

Volunteer Lawyers Project Comments on MRPC 8.4 (g)

The Volunteer Lawyers Project is a state wide nonprofit organization whose mission is to increase equal access to justice for low income and vulnerable Maine people by engaging Maine lawyers in *pro bono* service.

The Maine Supreme Judicial Court has invited comments on proposed amendments to the Maine Rules of Professional Conduct to state specifically that unlawful harassment and unlawful discrimination constitutes professional misconduct. These comments are being submitted on behalf of the Volunteer Lawyers Project (VLP).

Our general experience of the Maine Bar is that it is a collegial and professional body, willing to provide thousands of hours of pro bono service every year to increase access to justice for Maine people with low incomes. We are very concerned, therefore, to read about the incidents that are described in “*Unprofessional Conduct by Maine Lawyers*” which was published at page 14 of the November 24, 2017 edition of the Maine LAWYERS REVIEW. And further, to have heard since the publication of that article many more stories of harassment and bullying by members of the Bar against, (most of the time), younger female attorneys.

While many experienced attorneys may think of this type of behavior as something that we learn to deal with as our careers progress, our current national conversation makes it clear that harassment and bullying, especially when it is gender based, has an ongoing and insidious impact. It should, therefore, be clearly stated that any lawyer using privilege, based on gender, race or identity, to bully and harass others undermines the integrity of our profession.

The VLP, therefore, supports the comments provided on this rule by Pine Tree Legal Assistance, and joins Pine Tree in urging the Maine Supreme Judicial Court to follow the recent example of Vermont in adopting the language of ABA Model Rule 8.4(g).

Respectfully Submitted on December 21<sup>st</sup>, 2017

By:

---

Juliet Holmes-Smith  
Volunteer Lawyers Project  
75 Pearl Street, Suite 214  
Portland, Maine 04101  
207-523-8233