

2007 Annual Report



Board of Overseers of the Bar
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Introduction

The Board of Overseers of the Bar was created by the Maine Supreme Judicial Court in 1978 to govern the conduct of lawyers as officers of the Court. The Board is composed of six lawyers and three lay members. The lawyers are appointed by the Court, and the lay members are appointed by the Court on recommendation by the Governor.

The Board regulates the conduct of lawyers by enforcing the Court-adopted Maine Bar Rules. The purpose of the Maine Bar Rules is to provide appropriate standards for attorneys with respect to their practice of the profession of law, including, but not limited to, their relationship with their clients, the general public, other members of the legal profession, the courts and agencies of this state.

Under the Maine Bar Rules, the Board appoints Bar Counsel who investigate alleged misconduct by lawyers and, when authorized to do so by a reviewing panel of the Grievance Commission, litigate grievance complaints at disciplinary proceedings that are open to the public. In 2007 the Board's staff consisted of Bar Counsel J. Scott Davis, Deputy Bar Counsel Nora Sosnoff, Assistant Bar Counsel Aria eee, Administrative Director Jacqueline Rogers, Grievance Commission Clerk and Fee Arbitration Secretary Molly Tibbetts, Assistant to Bar Counsel Donna Spillman, Assistant to Deputy Bar Counsel Ellen Daly, CLE Coordinator Susan Adams, Registration Clerk Linda Hapworth and Law Clerk Geoffrey Lewis. The Board's staff increased by one this year with the benefit of a volunteer extern, Garret Corbin, a University of Maine School of Law student.

The Board appoints volunteer members to three commissions established by the Maine Bar Rules: the Grievance Commission, the Fee Arbitration Commission, and the Professional Ethics Commission. The Fee Arbitration Commission and the Grievance Commission conduct their functions under the Maine Bar Rules with three-member panels. Each panel comprises two attorneys and a lay member. The Professional Ethics Commission comprises eight volunteer lawyers. The Commission renders formal and informal written advisory opinions to the Court, Board, Grievance Commission, Bar Counsel, and members of the Maine Bar. These opinions involve the interpretation and application of the Code of Responsibility to lawyer conduct.

Information concerning the responsibilities and functions of the Board and each of its commissions is contained in informational pamphlets available at the Board's office. Information may also be accessed at the Board's web site at www.mebaroverseers.org.

The Board met ten times in 2007 to conduct business pursuant to the Maine Bar Rules. During the course of the year, the Board reviewed and approved amendments to a variety of Board Regulations and policies, and submitted a number of proposed amendments to the Maine Supreme Judicial Court for its consideration. The Board continued its active participation in the Maine Task Force for Ethics 2000 that was created by the Court in February 2005. The Task Force was charged to reformulate Maine's Code of Professional Responsibility (Bar Rule 3) so that Maine's Rules would conform to the structure of the ABA Model Rules of Professional Conduct. In early June, the Task Force presented its recommendations to the Advisory Committee on

the Rules of Professional Responsibility. The Advisory Committee voted to accept the Task Force recommendations, with some modifications, and instructed the Task Force to transmit its report directly to the Maine Supreme

Judicial Court. The Court received the Task Force's recommendations in September 2007 and will undertake its own review of the report and recommendations in 2008. The Court will establish a schedule for receiving comments from members of the bar and the public this year.

Maine lawyers, through their annual registration fees to the Board of Overseers of the Bar, directly fund the lawyer registration and disciplinary system. In addition, the Board also collects the Court's annual mandatory assessment fee for the Lawyers' Fund for Client Protection and forwards the same to the Fund. The Board's audited financial statements for the 2006-2007 fiscal year (ended June 30, 2007), show revenue of \$893,014 and expenses of \$892,649.

The Board maintains a register of all lawyers who are members of the bar of the State of Maine as well as records of the termination, resignation, and suspension of the right of any lawyer to practice law in Maine. The number of attorneys admitted to active practice in Maine as of December 31, 2007 was 4,879.

Paul H. Sighinolfi, Chair

Board of Overseers of the Bar

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Bangor

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The Honorable Warren M. Silver
Maine Supreme Judicial Court
Bangor

Bar Counsel Files

Bar Counsel Files (BCF) comprise those submitted written grievance complaints that upon initial review, or after brief informal investigation by Bar Counsel, are deemed not to allege any actual professional misconduct by an attorney subject to sanction under the Maine Bar Rules. Maine Bar Rule 7.1(c) requires Bar Counsel's unilateral dismissal of such matters, either with or without any investigation. A total of 118 complaint matters received in 2007 were docketed as BCF matters. The number of such BCF complaints filed in 2006 was 147. When a BCF matter is dismissed by Bar Counsel, the complainant is notified in writing by Bar Counsel of that decision, the reason(s) for that dismissal action and of a right within the subsequent 14 days to file a written request for that dismissal to be reviewed. Maine Bar Rule 7.1(c)(1) requires such reviews to be conducted by a lay member of either the Board or the Grievance Commission. That lay member has the authority to approve, disapprove or modify the terms of Bar Counsel's dismissal action. In all dismissed BCF matters, Bar Counsel always provides the involved attorney with copies of the complaint filing, the dismissal letter, any resulting request for review, and the lay reviewer's decision. Bar Counsel dismissed 88 BCF and elevated one BCF to a Grievance Commission File in 2007, with 24 complain-

2007 Bar Counsel File Summary	
Bar Counsel Files Pending at Start of Period	6
New Bar Counsel Files Docketed	118
Total Docketed: 124	
Bar Counsel Files Dismissed	
(without any review requested)	64
Bar Counsel Files Dismissals Reviewed	
and Affirmed by Lay Members	24
Bar Counsel Files Dismissals Vacated	
by Lay Members	0
Bar Counsel File Elevated to GCF	1
Total Closed: 89	
Bar Counsel Files Pending.	29

ants requesting review of those actions. Lay members decided and affirmed all 24 of those dismissals and therefore did not vacate or modify any of those matters so dismissed by Bar Counsel. At the end of 2007, 29 complaints docketed as BCF remained pending.

Grievance Commission

Complaints

In 2007, Bar Counsel received, screened and docketed 196 written grievance complaints as Grievance Commission Files (GCF) representing a 24% increase from the prior year – or an average of 3 more complaints per month. Upon initial screening, these files were deemed to allege some form of a prima facie claim of professional misconduct by Maine attorneys in violation of the Code of Professional Responsibility (the Code).

GCF Complaints by Year	
2003.	146
2004.	164
2005.	158
2006.	158
2007.	196

Panel Meetings and Hearings

Case Reviews – Panels of the Grievance Commission met to conduct preliminary reviews of 190 GCF complaints under Maine Bar Rule 7.1(d). Those meetings consist of a panel that reviews the contents of GCF investigative files as presented by Bar Counsel. Such reviews are not hearings, and neither the respective complainants nor the respondent attorneys are ever present or involved at the reviews, which usually occur by telephonic conference calls. Although there is no confidentiality requirement applicable to complainants or respondent attorneys, Bar Counsel’s investigation and the Grievance Commission panels’ preliminary review process are usually required to be kept confidential by the Board, the Commission and the Board’s staff under Maine Bar Rule 7.3(k)(1). However, any Grievance

Commission panel disciplinary hearing is always open to the public and the panel’s resulting decision (report) concerning such complaints – regardless of the result – is also always made available to the public upon

request. Once issued, and not subject to appeal, reprimands are placed on the Board’s web site (see Maine Bar Rule 7.1(e)(2)(B)).

Upon completion of Bar Counsel investigations and after Grievance Commission panel review, 136 GCF complaints were closed by issuance of either a dismissal or a dismissal with a warning (see Maine Bar Rules 7.1(d)(3),(4)). Panels found probable cause that professional misconduct appeared to have occurred in 34 matters reviewed, warranting a hearing by another panel (or the Court) to determine if any disciplinary sanction should be imposed upon the respective attorneys. Pursuant to Maine Bar Rule 7.1(e), the Grievance Commission conducted 15 hearings relating to 17 petitions (5 filed in 2006 and 12 filed in 2007). Ultimately, nine informations were filed with the Executive Clerk of the Maine Supreme Judicial Court for hearing before a single justice.

Reprimands

Board of Overseers of the Bar v. Patricia V. Shadis, Esq. (Newcastle) GCF #05-386

This grievance involved an attorney’s conduct during the course of a post-divorce motion to change primary residence of minor children from their mother to their father. The grievance matter was resolved on these stipulated facts: Attorney Shadis attempted to have a criminal investigation reopened against the mother’s then live-in partner, now husband. Attorney Shadis’ intent was to gain information for the custody case and to reopen the criminal investigation. She initiated contact with the Maine State Police, arranged contact between witnesses, was in contact with the former wife of the man and had contact with the alleged victim. Attorney Shadis was discourteous and critical of a District Court

Judge. The Grievance Commission panel reprimanded Attorney Shadis for violations of Maine Bar Rules 3.1(a) (conduct unworthy of an attorney), 3.2(f)(4) (conduct prejudicial to the administration of justice), 3.6(a) (not

applying the lawyer’s best judgment in the performance of professional services), 3.6(c) (threatening to present criminal charges solely to obtain an advantage in a civil matter), and 3.7(e)(2)(vi) (engaging in undignified or discourteous conduct that is degrading to a tribunal while appearing before that tribunal in a professional capacity).

Board of Overseers of the Bar v. Stephen T. Hayes, Esq. (Augusta) GCF # 06-026

This grievance involved an attorney’s failure to communicate with clients concerning the status of an estate planning matter that he was representing them in. After a contested hearing, the Grievance Commission panel found that, while Attorney Hayes was actively researching the effect recent and pending legislation and rule changes would have on the clients’ ability to protect their assets from creditors, he failed to take reasonable

Grievance Commission Complaint Summary

Complaints Pending at Start of Period	68
New Complaints Docketed	196
GCF Complaints Closed	163
GCF Complaints Pending	101

measures to keep the clients informed on the complexity of the estate questions they had posed and the status of his ongoing research, in violation of M. Bar R. 3.6(a). The Panel reprimanded Attorney Hayes for what it concluded was misconduct that was not due to any serious neglect or bad faith but because a review of Attorney Hayes' past disciplinary history suggested that he had experienced previous difficulties with client communications, and because Attorney Hayes testified at the hearing that he had an aversion to sending "empty" client communications. The Panel noted that when communication is necessary to keep clients reasonably informed as to the status of pending matters, it is an affirmative obligation of the attorney and not merely an "empty" communication.

Board of Overseers of the Bar v. Joel C. Vincent, Esq. (Portland) GCF# 06-304

This grievance involved an attorney's failure to fully prosecute a criminal appeal, failure to withdraw from representation in a timely fashion (to allow the client to seek other counsel to represent him in his appeal), and failure to timely communicate with the client. The matter was resolved on these stipulated facts: Attorney Vincent appropriately and adequately represented the incarcerated criminal defendant throughout the court proceedings, including the client's initial appeal. Attorney Vincent acknowledged that he failed to either prosecute the client's Petition for a Writ of Certiorari to the U.S. Supreme Court, or to timely notify the client that such a Petition would be frivolous in Attorney Vincent's opinion so that the client could seek new counsel. The panel noted that Attorney Vincent had taken full responsibility for his actions and apologized to the client before the filing of the bar complaint. Further, Attorney Vincent had no history of professional discipline and had made substantial changes in his office management procedures since the time that the misconduct occurred. The Grievance Commission panel reprimanded Attorney Vincent for violations of Maine Bar Rules 3.1(a) (conduct unworthy of an attorney) and 3.6(a)(3) (neglect of a legal matter entrusted to the attorney).

Board of Overseers of the Bar v. Richard Salewski, Esq. (Damariscotta) GCF #06-383

This grievance involved an attorney's conduct during the course of a real estate transaction. After a contested hearing, the Grievance Commission panel found that by an objective standard, both the lawyer and the complainant (purchaser) should have reasonably understood that Attorney Salewski was representing the purchaser of the property, as well as the bank which was providing the financing for the transaction. The complainant was originally referred to Attorney Salewski by a lender she was working with. That particular transaction fell through. However, when the purchaser entered into

Actions Taken by Review Panels	
Dismissal	121
Dismissal with Warning (minor misconduct).....	15
Disciplinary Hearing Authorized	34
Proceed Directly to Court – Maine Bar Rule 7.2(b)(7)	0
Deferred by Panel	20
Total Complaints Reviewed	190

a second Purchase and Sale Agreement she chose Attorney Salewski as her attorney to close the transaction. Attorney Salewski discovered a problem with the second property: the right of way providing access to the property was not constructed where the surveyor's plan showed it should be. Attorney Salewski notified the purchaser that there was a defect in the right of way, and that he would resolve the problem. Attorney Salewski prepared deeds to be exchanged by the sellers and the abutting property owners which corrected the defect. He also prepared the deed of conveyance from the sellers, and had the sellers sign an acknowledgment that he was representing the bank, not them. At the closing Attorney Salewski explained a number of the closing documents to the purchaser. However, he never specifically explained the terms of the right of way to the purchaser, particularly its upkeep and maintenance. Several months after the closing the purchaser was presented with a bill from the new neighbor for half of the charges incurred for paving the right of way. The purchaser became very

upset and realized there must have been a misunderstanding regarding the nature of the work Attorney Salewski did to “resolve” the right of way issues. In the client’s mind, Attorney Salewski created greater obligations for her with regard to maintenance and upkeep. The Grievance Commission panel reprimanded Attorney Salewski for violations of Maine Bar Rules 3.4(a)(1) (failure to disclose his dual representation of the purchaser and the bank), 3.4(a)(2) (failure to recognize that he was representing the purchaser), 3.4(c)(2) (failure to give the purchaser the opportunity to make a decision and give her consent to dual representation) and 3.6(a) (failure to keep the client informed of the client’s affairs).

Board of Overseers of the Bar v. Pamela J. Ames, Esq. (Waterville) GCF #05-340

This grievance involved an attorney’s dishonest behavior while visiting an inmate at the Maine Correctional Center. The matter was resolved on stipulated facts: Attorney Ames had a close personal relationship with the inmate whom she had fostered and represented while the inmate was a minor. Responding to a request from the inmate, Attorney Ames agreed to send and later hand-deliver specific items including photographs, magazines,

Dispositions after Public Hearing

Dismissals	2
Dismissals with Warning.	5
Reprimands.	5
Informations Authorized.	3

stamps and a personalized watch to the inmate. Giving the items to the inmate was a violation of the MCC’s rules. Attorney Ames admitted that her conduct was in violation of MCC policies and modeled inappropriate behavior for the inmate. She took full responsibility for her actions and the subsequent consequences to both the inmate and herself. The Grievance Commission panel reprimanded Attorney Ames for violations of Maine Bar Rules 3.1(a) (conduct unworthy of an attorney) and 3.2(f)(3) (conduct involving dishonesty).

Sanction Historical

	2007	2006	2005
GCF Hearing Dismissal with Warning	5	6	4
GCF Hearing Reprimands	5	10	6
Court Reprimands	4	1	1
Court Suspensions	3	3	1
Court Disbarments	1	2	1
Court Resignation	1	2	3
Court Reinstatement	0	0	0
Court Reinstatement (Denied)	1	0	0
Total:	20¹	24²	16³

¹Involving 22 complaints. ²Involving 42 complaints. ³Involving 31 complaints.

Court Matters

Disbarments

One attorney, who had not practiced in Maine in several years, was disbarred in 2007. The matter was before the Court on a reciprocal disciplinary action. No appeal of the order was taken.

Board of Overseers of the Bar v. Gary J. Karpin, Esq. (Gilbert, AZ) BAR-05-05

Mr. Karpin had previously been disbarred by the Vermont Supreme Court and despite the Board's ongoing attempts to serve him with its reciprocal disciplinary action, it was not until 2007 that those efforts were successful to finalize the disciplinary proceedings.

Suspensions

Board of Overseers of the Bar v. Brian D. Condon, Esq. (Winthrop) BAR-06-03

In December 2006 the Court initially imposed a one-year suspension, with all but 15 days suspended upon Attorney Condon for multiple instances of misconduct in his handling of trust account funds. In February 2007, the Board filed a Motion for Contempt alleging certain misconduct during Condon's suspension. Following hearing, the Court found that Condon had failed to cease advertising his law practice in the local newspaper during his period of suspension; that Condon had failed to execute the monitoring agreement with Maine Assistance Program (MAP) before resuming his practice of law; and that Condon had made a deliberate misrepresentation in his answer to the Court responding to the Board's then pending Motion. After hearing, the Court imposed an additional 60-day extension of the previously unsuspended portion of Condon's suspension.

(That Order was appealed by Condon and later affirmed by the Law Court in 2008.)

Board of Overseers of the Bar v. Patricia Danisinka-Washburn, Esq. (Skowhegan) BAR-06-04

Ms. Danisinka-Washburn was suspended for her failure to prosecute her criminal client's appeal of a felony conviction for which she had been retained and paid approximately \$14,000. The Court found, despite

Danisinka-Washburn's assertions to the contrary, that she violated multiple Bar Rules by failing to prosecute that appeal; by not performing services justifying the \$14,000 fee she charged the client's family; by failing to communicate with her client and informing him of her decision to allow the appeal to be dismissed; and by misrepresenting to the client that she was still working on his appeal despite her knowledge that the appeal had already been dismissed. The Court imposed a five-year suspension upon Danisinka-Washburn.

Board of Overseers of the Bar v. Christopher J. Whalley, Esq. (Ellsworth) BAR-07-07

The Court issued a 30-day suspension to Attorney Whalley for his failure to adequately communicate with a client, failure to diligently pursue the client's matters and failure to properly supervise his support staff during the handling of the client's matters. The Court ordered that the 30-day suspension itself be suspended for one year so long as Attorney Whalley complied with various conditions outlined in the Order, including a monitoring component and reimbursement to the Board for its prosecution expenses.

2007 Supreme Court Disciplinary Docket

Disbarments	1
Suspensions	3
Resignations	1
Reprimand	4
Reinstatement (Denied).....	1
Pending at Year End.....	1

Reprimands

Board of Overseers of the Bar v. Wayne R. Murphy, Esq. (Boston, MA) BAR-07-3

This is the first case in a series of four (see below) 2007 reciprocal disciplinary actions before the Maine Supreme Judicial Court stemming from misconduct by Massachusetts attorneys also licensed to practice law in Maine. The Court issued a reprimand to Attorney Murphy for his stipulated violations of failing to provide competent representation, handling matters without adequate preparation, neglecting legal matters entrusted to a lawyer, failing to keep clients informed on the status of their affairs, failing to promptly withdraw after being discharged by clients and failing to deliver the clients' files to successor counsel.

Board of Overseers of the Bar v. Valeriano Diviacchi, Esq. (Boston, MA) BAR-07-6

By reciprocal disciplinary action, the Court issued a reprimand to Attorney Diviacchi for his stipulated violations related to commingling personal and client funds, paying personal expenses from his IOLTA account and failing to maintain a check register, individual client records or create reconciliation reports as required by the Massachusetts Rules of Professional Conduct.

Board of Overseers of the Bar v. Charles F. Perrault, Esq. (Methuen, MA) BAR-07-8

Attorneys Perrault and Morrow (referenced below) worked together on legal matters which resulted in public reprimands to each of them by the Massachusetts Board of Bar Overseers.

The Court issued a reprimand to Perrault for his engaging in a conflict of interest, for his failure to diligently pursue his clients' legal matters and for his failure to inform each of the clients of the significance of those matters.

Board of Overseers of the Bar v. Elizabeth A. Morrow, Esq. (Methuen, MA) BAR-07-09

Attorney Morrow's reprimand occurred by the Court's issuance of a reciprocal disciplinary sanction due to her own conduct in performing legal services as an associate in Attorney Perrault's office. The reprimand resulted from Morrow's engaging in a conflict of interest, her failure to diligently pursue her clients' legal matters and by her failure to inform each of the clients of the significance of those matters.

Resignations

Pursuant to Maine Bar Rule 7.3(g), one attorney requested that the Court accept his resignation from the practice of law in Maine in 2007.

Board of Overseers of the Bar v. Richard Emerson (Portland) BAR-00-5

Mr. Emerson had a two-count disciplinary proceeding pending before the Court at the time he requested a resignation order. The first matter involved a business venture Emerson had in late 2003 with an individual who had a reasonable basis to believe Emerson was then acting in the capacity of an attorney, even though Emerson had in fact been suspended since November 2002. Emerson received a \$25,000 check from that individual, cashed that check and then after being requested by that business partner to do so, failed to return any of those funds even after obtaining a civil judgment against him.

The other matter involved another financial arrangement by which Emerson persuaded an acquaintance to co-sign a bank loan, apparently to fund some of Emerson's own personal expenses. Emerson defaulted on that loan, causing the other individual to have to repay it.

On the basis of those pending matters, the Court issued a fairly lengthy and detailed resignation Order, thereby accepting Emerson's resignation on an immediate basis.

Reinstatement

In 2007, the Court issued one Order on Petition for Reinstatement.

Board of Overseers of the Bar v. Richard Slosberg (Portland) BAR-04-7

After a contested hearing, the Court denied Mr. Slosberg's Petition for Reinstatement, finding among other things that his attendance and behavior at a recent Grievance Commission disciplinary hearing proceeding, wherein he knew Bar Counsel did not intend to call him as a witness, displayed his poor judgment and his failure to recognize either the wrongfulness or seriousness of that behavior. Mr. Slosberg also failed to meet the requisite CLE requirements of Bar Rule 12(a)(1) prior to seeking reinstatement.

Fee Arbitration Commission

The office of Bar Counsel screens all fee arbitration petitions as filed to confirm that the stated allegations warrant the attention of that Commission. Bar Counsel may also attempt to assist in the parties' informal settlement discussion for resolution of fee disputes prior to a panel hearing, but is not usually involved in the fee arbitration process after performing the initial screening (see Maine Bar Rule 9(e)(2)(3)).

Comparison of New Cases Docketed	
2000 - 74	2004 - 67
2001 - 95	2005 - 62
2002 - 48	2006 - 60
2003 - 70	2007 - 58

Although the Fee Arbitration Commission and the Grievance Commission are otherwise subject to confidentiality restrictions during their respective investigative processes,

pursuant to Board Regulation #8, panels of both Commissions are authorized to share respective investigative materials concerning related matters that are being or have been considered by each body.

In 2007, 58 new Petitions for Arbitration of Fee Dispute were filed with the Secretary to the Fee Arbitration Commission. With 23 petitions already pending, a total of 81 matters were on file. Twenty-nine (29) of those pending fee dispute matters were dismissed, settled or withdrawn prior to a hearing before a panel of the Commission (see Maine Bar Rule 9(e)(3)). The five (5) panels of the Fee Arbitration Commission conducted hearings involving 29 fee disputes. As a result, 58 fee disputes were either dismissed or decided, leaving a pending hearing docket of 21 matters at the end of 2007.

2007 Petition Summary	
Pending at Start of Period	23
Docketed During Period	58
Total Petitions:	81
Dismissed, Settled, Withdrawn	29
Heard and Closed by Awards	29
Heard and Awaiting Award	0
Total Petitions Closed:	58
Total Petitions Pending at Close of Period:	23

Professional Ethics Commission

The eight volunteer Maine attorneys who compose the Board of Overseers' Professional Ethics Commission met eight times. The Commission issued three formal written advisory opinions in 2007, numbered 192, 193, and 194 that are summarized below. The Commission also offered informal confidential opinions in letter format in response to several inquiries from Maine attorneys on a variety of topics. The complete opinions numbered 1 through 194 are indexed and published on the Board's web site at www.mebaroverseers.org.

Opinion No. 192 – June 20, 2007

Formal Advisory Opinion #192 offers guidance to Maine attorneys about their obligations to preserve confidences of a deceased client in circumstances where the deceased client's personal representative has attempted to waive the attorney-client privilege in order to obtain confidential information from the attorney.

Opinion No. 193 – December 10, 2007

Formal Advisory Opinion #193 addresses the ethical issues for an attorney considering a non-recourse loan for litigation expenses. The Commission concluded that an attorney may not enter into a non-recourse loan where repayment to the lender is tied directly to the

recovery of legal fees by the attorney in a particular case. Such an arrangement involves the sharing of legal fees with a non-lawyer.

Opinion No. 194 – December 11, 2007

Formal Advisory Opinion #194 offers guidance to attorneys on meeting their professional obligations if they are considering using third-party vendors to process and store electronically held firm data. Processing of firm data might include transcription of voice recordings and transfer of firm computer files to an off-site “back-up”

of the firm’s electronically held data. The Commission concluded that although such services may involve disclosure of client information to technicians outside the sphere of the attorney’s direct control and supervision, it would not necessarily violate the attorney’s obligation to maintain client confidentiality, as long as the attorney employs appropriate safeguards. The Commission offered a discussion to provide guidance for attorneys about satisfying their professional obligations in such circumstances.

Amendments to Maine Bar Rules

The study and proposal of amendments to the Code of Professional Responsibility (Maine Bar Rule 3) is the province of the Court’s Advisory Committee on Professional Responsibility to which Bar Counsel is a liaison. The study of possible rule amendments to other portions of the Maine Bar Rules is generally done by the Board and then proposed by it to the Court. The Maine Supreme Judicial Court adopted, prescribed, and amended the following Bar Rules, effective January 1, 2007:

M. Bar R. 3.1(a) - Scope and Effect

M. Bar R. 3.1(a) was amended due to the abrogation of Rule 7(e). Therefore, the reference to 7(e)(6)(A) in the current Rule 3.1(a) to a nonexistent provision was removed. The citation to the Maine Statutes was also changed to reflect current primary reliance on the Maine Revised Statutes (M.R.S.).

M. Bar R. 4(d)(1) - Responsibilities and Authority

M. Bar R. 4(d)(1) was amended to reference the position of Deputy Bar Counsel that was created by the Board in 2005.

M. Bar R. 5(a), (e), and (g) - Qualifications, Delegation, and Immunity

M. Bar R. 5(a), (e), and (g) were amended to reference the position of Deputy Bar Counsel that was created by the Board in 2005, and also provide for the general reference to Bar Counsel to include all of the staff attorneys employed by the Board and approved by the Court.

M. Bar R. 6(g) - Forms

M. Bar R. 6(g) was amended to reflect that the Board of Overseers of the Bar has assumed the responsibility of distributing registration statements and address change forms. Such forms are no longer available at court locations.

M. Bar R. 7(b)(4) - Quorum and Action by Panels

This amendment to M. Bar R. 7(b)(4) allows a designated Board staff member to assign a replacement Grievance Commission member when a named panel member is unavailable.

M. Bar R. 7.1(e)(2) - Public Disciplinary Proceedings Before a Grievance Commission Panel - Hearing

This amendment to M. Bar Rule 7.1(e)(2) formally confirms the parties' ability to agree to waive the formality of a hearing and instead submit a proposed sanction order to the panel without always having to convene a hearing. Some matters may be agreed to and at least a brief hearing needs to occur, but the amended rule now allows the Panel Chair to approve the parties' agreement to waive any hearing at all. In addition, the Board of Overseers of the Bar is no longer required to always incur stenographic costs for every case, e.g. matters where counsel agree no testimony needs to be taken.

M. Bar R. 7.1(e)(5) – Public Disciplinary Proceedings Before a Grievance Commission Panel - Objections to the Panel Report

Similar to appeal periods allowed by the Court, the amendment to M. Bar R. 7.1(e)(5) decreases the period from 30 days to 21 days for either party to file an objection to a Grievance Commission Panel's issuance of a dismissal with a warning after hearing.

M. Bar R. 7.2(a) – Petition for Review of Public Reprimand

Similar to the filing, answering and appeal periods allowed by the Court, the amendment to M. Bar R. 7.2(a) generally provides for 21 days to be the period within which a respondent attorney may file a petition for review of a public reprimand, and for any subsequent related filings that may be applicable thereafter.

M. Bar R. 7.2(b)(5) – Attorney Discipline Actions Before the Court - Judgment and Appeal

Similar to the filing deadlines allowed by the Court, this amendment to M. Bar R. 7.2(b)(5) increases from 10 days to 21 days the date by which either party may file an appeal to the Law Court regarding any disciplinary judgment issued by the Court under this rule.

M. Bar R. 9(e)(5)(C) – Procedures - Referral to Arbitration Panel

This amendment to M. Bar R. 9(e)(5)(C) allows the Secretary to the Fee Arbitration Commission to assign a replacement Commission member when a named panel member is unavailable.

M. Bar R. 10.1(c) – Assessment of Attorneys for Expenses of Administration – Reinstatement Fees

The amendment to M. Bar R. 10(c) imposes a \$50 surcharge on attorneys seeking reinstatement who have been suspended for non-compliance with M. Bar R. 12 within the previous five years.

M. Bar R. 12 – Continuing Legal Education

The amendments to M. Bar R. 12 are the result of a comparison of the Rule to the practices and procedures that have been adopted by the Board since the Court's promulgation of the Rule in 2001. The Court also added a new section, 12(d) Reinstatements, which models similar language in M. Bar R. 10(c) concerning fees imposed on suspended attorneys seeking reinstatement under that rule.

Informal Advisory Opinions

The office of Bar Counsel continued to provide advice about ethics and professional responsibility to Maine attorneys on a daily basis throughout 2007. Such advice is normally offered in immediate response to Maine attorneys calling Bar Counsel's "Ethics Hotline." Maine attorneys may call and speak with one of the three staff attorneys to discuss conduct of the inquiring attorney or another member of that attorney's law firm. However, under Board Regulation No. 28, Bar Counsel is prohibited from advising an inquiring attorney about another attorney's actual or "hypothetical" conduct. See also Advisory Opinions #67 and #171. Calls are accepted by Bar Counsel daily, and in 2007 alone the three Bar Counsel staff attorneys fielded a total of 898 such calls. A few of these scenarios, revised and with identifying facts modified to protect confidentiality, were later disseminated to attorneys in the Board's periodic email communications entitled "Professional Update for Maine Lawyers and Judges."

Telephonic Screening of Complaints

Board staff continue to receive inquiries from the public. Many calls concern the conduct of attorneys, client expectations which were not met by attorneys, requests for second opinions regarding advice provided by their attorney, and client dissatisfaction with fees charged. The majority of the calls are managed by administrative staff who explain that neither they, nor Bar Counsel, can provide legal advice. Most calls conclude with the appropriate forms being sent to the caller to file a grievance complaint or a petition for fee arbitration; however, members of the public are increasingly using the Board's web site for information and forms. Misdirected calls such as those concerning the conduct of Guardians ad Litem, complaints regarding judges, and legal referral/assistance are referred to the appropriate agencies having responsibility and authority to assist with such matters.

Informal Interventions

There are additional matters presented to the Board's staff which do not meet the criteria for the attention of any of the Board's three Commissions, but which do call upon Bar Counsel's expertise and involvement in professional responsibility dilemmas within the Maine bar. Such matters are docketed as Informal Interventions. In 2007, 28 Informal Interventions were docketed, a decrease compared to last year's total of 43. These files demonstrate how the Board's and Bar Counsel's bar governance functions are not limited to processing grievance complaints.

Continuing Legal Education

The Board of Overseers of the Bar administers attorney compliance with Maine Bar Rule 12, Continuing Legal Education (CLE), which became mandatory in January of 2001. Active attorneys are required to complete a minimum of eleven hours of approved continuing legal education courses, including one hour of ethics or professionalism, each calendar year. In 2007, those required to meet the requirements of Maine Bar Rule 12 reported completing a total of 50,036 hours of CLE training.

CLE Suspension Historical

2204	14
2005	23
2006	51
2007	51

In calendar year 2006, 51 summary suspensions were imposed on attorneys for non-compliance with M. Bar R. 12. Subsequently, 35 of those attorneys fulfilled the CLE requirements and were reinstated.

The Board of Overseers of the Bar of is a member of CLereg, a national voluntary organization of Regulators of Continuing Legal Education. CLereg serves as a resource for the Board's CLE Coordinator and its CLE Committee in working through issues and concerns that arise with regard to CLE policies and procedures under Maine Bar Rule 12. Membership in the organization also includes access to an email list serv, which has proved to be an invaluable tool in providing support and guidance regarding CLE issues that arise.

The MCLE section of the Board's web site continues to be a good resource for attorneys to keep track of their CLE credits, and search upcoming approved courses. The Board is considering the installation of a new database that will allow for improved communication with attorneys including automatic email generation when attendance is entered into their record. The system will also allow providers to electronically submit attendance rosters that will ultimately allow attorneys to view their CLE credits on the Board's web site in a more timely manner.

Bar Counsel CLE Presentations

Bar Counsel welcomes opportunities to provide CLE presentations to Maine lawyers and members of their respective staff on issues concerning ethics and professional responsibility. In 2007, Bar Counsel participated in the following CLE presentations at locations around the State:

01/12/07	Piscataquis County Bar Association	09/26/07	DHHS BEAS Contract Attorneys
01/16/07	Androscoggin Bar Association	09/28/07	MSBA – Family Law Trial Advocacy Conference
01/25/07	MSBA Annual Meeting Labor and Employment Law Section	09/29/07	Probate Judges' Retreat
01/26/07	MSBA Annual Meeting Ethics 2000 Presentation	10/01/07	Workers' Compensation Summit
02/07/07	MSBA – Child Protection and Juvenile Justice Section	10/15/07	Maine Prosecutors' Conference
03/19/07	Volunteer Lawyers' Project	10/18/07	John Waldo Ballou American Inn of Court
03/21/07	Legal Services for the Elderly	10/19/07	MTLA – Peace and War
05/04/07	Court Appointed Special Advocate Program (CASA)	10/31/07	Advanced Training Roster GAL
05/17/07	MSBA – Real Estate Transactions	11/2/07	Waterville Bar Association
06/08/07	Juvenile Justice Action Group	11/2/07	Pierce Atwood – Referring Attorneys
6/23/07	MSBA Summer Meeting – “Ethics Jeopardy”	11/5/07	Franklin County Bar Association
6/27/07	Somerset County Bar Association	11/29/07	Maine Attorney General's Office - Unauthorized Practice of Law
7/10/07	Brown Bag Luncheon – Justice Silver	12/6/07	MSBA – Bridging The Gap
7/20/07	MTLA - First Annual Presque Isle CLE	12/11/07	Oxford Bar Association
07/25/07	Maine Attorney General's Office – The Supremes Plus, Legal Year in Review	12/12/07	York Bar Association
9/07/07	MSBA – Elder Law Symposium		
9/14/07	National Association of Legal Professionals		

If you would like Bar Counsel to take part in CLE panel presentations related to ethical and professional responsibility issues, please call the Board's office at 623-1121.

GCF Complaints Filed in 2007 - 196 *

Respondents by Age

<i>Age</i>	<i>#</i>	<i>%</i>
29 years or less.	1.	0.51%
30-34	7.	3.57%
35-39	12.	6.12%
40-44	11.	5.61%
45-49	37.	18.88%
50-54	37.	18.88%
55-59	42.	21.43%
60-64	30.	15.31%
65+	17.	8.67%
Not Maine Attorney	2.	1.02%

Source

<i>Source</i>	<i>#</i>	<i>%</i>
Attorney.	4.	2.04%
Client.	94.	47.96%
Judge	4.	2.04%
Opposing Counsel	9.	4.59%
Opposing Party	43.	21.94%
Sua Sponte	8.	4.08%
Other	34.	17.35%

Respondent Firm Size

<i>Firm Size</i>	<i>#</i>	<i>%</i>
1	58.	29.59%
2-5	93.	47.45%
6-9	21.	10.71%
10-19	12.	6.12%
20-49	1.	0.51%
50-99	4.	2.04%
100+	2.	1.02%
N/A.	5.	2.55%

Characterization

Conflict.	25.	12.76%
Conspiracy	1.	0.51%
Disagreement over Conduct	19.	9.69%
During Representation		
Disagreement over Fee.	7.	3.57%
Disagreement over Handling	11.	5.61%
Client Funds & Property		
Failure to Communicate	15.	7.65%
Illegal Conduct	14.	7.14%
Improper Conduct before a	5.	2.55%
Tribunal		
Incompetence	11.	5.61%
Interference with Justice	30.	15.31%
Lack of Preparation	3.	1.53%
Misrepresentation/Fraud/	19.	9.69%
Dishonesty		
Neglect	26.	13.27%
Other Conduct Unworthy.	5.	2.55%
Prejudicial Withdrawal	3.	1.53%
Threatening Prosecution	2.	1.02%

Respondents by Admission Date

<i>Admission Year</i>	<i>#</i>	<i>%</i>
1/1/1950 – 12/31/1955	1.	0.51%
1/1/1960 – 12/31/1965	3.	1.53%
1/1/1966 – 12/31/1969	3.	1.53%
1/1/1970 – 12/31/1975	21.	10.71%
1/1/1976 – 12/31/1979	28.	14.29%
1/1/1980 – 12/31/1985	38.	19.39%
1/1/1986 – 12/31/1989	22.	11.22%
1/1/1990 – 12/31/1995	45.	22.96%
1/1/1996 – 12/31/1999	14.	7.14%
1/1/2000 – 12/31/2005	12.	6.12%
1/1/2006 – 12/31/2009	7.	3.57%
Not a Maine Attorney	2.	1.02%

*In some instances, multiple complaints have been filed against an individual attorney. The number of attorneys who had complaints filed against them in 2007 is 155.

GCF Complaints Filed in 2007 - 196*

Area of Law Breakdown		
Administrative/Municipal Law	11	5.61%
Banking	1	0.51%
Bankruptcy	2	1.02%
Child Protection	1	0.51%
Collections	4	2.04%
Commercial/Business	3	1.53%
Contracts/Consumer	3	1.53%
Corporate	1	0.51%
Criminal	41	20.92%
Elder Law	3	1.53%
Family	43	21.94%
Foreclosure	1	0.51%
Intellectual Property	1	0.51%
Landlord/Tenant	2	1.02%
Law-Related Services	2	1.02%
Other	4	2.04%
Probate	25	12.76%
Real Estate	18	9.18%
Torts	27	13.78%
Workers' Compensation	3	1.53%

County Breakdown

Androscoggin	21	10.71%
Aroostook	9	4.59%
Cumberland	62	31.63%
Franklin	1	0.51%
Hancock	7	3.57%
Kennebec	18	9.18%
Knox	6	3.06%
Lincoln	4	2.04%
Oxford	11	5.61%
Penobscot	19	9.69%
Piscataquis	0	0.00%
Sagadahoc	4	2.04%
Somerset	1	0.51%
Waldo	3	1.53%
Washington	3	1.53%
York	19	9.69%
Out of State	8	4.08%

Sanctions Issued in 2007 - Total 20*

Age Breakdown

<i>Age</i>	<i>#</i>	<i>%</i>
29 years or less.	0.	0.00%
30-34	0.	0.00%
35-39	1.	5.00%
40-44	3.	15.00%
45-49	3.	15.00%
50-54	4.	20.00%
55-59	3.	15.00%
60-64	2.	10.00%
65+	4.	20.00%

Source Breakdown

<i>Source</i>	<i>#</i>	<i>%</i>
Attorney.	1.	5.00%
Client.	8.	40.00%
Judge	0.	0.00%
Opposing Counsel	1.	5.00%
Opposing Party	1.	5.00%
Sua Sponte	6.	30.00%
Other	3.	15.00%

Firm Size Breakdown

<i>Firm Size</i>	<i>#</i>	<i>%</i>
1	9.	45.00%
2-5	6.	30.00%
6-9	1.	5.00%
10-19	0.	0.00%
20-49	0.	0.00%
50-99	0.	0.00%
Unknown	0.	0.00%
N/A.	4.	20.00%

Characterization Breakdown

Conflict.	1.	5.00%
Conspiracy	0.	0.00%
Disagreement over Conduct	0.	0.00%
During Representation		
Disagreement over Fee.	1.	5.00%
Disagreement over Handling	3.	15.00%
Client Funds & Property		
Failure to Communicate	1.	5.00%
Illegal Conduct	2.	10.00%
Improper Conduct before a	1.	5.00%
Tribunal		
Incompetence	0.	0.00%
Interference with Justice	0.	0.00%
Lack of Preparation	0.	0.00%
Misrepresentation/Fraud/	1.	5.00%
Dishonesty		
Neglect	8.	40.00%
Other Conduct Unworthy.	2.	10.00%
Prejudicial Withdrawal	0.	0.00%
Threatening Prosecution	0.	0.00%

Admission Date Breakdown

<i>Admission Year</i>	<i>#</i>	<i>%</i>
1/1/1950 – 12/31/1955	0.	0.00%
1/1/1960 – 12/31/1965	0.	0.00%
1/1/1966 – 12/31/1969	0.	0.00%
1/1/1970 – 12/31/1975	3.	15.00%
1/1/1976 – 12/31/1979	2.	10.00%
1/1/1980 – 12/31/1985	1.	5.00%
1/1/1986 – 12/31/1989	7.	35.00%
1/1/1990 – 12/31/1995	5.	25.00%
1/1/1996 – 12/31/1999	1.	5.00%
1/1/2000 – 12/31/2005	1.	5.00%
1/1/2006 – 12/31/2009	0.	0.00%
Not a Maine Attorney.	0.	0.00%

*Involving 22 complaints.

Sanctions Issued in 2007 - Total 20*

Area of Law Breakdown

Administrative/Municipal Law . . .	0	0.00%
Banking	0	0.00%
Bankruptcy	0	0.00%
Child Protection	0	0.00%
Collections	0	0.00%
Commercial/Business	0	0.00%
Contracts/Consumer	1	5.00%
Corporate	1	5.00%
Criminal	4	20.00%
Elder Law	0	0.00%
Family	2	10.00%
Foreclosure	0	0.00%
Intellectual Property	0	0.00%
Landlord/Tenant	0	0.00%
Law-Related Services	0	0.00%
Other	1	5.00%
Probate	1	5.00%
Real Estate	4	20.00%
Torts	6	30.00%
Workers' Compensation	0	0.00%

County Breakdown

Androscoggin	0	0.00%
Aroostook	0	0.00%
Cumberland	5	25.00%
Franklin	0	0.00%
Hancock	1	5.00%
Kennebec	3	15.00%
Knox	0	0.00%
Lincoln	2	10.00%
Oxford	0	0.00%
Penobscot	1	5.00%
Piscataquis	0	0.00%
Sagadahoc	0	0.00%
Somerset	1	5.00%
Waldo	0	0.00%
Washington	0	0.00%
York	1	5.00%
Out of State	6	30.00%

Rules Cited - Reprimands

Rule	Misconduct	#
3.1(a)	Conduct Unworthy of an Attorney	3
3.2(f)(3)	Conduct Involving Dishonesty/Misrepresentation/Deceit	1
3.2(f)(4)	Conduct Prejudicial to the Administration of Justice	1
3.4(a)(1)	Failure to Disclose Potential Conflict of Interest	1
3.4(a)(2)	Failure to Properly Commence Representation	1
3.4(c)(2)	Conflict of Interest – Failure to Obtain Consent for Dual Representation	1
3.6(a)	Failure to Use Reasonable Care and Skill or Communicate with Client	3
3.6(a)(3)	Neglect of a Client’s Legal Matter	1
3.6(c)	Threat to Present Criminal Charges to Obtain Advantage in a Civil Matter	1
3.7(e)(2)(vi)	Conduct Degrading to a Tribunal	1

Rules Cited - Dismissals with a Warning

Rule	Misconduct	#
3.1(a)	Conduct Unworthy of an Attorney	3
3.2(f)(4)	Conduct Prejudicial to the Administration of Justice	1
3.6(a)	Failure to use Reasonable Care and Skill or Keep Client Informed.	4
3.6(a)(3)	Neglect of Client’s Legal Matter	1

Rules Cited - Court Orders

Rule	Misconduct	#
3.2(f)(3)	Conduct involving Dishonesty/Misrepresentation/Deceit	2
3.3(a)	Collection of Excessive Fee	1
3.4(b)	Conflict of Interest	2
3.5(2)	Failure to Withdraw After Being Discharged and Failure to Deliver File to Successor Counsel .	1
3.6(a)	Failure to use Reasonable Care and Skill for the Client	5
3.6(a)(1)	Failure to Provide Competent Representation	1
3.6(a)(2)	Failure to Use Adequate Preparation	2
3.6(a)(3)	Neglect of a Client’s Legal Matter	5
3.6(e)(1)(2)	Failure to Preserve or Return Client’s Property	1
3.13(a)	Failure to Properly Supervise Attorney’s Staff	1
7.3(i)(1)(F)	Failure to Comply with Inactive Status Rule	1

2007 Bar Counsel File Statistical Analysis

Area of Law Breakdown

<i>Area of Law</i>	#	%
Administrative Law	2	1.69%
Child Protection	1	0.85%
Collections	5	4.24%
Commercial/Business	4	3.39%
Criminal	31	26.27%
Elder Law	1	0.85%
Family	32	26.27%
Foreclosure	1	0.85%
Labor Law	1	0.85%
Landlord/Tenant Law	4	3.39%
PFA/Harassment	2	1.69%
Probate	11	9.32%
Real Estate	10	8.47%
Taxation	1	0.85%
Torts	8	6.78%
Workers' Compensation	1	0.85%
Other	3	2.54%
Total:	118	

Characterization Breakdown

<i>Characterization</i>	#	%
Advertising/Solicitation	1	0.85%
Conflict	3	2.54%
Conspiracy	1	0.85%
Disagreement over Conduct		
During Representation	20	16.95%
Disagreement over Fee	2	1.69%
Disagreement over Handling Client		
Funds and Property	7	5.93%
Failure to Communicate	6	5.08%
Guardians Ad Litem	7	5.93%
Habeas Corpus	1	0.85%
Illegal Conduct	3	2.54%
Improper Conduct before		
a Tribunal	3	2.54%
Interference with Justice	25	21.19%
Lack of Preparation	1	0.85%
Misrepresentation/Fraud/		
Dishonesty	10	8.47%
Neglect	5	4.24%
Other Conduct Unworthy	18	15.25%
Prejudicial Withdrawal	5	4.24%
Total:	118	

Comparison of New Files Docketed

2003 - 169
2004 - 164
2005 - 157
2006 - 147
2007 - 118

2007 Registration Statistical Analysis

Registration Demographics

Registration Type	#	%
Resident		
Active	3,599	73.77%
Emeritus	3	0.06%
Judicial	79	1.62%
Non-Resident		
Active	1,198	24.55%
Total:	4,879	

Age Demographics

Age	#	%
29 years or less	117	2.40%
30-34	342	7.01%
35-39	506	10.37%
40-44	572	11.72%
45-49	711	14.57%
50-54	822	16.85%
55-59	771	15.80%
60-64	614	12.58%
65+	424	8.69%

County Demographics

County	#	%
Androscoggin	201	4.12%
Aroostook	77	1.58%
Cumberland	1,789	36.67%
Franklin	32	0.66%
Hancock	100	2.05%
Kennebec	469	9.61%
Knox	93	1.91%
Lincoln	72	1.48%
Oxford	44	0.90%
Penobscot	334	6.85%
Piscataquis	9	0.18%
Sagadahoc	72	1.48%
Somerset	41	0.84%
Waldo	38	0.78%
Washington	31	0.64%
York	291	5.96%
Out-of-State	1,186	24.31%

Age Demographics by Gender

Female - Age	#	%
29 years or less	82	1.68%
30-34	176	3.61%
35-39	188	3.85%
40-44	213	4.37%
45-49	255	5.23%
50-54	287	5.88%
55-59	188	3.85%
60-64	131	2.68%
65+	31	0.64%

Male - Age	#	%
29 years or less	35	0.72%
30-34	166	3.40%
35-39	318	6.52%
40-44	359	7.36%
45-49	456	9.35%
50-54	535	10.97%
55-59	583	11.95%
60-64	483	9.90%
65+	393	8.05%

Gender Demographics

Gender	#	%
Female	1,551	31.79%
Male	3,328	68.21%

Admission Date Demographics

Admission Date	#	%
1/1/1936 -12/31/1939	2	0.04%
1/1/1946 -12/31/1949	4	0.08%
1/1/1950 -12/31/1955	39	0.80%
1/1/1956 -12/31/1959	21	0.43%
1/1/1960 -12/31/1965	65	1.33%
1/1/1966 -12/31/1969	102	2.09%
1/1/1970 -12/31/1975	423	8.67%
1/1/1976 -12/31/1979	426	8.73%
1/1/1980 -12/31/1985	712	14.59%
1/1/1986 -12/31/1989	629	12.89%
1/1/1990 -12/31/1995	825	16.91%
1/1/1996 -12/31/1999	541	11.09%
1/1/2000 -12/31/2005	776	15.90%
1/1/2006 -12/31/2009	314	6.44%

Practice Size Demographics

Solo	1369	28.06%
2-5	1248	25.58%
6-9	420	8.61%
10-19	429	8.79%
20-49	362	7.42%
50-99	313	6.42%
100+	362	7.42%
No Response	10	0.20%
Not Applicable	366	7.50%

Practice Type Demographics

Government	530	10.98%
Female	217	4.50%
Male	313	6.49%
Inactive	1	0.02%
Female	1	0.02%
Male	0	0.00%
In-House/Corporate Counsel	293	6.07%
Female	100	2.07%
Male	193	4.00%
Judiciary	78	1.62%
Female	22	0.46%
Male	56	1.16%
Law School	8	0.17%
Female	3	0.06%
Male	5	0.10%
Legal Service	110	2.28%
Female	62	1.28%
Male	48	0.99%
Military	22	0.46%
Female	4	0.08%
Male	18	0.37%
Private Practice	3319	68.77%
Female	887	18.38%
Male	2432	50.39%
Retired	39	0.81%
Female	10	0.21%
Male	29	0.60%
Other	422	8.74%
Female	226	4.68%
Male	196	4.06%
No Response	4	0.08%
Female	3	0.06%
Male	1	0.02%

Note: Not all registrants responded to the question.

Commission Members

As of 12/31/2007

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Registration Clerk

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