensation may practice criminal law and still receive that compensation. Present statute states that a retired District Court Judge acting as an attorney or counsellor to a person having an adverse interest to the State will lose his retirement compensation. This bill, or course, still prohibits a retired District Court Judge from representing or counselling a client with an adverse interest to the State in a civil matter.