

**RECEIVED**

MAY 29 2018

State of Maine

**BOARD OF OVERSEERS OF THE BAR**

SUPREME JUDICIAL COURT

Docket No. BAR-17-9

BOARD OF OVERSEERS OF THE BAR )  
Plaintiff )  
v. )  
JON P. PLOURDE, Esq. )  
of Lewiston, ME )  
Me. Bar #004772 )  
Defendant )

**MONITORING ORDER**

1. For a period of one (1) year commencing on May 21, 2018 through May 21, 2019, Attorney Plourde shall be monitored in his practice by Attorney Christine Smith of Presque Isle, Maine. If Attorney Smith is unable to continue her 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 Attorney Plourde.
3. Attorney Plourde will meet with the Monitor at her 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 her services at any time for any reason she deems necessary. If the Monitor intends to do so withdraw, she shall provide written notice to Bar Counsel J. Scott Davis and Attorney James M. Bowie (Attorney Plourde's legal

counsel) of such withdrawal, whereupon this matter shall then be scheduled for further hearing as deemed appropriate by the Court.

5. If any aspect of the monitoring process creates a situation, which 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 monitor and a potential conflict is avoided;
  - b. Monitor continues to serve as the Monitor, but totally excludes Attorney Plourde's client's matter from the supervision process, so that no conflict is deemed to exist; or
  - c. Monitor continue to serve as the Monitor, but withdraws from the conflicted matter.
6. The Monitor shall have the right to contact clerks of court, judges, or opposing counsel to monitor and confirm Attorney Plourde's compliance with his professional obligations.
7. Likewise, if the Monitor determines that Attorney Plourde should refrain from expanding his practice areas, the Monitor shall inform Attorney Plourde of that fact. Attorney Plourde shall then follow the Monitor's directive to refrain or limit his acceptance of such cases, absent the Court's order to the contrary.
8. The Monitor's participation in the disposition of Attorney Plourde's disciplinary case and monitoring of Attorney Plourde's practice shall be deemed not to create an attorney-client relationship between Attorney

Plourde and the Monitor. Moreover, the attorney-client privilege shall not apply to the Monitor's supervision of Attorney Plourde's practice, and the Monitor shall be immune from any civil liability (including without limitation, any liability for defamation) to Attorney Plourde.

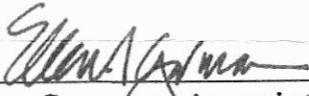
9. The Monitor shall have the authority to review and examine any of Attorney Plourde's files, except those in which the Monitor might have adverse interests under paragraphs 4 or 5. In that event, the Monitor shall notify Bar Counsel Davis, who may then develop an alternative means of file review.
10. Attorney Plourde shall prepare and present to the Monitor two weeks in advance of their first meeting a list of all his current clients, showing each pending client's matter with a brief summary and calendar of the status thereof. For all subsequent meetings, Attorney Plourde shall prepare and present that information to the Monitor at least three days in advance of the meeting.
11. The Monitor will, as soon as practicable, have Attorney Plourde establish a method of objectively identifying problematic or delinquent client matters and have Attorney Plourde institute internal checks and controls to make his practice appropriately responsible to the needs of his clients.
12. 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 Bar Counsel Davis and Attorney Bowie, and shall cover at least the following subjects:

- a. Measures Attorney Plourde has taken to avoid delinquencies or adverse court action;
  - b. A description of any client matter identified as delinquent or problematic;
  - c. Any professional assistance the Monitor has provided to Attorney Plourde; and
  - d. A summary of relevant status updates provided by court staff and members of the bar, as referenced in ¶6.
13. The Monitor shall have the duty to file a written report with the Court and Bar Counsel Davis concerning any apparent or actual professional misconduct by Attorney Plourde of which the Monitor becomes aware.
  14. The Monitor shall provide a written report to the Court and Bar Counsel concerning any lack of cooperation by Attorney Plourde with the terms of this Order.
  15. If he has not already done so, Attorney Plourde 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).
  16. Attorney Plourde shall report any grievance complaints and disciplinary proceedings and/or sanctions to all jurisdictions where he is admitted.
  17. Attorney Plourde shall timely comply with his required annual registration filings and continuing legal education requirements.
  18. Any verified and/or investigated new complaints concerning conduct that allegedly occurred after the date of this Order, may form the basis

for additional disciplinary filings by the Board of Overseers of the Bar directly before the Supreme Judicial Court under M. Bar R. 13(g).

19. Attorney Plourde'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.

Date: May 23, 2013

  
Ellen Gorman, Associate Justice  
Maine Supreme Judicial Court

RECEIVED  
MAY 23 2018  
Clerk's Office  
Maine Supreme Judicial Court