

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1230

H.P. 918. House of Representatives, April 10, 1987  
Reference to the Committee on Judiciary suggested and  
ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative MANNING of Portland.

Cosponsored by Senator BRANNIGAN of Cumberland and  
Representative PARADIS of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT Relating to a Court Appearance by a  
2 Property Manager on Behalf of a  
3 Landlord.  
4

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

7 Sec. 1. 4 MRSA §807, first ¶, as amended by PL  
8 1985, c. 598, §1, and c. 742, §1, is repealed and  
9 the following enacted in its place:

10 No person may practice law or hold himself out to  
11 practice law within the State or before its courts,  
12 or demand or receive any remuneration for those ser-  
13 vices rendered in this State, unless he has been ad-  
14 mitted to the bar of this State and has complied with  
15 section 806-A, or unless he has been admitted to try  
16 cases in the courts of this State under section 802.

1 Any person who practices law in violation of these  
2 requirements is guilty of the unauthorized practice  
3 of law, which is a Class E crime. This section shall  
4 not be construed to apply to practice before any Fed-  
5 eral Court by any person admitted to practice there-  
6 in; nor to a person pleading or managing his own  
7 cause in court; nor to a person who is a property  
8 manager or employee of a property manager, who is not  
9 an attorney, but is representing a landlord under Ti-  
10 tle 14, chapter 709; nor to the officer or employee  
11 of a corporation, partnership, sole proprietorship or  
12 governmental entity, who is not an attorney, but is  
13 appearing for that organization in an action cogniza-  
14 ble as a small claim under Title 14, chapter 738; nor  
15 to a person who is not an attorney, but is represent-  
16 ing a municipality under Title 30, section 2361, sub-  
17 section 3; section 3222, subsection 2; section 4966,  
18 subsection 1; or Title 38, section 441, subsection 2;  
19 nor to a person who is not an attorney, but is repre-  
20 senting the Department of Environmental Protection  
21 under Title 38, section 342, subsection 7; nor to a  
22 person who is not an attorney, but is representing  
23 the Bureau of Employment Security or the Bureau of  
24 Taxation under section 807-A. In all proceedings,  
25 the fact, as shown by the records of the Board of  
26 Overseers of the Bar, that that person is not re-  
27 corded as a member of the bar shall be prima facie  
28 evidence that he is not a member of the bar licensed  
29 to practice law in the State.

30       Sec. 2. 14 MRSa §6001, sub-§2-A is enacted to  
31 read:

32       2-A. Property manager may maintain action. Not-  
33 withstanding subsection 2, the process of forcible  
34 entry and detainer may be maintained against a tenant  
35 by a property manager. For the purposes of this sub-  
36 section, a "property manager" means a person, part-  
37 nership, association or corporation who performs on  
38 behalf of a landlord, fiscal, administrative or phys-  
39 ical management of a tenant's premises, including the  
40 leasing or renting of those premises. The property  
41 manager or an employee of the property manager may  
42 represent the landlord in a process for forcible en-  
43 try and detainer even though the property manager or  
44 employee is not an attorney.

