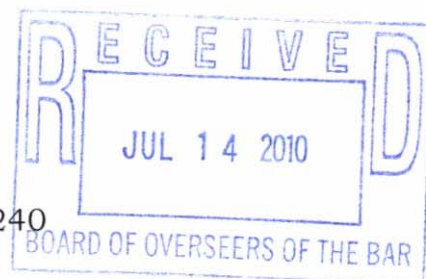


STATE OF MAINE

Board of Overseers of the Bar

GCF No. 09-240



BOARD OF OVERSEERS OF THE)
 BAR)
 Petitioner)
 v.)
 ROBERT L. COUTURIER, ESQ.)
 of Lewiston, ME)
 Me. Bar# 1473)
 Respondent)

**STIPULATED REPORT OF
 FINDINGS AND ORDER OF
 PANEL #D OF THE GRIEVANCE
 COMMISSION
 M. Bar R. 7.1(e)(2)(4)**

On June 28, 2010, with due notice, Panel D of the Grievance Commission conducted a public disciplinary hearing pursuant to Maine Bar Rule 7.1(e)(2)(E), concerning misconduct by the Respondent, Robert L. Couturier, Esq. The disciplinary proceeding had been commenced by the March 19, 2010 filing of a Disciplinary Petition by the Board of Overseers of the Bar.

At the hearing, Attorney Couturier was *pro se* and the Board was represented by Assistant Bar Counsel Aria Eee. Prior to the disciplinary proceeding, the parties submitted a stipulated, proposed sanction Report for the Grievance Commission Panel's review and consideration. Additionally, the complainant, Denise Theriault, attended the disciplinary hearing and was provided an advance copy of the proposed Report.

Having reviewed the agreed, proposed findings as presented by counsel, the Panel makes the following findings and disposition:

FINDINGS

Respondent Robert L. Couturier of Lewiston, Maine has been at all times relevant hereto an attorney duly admitted to and engaged in the practice of law in the State of Maine and subject to the Maine Bar Rules. Attorney Couturier was admitted to the Maine Bar in 1970. He has no history of any prior discipline.

On June 24, 2009, Denise L. Theriault filed a complaint against Attorney Couturier. Ms. Theriault's complaint alleged that Couturier engaged in a conflict of interest related to his representation of Ms. Theriault's elderly parents, the Landrys. That representation involved Couturier's initial preparation of reciprocal Wills for the couple. By August 2000, the couple's living situation had dramatically changed such that Mrs. Landry was incapacitated and Mr. Landry was living separately from her. Later that year, Couturier prepared a new Will for Mr. Landry which specifically deprived Mrs. Landry of her right to inherit from him.

Therefore, in drafting and assisting with Mr. Landry's new Will, Couturier commenced representation adverse to a former client. The new representation for Mr. Landry was substantially related to the matter for which he formerly represented Mrs. Landry. Moreover, Mrs. Landry neither knew of nor consented to Couturier's actions in making these Will revisions for Mr. Landry. Couturier's preparation and drafting of that revised Will constituted a violation of then applicable M. Bar R. 3.1(a) [conduct unworthy of an attorney]; 3.2(f)(4)

[conduct prejudicial to the administration of justice]; and 3.4(d)(1)(i) [conflict of interest].

CONCLUSION AND SANCTION

At the time of the misconduct, Attorney Couturier's actions were governed by the then applicable Code of Professional Responsibility. That Code specifically required attorneys to uphold their responsibilities to clients and the courts. Due to Attorney Couturier's above-outlined failures, Mrs. Landry's interests were not protected and she was denied an ability to inherit from her husband. The Panel notes that Attorney Couturier has taken responsibility for his actions. It is clear he did not intend to harm Mrs. Landry, as he believed his actions would have no negative effect upon her. Nevertheless, he accepts that the end result constituted professional misconduct. At the disciplinary hearing, Attorney Couturier expressed remorse for his violations of the then applicable Code of Professional Responsibility.

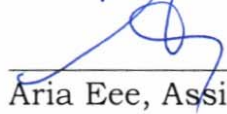
M. Bar. R. 2(a) provides that the purpose of bar disciplinary proceedings is not punishment, but rather the protection of the public from attorneys who, by their conduct, have demonstrated that they are unable to properly discharge their professional duties. Since the evidence supports a finding and Attorney Couturier agrees that he did in fact violate the Code of Professional Responsibility, the Panel finds that a reprimand serves those purposes.

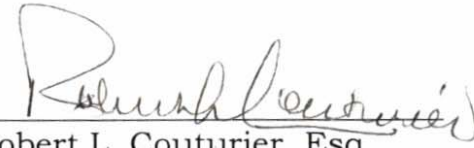
Therefore, the Panel accepts the agreement of the parties, including Attorney Couturier's waiver of the right to file a Petition for Review, and concludes that the appropriate disposition of this case is a **Public Reprimand**

of Robert L. Couturier, Esq. That reprimand is hereby issued and imposed upon him pursuant to M. Bar R. 7.1(e)(3)(C), (4).

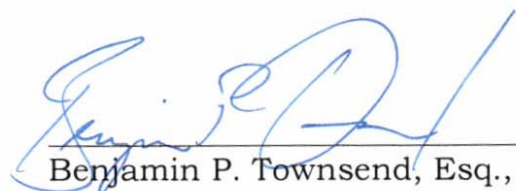
For the Parties

Date: June 28, 2010


Aria Ee, Assistant Bar Counsel


Robert L. Couturier, Esq.

Date: June 28, 2010


Benjamin P. Townsend, Esq., Chair

Date: 6/28/10


Joseph R. Reisert, Ph.D.