

MAINE STATE LEGISLATURE

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N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 1109

S. P. 410

In Senate, February 25, 1953.

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Tabb of Kennebec by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

**AN ACT Relating to Judges of Probate and Spouses as Counsel in Cases
Incompatible.**

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

R. S., c. 140, § 20, amended. Section 20 of chapter 140 of the revised statutes is hereby amended to read as follows :

'Sec. 20. Judges not counsel in cases incompatible; nor draft documents which they are required to pass upon. No judge of probate, **or his or her wife or husband**, shall have a voice in judging and determining, nor be attorney or counselor in or out of court in any civil action or matter, which depends on or relates to any sentence or decree made by him in his office, nor in any civil action for or against any executor, administrator, guardian or trustee under any last will and testament, as such, within his county, and any process or proceeding commenced by him **or her** in the probate court for his county in violation of this section is void, and he is liable to the party injured in damages ; nor shall any judge of probate, **nor his wife or her husband**, draft or aid in drafting any document or paper which he **or she** is by law required to pass upon.'