



Free Legal Help for Maine's Seniors

December 28, 2017

Via electronic mail

Matthew Pollack, Executive Clerk
Maine Supreme Judicial Clerk
205 Newbury Street, Room 139
Portland, ME 04112-0368

RE: Comments by Legal Services for the Elderly on Proposed Amendment to the Maine Rules of Professional Conduct Rule 8.4, Addressing Discrimination and Harassment

Dear Justices of the Maine Supreme Judicial Court,

Legal Services for the Elderly (LSE) submits the following comments with regard to the pending proposed amendment to Rule 8.4 of the Maine Rules of Professional Conduct addressing discrimination and harassment. LSE is a statewide nonprofit legal aid provider that offers free, high quality legal services to Maine's socially and economically needy elderly age 60 and over.

LSE supports clear professional standards to address harassment or discrimination in conduct related to the practice of law. It is LSE's position that the current proposed amendment to Rule 8.4 that addresses only unlawful harassment or discrimination does not go far enough.

In its comments submitted to the Court, Pine Tree Legal Association (PTLA) provided several instances of hostile and offensive behavior that would likely not be considered unlawful discrimination or harassment and therefore would fall outside the terms of the current proposed amendment. For that reason, in order to clearly establish and support a professional environment that is free from hostility, bias, or harassment, the Court should adopt the American Bar Association (ABA) Model Rule 8.4(g).

The model rule directly addresses problematic behaviors that run counter to the longstanding traditions and norms of the Maine bar. Therefore LSE joins PTLA and other Maine legal aid providers in support of the adoption of ABA Model Rule 8.4(g).

Respectfully submitted,



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