MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1622

H.P. 1150

House of Representatives, December 23, 2009

An Act To Make Technical Changes to the Laws Governing the Practice of Law

Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

Received by the Clerk of the House on December 21, 2009. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millient M. Macfarland MILLICENT M. MacFARLAND Clerk

Presented by Representative PRIEST of Brunswick.
Cosponsored by Senator BLISS of Cumberland and
Representatives: CROCKETT of Bethel, DILL of Cape Elizabeth, HINCK of Portland,
KRUGER of Thomaston, STEVENS of Bangor, Senator: HOBBINS of York.

.1	Be it enacted by the People of the State of Maine as follows:
2 3	Sec. 1. 4 MRSA §807, sub-§3, ¶O, as amended by PL 2007, c. 611, §2, is further amended to read:
4 5	O. A person who is not an attorney, but who is representing a party in any hearing action or proceeding before the Maine Public Employees Retirement System; or
6 7	Sec. 2. 4 MRSA §807, sub-§3, ¶P, as enacted by PL 2007, c. 611, §3, amended to read:
8 9 10 11	P. A person who is not an attorney but who, as the executive director of the Stat Harness Racing Commission, is representing the Department of Agriculture, Foo and Rural Resources at adjudicatory hearings before the commission in accordance with Title 8, section 263-C-; or
12	Sec. 3. 4 MRSA §807, sub-§3, ¶Q is enacted to read:
13 14 15	Q. A person who is an attorney admitted to practice in another United State jurisdiction to the extent permitted by rules of professional conduct adopted by the Supreme Judicial Court.
16	SUMMARY
17 18 19 20 21	The statute prohibiting the practice of law by persons not licensed in this State currently in conflict with Rule 5.5 of the Maine Rules of Professional Conduct adopte by the Supreme Judicial Court in August 2009. This bill eliminates that conflict be providing that practice by an attorney licensed by another jurisdiction in the United State does not violate the unlicensed practice statute as long as that practice conforms to the
22	requirements of Rule 5.5.