

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 644

H.P. 458

House of Representatives, February 28, 2017

An Act To Improve Citizen Access to Legal Representation

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SEAVEY of Kennebunkport.

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

2 **Sec. 1. 4 MRSA §802**, as amended by PL 1985, c. 124, §2, is further amended to
3 read:

4 **§802. Attorneys from other states**

5 Attorneys who are practicing law in other states, territories or foreign countries may
6 be admitted on motion to try cases in any of the courts of this State by those courts, ~~but~~
7 ~~shall not~~ and may be admitted on motion to the general practice of law in this State
8 without complying with section 805-A. An attorney admitted to the general practice of
9 law in this State pursuant to this section shall disclose in writing to a client in this State
10 represented by that attorney that the attorney has not met the qualifications for admission
11 to practice specified in section 805-A and shall obtain from that client written consent to
12 the representation.

13 **Sec. 2. 4 MRSA §807, sub-§1**, as repealed and replaced by PL 1989, c. 755, is
14 amended to read:

15 **1. Prohibition.** No person may practice law or profess to practice law within the
16 State or before its courts, or demand or receive any remuneration for those services
17 rendered in this State, unless that person has been admitted to the bar of this State and has
18 complied with section 806-A, or unless that person has been admitted to try cases in the
19 courts of this State or to the general practice of law in this State under section 802.

20 **SUMMARY**

21 This bill allows an attorney who practices law in a jurisdiction other than this State to
22 be admitted to the general practice of law in this State without complying with the
23 qualifications for admission to practice law specified in the Maine Revised Statutes, Title
24 4, section 805-A. This bill provides that an attorney from another jurisdiction admitted to
25 the general practice of law in this State who has not met the qualifications for admission
26 to practice law specified in Title 4, section 805-A must disclose in writing to a client in
27 this State represented by that attorney that the attorney has not met these qualifications
28 for admission and must obtain from that client written consent to the representation.