

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1043

S.P. 345

In Senate, March 14, 2017

An Act To Promote Impartiality in the Probate Court

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator KATZ of Kennebec.
Cosponsored by Representative BAILEY of Saco and
Senators: CARPENTER of Aroostook, DION of Cumberland, HILL of York, Representative:
TEPLER of Topsham.

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

2 **Sec. 1. 4 MRSA §309** is amended by adding at the end a new paragraph to read:

3 Beginning January 1, 2019, a judge of probate may not appear as counsel in any
4 contested probate proceeding. Beginning January 1, 2021, a judge of probate may not
5 practice law in the State while serving as a judge of probate.

6 **SUMMARY**

7 Beginning January 1, 2019, this bill prohibits probate judges from appearing as
8 counsel in contested probate cases. Beginning January 1, 2021, this bill also prohibits
9 probate judges from engaging in the practice of law while they are serving as probate
10 judges.