

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1552

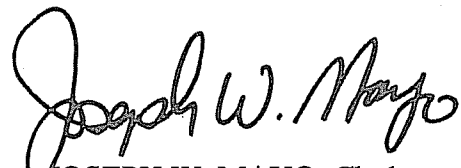
H.P. 1153

House of Representatives, June 4, 1993

An Act to Amend the Laws Governing the Required Qualifications to Practice Law in the State.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative FOSS of Yarmouth.
Cosponsored by Representative PARADIS of Augusta, Senator PEARSON of Penobscot and
Representative: REED of Falmouth.

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

2 Sec. 1. 4 MRSA §805-A, sub-§2, ¶A, as enacted by PL 1985, c.
4 124, §6, is amended to read:

6 A. Produces satisfactory evidence of good moral character.
8 The fact that an applicant has been convicted as an adult of
10 any crime that is punishable by imprisonment of one year or
12 more in this State or in any other state or jurisdiction of
14 the United States raises a presumption that the applicant
16 has not met this requirement. This presumption may be
18 rebutted by proof that a lawful pardon has been obtained,
20 that extraordinary circumstances surrounded the commission
22 of the crime or that a reasonable amount of time has passed
24 since the applicant's conviction and completion of sentence
26 and there is evidence of complete rehabilitation based on
28 the applicant's subsequent history;

STATEMENT OF FACT

22 This bill amends the law governing admission of attorneys to
24 the bar and creates a rebuttable presumption that a person who
26 has been convicted of a crime punishable by a year or more in
28 prison should not be allowed to practice law. The presumption
30 may be rebutted by evidence of a pardon or extraordinary
circumstances surrounding the crime or by the passage of time
coupled with evidence of complete rehabilitation.