

Public Comments for Senate Select Committee on Judicial Oversight and Reform

Date: 24th September 2024 10:03

First Name:

Pamela

Last Name:

Poon

Email Address:

pam@middlegroundolutions.com

Subject:

No need for legislative oversight of attorneys

Comment:

As a retired attorney who has worked directly with the State Bar's ethical consultant many times, I strongly disagree with legislative oversight of attorney conduct. Like other professionals in Montana who agree to abide by standards governing their practice, e.g., medical practitioners, optometrists, etc., attorneys take an oath to support the Constitution and by their membership in the bar, agree to abide by the MT Rules of Professional Conduct. Law schools require a semester of course-work in professional conduct and maintaining a MT law license requires mandatory annual ethics training which we pay for. I have not seen mandatory ethics training for legislators in their ethical code (MCA 2-2-112) nor have I heard of mandatory ethics training for legislators who must pay out of pocket for those courses. Possibly unknown to the legislature is a practice of the Montana Bar's Office of Disciplinary Counsel (ODC) that uses volunteer mentors to assist attorneys who may have ethical issues. I have served in this capacity for two years for a new attorney. The realities of today's practice of law are complex, deep and, at times, can be confusing, even for long-time practitioners. I don't believe the legislature is equipped to handle regulating lawyers.

Sent via leg.mt.gov/committees/other-groups/sjor/public-comments-sjor/