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MAR 28 2018

**BOARD OF OVERSEERS OF THE BAR**

State of Maine

SUPREME JUDICIAL COURT

Docket No. BAR-16-17

BOARD OF OVERSEERS OF THE BAR )  
Plaintiff )  
v. )  
PAUL L. LETOURNEAU )  
of South Portland, ME )  
Me. Bar #009544 )  
Defendant )

**MONITORING ORDER**

The Court enters the following order by agreement of the parties:

1. Starting on April 1, 2018 and continuing for a period of one (1) year, Paul L. Letourneau shall be monitored in his legal practice by Attorney David Coolidge. If Attorney Coolidge is unable to continue his service as Monitor, then that role shall be undertaken by a mutually agreed-upon third party or as otherwise selected and directed by the Court.
2. Any costs or fees associated with the Monitor's supervision shall be borne by Mr. Letourneau.
3. Mr. Letourneau will meet with the Monitor at the Monitor's calling and convenience on a bi-weekly basis, unless the Monitor subsequently determines that more or less frequent meetings are appropriate.
4. The Monitor shall have the right to withdraw and terminate his services at any time for any reason he deems necessary or sufficient. If he intends to do so, the Monitor shall provide written notice to Bar Counsel three

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AGENCY TO INTERVIEW AND DEBRIEF

weeks in advance of such withdrawal, whereupon this matter may then be scheduled for further hearing as deemed appropriate by the Court.

5. If any aspect of the monitoring process creates a situation that is, or might be interpreted to be a conflict of interest under the Maine Rules of Professional Conduct, the Monitor may adopt any one of the following courses with the proposed result:
  - a. Monitor ceases to act as the Monitor and a potential conflict is avoided.
  - b. Monitor continues to serve as the Monitor, but totally excludes Mr. Letourneau's client's matter from the supervision process, so that no conflict is deemed to exist.
  - c. Monitor continues to serve as the Monitor, but withdraws from the conflicted matter.
6. The Monitor shall have the right to contact clerks of courts, judges, the MCILS, and/or opposing counsel to evaluate and confirm Mr. Letourneau's compliance with his professional obligations.
7. If the Monitor determines that Mr. Letourneau should refrain from expanding his practice areas, the Monitor shall inform Mr. Letourneau of that fact. Mr. Letourneau shall then follow the Monitor's directive to refrain from or limit his acceptance of such cases, absent this Court's order to the contrary.
8. The Monitor shall not initiate contact with any of Mr. Letourneau's clients. The Monitor's communications in the performance of his

monitoring duties shall primarily be with Mr. Letourneau or other persons contemplated by this Order, including the Director of the Maine Assistance Program for Lawyers and Judges (MAP), and Bar Counsel's office. However, if any clients contact the Monitor with concerns about Mr. Letourneau's conduct, then they shall then be referred by the Monitor to Bar Counsel.

9. The Monitor's participation in the disposition of Mr. Letourneau's disciplinary case and monitoring of Letourneau's practice shall be deemed not to create an attorney-client relationship between Mr. Letourneau and the Monitor or between the Monitor and Mr. Letourneau's clients. Specifically, the Monitor shall be deemed not to represent Mr. Letourneau or any of Mr. Letourneau's clients or to be employed by them in any capacity, and the Monitor shall not have any responsibility of any nature to any of them. Moreover, the attorney-client privilege shall not apply to the Monitor's supervision of Mr. Letourneau's practice, and the Monitor shall be immune from any civil liability (including without limitation, any liability for defamation) to Mr. Letourneau or any of Mr. Letourneau's clients.
10. The Monitor shall have the authority to review and examine any of Mr. Letourneau's files, except those in which the Monitor might have adverse interests under paragraphs 4 or 5. In that event, the Monitor shall notify Bar Counsel who shall then develop an alternative means of file review.

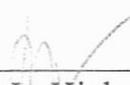
11. Mr. Letourneau shall prepare and present to the Monitor two weeks in advance of their first meeting a list of all his current clients, showing each client's pending matter with a brief summary and calendar of the status thereof. For all subsequent meetings, Mr. Letourneau shall prepare and present that information to the Monitor at least one week in advance of the meeting.
12. The Monitor will, as soon as practicable, have Mr. Letourneau establish a method of objectively identifying problematic or delinquent client matters and have Mr. Letourneau institute internal checks and controls to make his practice appropriately responsible to the needs of his clients.
13. As referenced in the Court's January 25, 2018, Amended Order, it is permitted and expected that Mr. Letourneau shall incorporate and use assistance from the Monitor as is deemed necessary and appropriate.
14. The Monitor shall file a confidential report with the Court every three months or sooner if the Court deems it necessary. The Report shall be copied to counsel for Mr. Letourneau and Bar Counsel, and shall cover at least the following subjects:
  - a. A description of any client matter identified as delinquent or problematic;
  - b. A description of any matter wherein Mr. Letourneau was discharged by a client, court or agency due to perceived or actual professional misconduct;

- c. Measures Mr. Letourneau has taken to avoid delinquencies or adverse court action;
  - d. Any professional assistance the Monitor has provided to Mr. Letourneau;
  - e. Mr. Letourneau's use of and appropriate monthly reconciliation of his IOLTA Account(s); and
  - f. A summary of relevant information provided by court staff and members of the bar, as referenced in ¶6.
15. The Monitor shall have the duty to file a written report with the Court, counsel for Mr. Letourneau, and Bar Counsel concerning any apparent or actual professional misconduct by Mr. Letourneau of which the Monitor becomes aware.
16. The Monitor shall provide a written report to the Court, counsel for Mr. Letourneau, and Bar Counsel concerning any lack of cooperation by Mr. Letourneau with the terms of this Order.
17. Mr. Letourneau shall refrain from all criminal conduct and shall report immediately any criminal charges to the Monitor, MAP and to Bar Counsel; he shall further so report any convictions arising out of criminal conduct in any jurisdiction.
18. Mr. Letourneau shall report to the Monitor, MAP and Bar Counsel any matters in which he is the subject of any civil protection order, e.g., Protection from Harassment or Protection from Abuse.

19. If he has not already done so, Mr. Letourneau shall designate a Maine attorney to serve as his proxy in the event of any future disability, pursuant to M. Bar R. 1(g)(12).
20. Mr. Letourneau shall report to the Monitor any grievance complaints and disciplinary proceedings and/or sanctions against him to all jurisdictions where he is admitted.
21. Mr. Letourneau shall timely comply with his required annual registration filings and continuing legal education requirements.
22. Any verified and/or investigated complaints concerning conduct that allegedly occurred after January 12, 2018, which is the date of the Court's related Order and Decision, may form the basis for additional disciplinary filings directly before the Supreme Judicial Court under M. Bar R. 13(g).
23. Mr. Letourneau's violation of any condition enumerated within this Order may result in the Board's filing a Petition to Terminate the suspended portion of his Suspension Sanction.

The clerk shall incorporate this order into the docket by reference.

Date: 3/23/18

  
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Jeffrey L. Hjelm, Associate Justice  
Maine Supreme Judicial Court

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