

January 18, 2018

Clifford H. Ruprecht, Esq.
Chair, Advisory Committee on the Rules of Professional Conduct
Roach Hewitt Ruprecht Sanchez & Bischoff, P.C.
66 Pearl Street, Suite 200
Portland, Maine 04101

Re: Maine Rules of Professional Conduct—Rule 8.4

Dear Attorney Ruprecht:

On behalf of the Maine Supreme Judicial Court, I write to thank the Advisory Committee on the Rules of Professional Conduct for addressing the concerns of sexual harassment and gender bias within the legal profession that have recently been raised.

As you are aware, the SJC has sought public comment on a proposal to augment Rule 8.4, with the goal of more directly addressing these concerns in the Rules of Professional Conduct. We are pleased that so many people took the time to send extensive and thoughtful comments. It is indicative of the complexity of the issues that the comments run the gamut from the argument that the Rules already address the problem and no changes are necessary, to the assertion that the proposed new Rule does not go far enough.

Justice Jabar has updated us on your efforts to further address the Rule 8.4 proposal. We appreciate all of the work the Committee is doing to update Rule 8.4. The problems surrounding harassment and discrimination are now, appropriately, being addressed in all aspects of society, and it is critically important that we have policies in place for the attorneys who work within the judicial system of this state. In order to allow the Committee to consider the clearest and most effective language for the Rule, we will defer any final action on the proposed changes to Rule 8.4 until your Committee has completed its consideration of these important questions. We hope that the Committee will also invite any further comment so that all voices can be heard.

We look forward to seeing the Committee's final proposal.

Sincerely,

/s/

Leigh I. Saufley
Chief Justice

LIS:ajm