



3. On May 29, June 11 and June 13, 2003 Gerrity wrote various officials of the Maine Department of Corrections (the Department), including its Commissioner, about inmates at the Maine State Prison.

4. Gerrity's letters to the Department were written on his office letterhead clearly identifying him as an attorney at law, argued that the Department was inattentive to the inmates' medical needs, and requested that the Department provide the inmates with better, more humane treatment.

5. Gerrity's correspondence with the Department was practicing law. See Opinion No. 79.<sup>1</sup> His correspondence also violated M. Bar R. 3.2(a)(1), 3.2(f)(1), 6(c)(1) and 7.3(i)(2)(A) because Gerrity was then an inactive practitioner who had not been reinstated to active status.

### **CONCLUSION**

The Panel concludes that the appropriate disposition of this case is a reprimand. Although Gerrity's writing the Department might have been well intentioned and concerned what he perceived was the Department's alleged inadequate treatment of its inmates, his doing so by holding himself out to the Department as an attorney on active status clearly was wrong, and he now so acknowledges that fact. The Panel concludes, therefore, that Gerrity be and he hereby is reprimanded for his misconduct.

Dated this 2<sup>nd</sup> day of December, 2003

Panel E of the Grievance Commission

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Stephen G. Morrell, Esq., Chair

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Charles W. Smith, Jr., Esq.

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Harriet R. Tobin

<sup>1</sup> Issued by the Professional Ethics Commission on May 6, 1987.