

STATE OF MAINE

SUPREME JUDICIAL COURT

DOCKET NO. Bar-12-4

BOARD OF OVERSEERS OF
THE BAR

v.

DECISION AND ORDER

JOAN P. DAVIS, ESQ.,
a/k/a Joan D. Dowdell

Joan P. Davis¹ requested a hearing pursuant to M. Bar R. 7.3(h)(1) asking this Court not to impose reciprocal discipline imposed by the State of Georgia in Maine. This Court held a hearing on September 28, 2012. Ms. Davis claims that she did not receive a fair decision regarding her Georgia disbarment claiming that her punishment far exceeds her offenses. Georgia claims, in effect, that Ms. Davis abandoned a client in a child support matter by not appearing when appropriate and in effect leaving her client unrepresented.

Maine Bar Rule 7.3(h)(3) requires the Court to find as follows:

Bar Counsel or the respondent attorney established, or the Court concludes, that (i) the procedure in the other jurisdiction did not

¹ Joan P. Davis was formerly known as Joan D. Dowdell. Dowdell was her married name and she is divorced from Mr. Dowdell and resumed using her maiden name. Ms. Davis's bar records in Maine are under the name Joan D. Dowdell.

provide reasonable notice or opportunity to be heard; (ii) there was significant infirmity of proof establishing the misconduct; (iii) imposition of the same discipline would result in grave injustice; or (iv) the misconduct established does not justify the same discipline in this State.

In addition Maine Bar Rule 7.3(h)(4) requires:

A final adjudication in another jurisdiction that an attorney has been guilty of misconduct may be treated as establishing the misconduct for purposes of a disciplinary proceeding in this State.

This Court finds that Ms. Davis received reasonable notice of her bar discipline in Georgia and had an opportunity to be heard regarding the matter. There was also substantial proof regarding Ms. Davis's misconduct. Because the Special Master found that Ms. Davis lied during the disciplinary proceeding, the misconduct was made worse. This Court finds that Ms. Davis may have received the same discipline in this State. In addition, Ms. Davis has been administratively suspended from the practice in Maine for the last twenty (20) years because she has not paid bar dues or otherwise complied with the Maine Bar Rules. Therefore, the imposition of a disbarment in Maine would not have any real impact on Ms. Davis because she is currently prohibited from practicing in Maine.

