

STATE OF MAINE
SUPREME JUDICIAL COURT
AMENDMENT TO
MAINE BAR ADMISSION RULES

2023 Me. Rules 08

Effective: November 14, 2023

All of the Justices concurring therein, the following amendment to the Maine Bar Admission Rules is adopted to be effective on the date indicated above. The specific amendment is stated below. To aid in the understanding of the amendment, an Advisory Note appears after the text of the amendment. The Advisory Note states the reason for recommending the amendment, but the Advisory Note is not part of the amendment adopted by the Court.

1. Rule 11A of the Maine Bar Admission Rules is amended to read as follows:

RULE 11A. ADMISSION BY MOTION

(a) An applicant who is an attorney admitted to practice law in a state or territory of the United States or the District of Columbia and meets the following requirements may, upon motion, be admitted to the practice of law in Maine without taking and passing the Maine bar examination required by Rule 10. The applicant shall present evidence that the applicant:

....

(2) Has been primarily engaged in the active practice of law in one or more United States jurisdictions (which may include the active practice of law in the State of Maine to the extent permitted by Rule 5.5(d) of the Maine Rules of Professional Conduct) for at least three of the five years immediately preceding the date upon which the application is filed.

For the purposes of this Rule, the “active practice of law” shall include the following activities, either separately or in the aggregate, when performed on a full time basis:

- A. Representation of one or more clients in the private practice of law;
- B. Service as a lawyer with a local, state, territorial or federal agency including military service;
- C. Teaching law at a law school approved by the American Bar Association;
- D. Service as a judge in a federal, state, or local court of record;
- E. Service as a judicial law clerk; or
- F. Service as in house counsel providing legal services to the lawyer's employer.

The "active practice of law" shall not include work undertaken during any period in which the applicant is not an active member in good standing of the bar of a United States jurisdiction and shall not include work that, as undertaken, constituted the unauthorized practice of law in the jurisdiction in which it was performed or in the jurisdiction in which the clients receiving the unauthorized services were located.

(3) Has graduated with a juris doctor or bachelor of laws degree from a law school approved by the American Bar Association (A) having a three (3) school year course of study and requiring students to devote substantially all their working time to study, called a full-time law school; or (B) having a course of study of not less than four (4) school years, equivalent in the number of credit hours to a three (3) school year course of study in a full-time law school and in which students devote only part of their working time to their studies, called a part-time law school; or (C) has graduated from a foreign law school with a legal education that, in the Board's opinion pursuant to regulations adopted by the Board, is equivalent to that provided in those law schools accredited by the American Bar Association. A combination of study in full-time and part-time law schools will be accepted only if such law schools meet the above requirements, and the applicant shall have graduated from one or the other. ~~Study in any law school that conducts its courses by correspondence or does not require attendance of its students at its lectures or classes shall not constitute compliance with this Rule;~~

....

Advisory Note – November 2023

Rule 11A(a)(2) is amended to correct punctuation.

Rule 11A(a)(3) is amended to omit the provision that “[s]tudy in any law school that conducts its courses by correspondence or does not require attendance of its students at its lectures or classes shall not constitute compliance with this Rule.”

Dated: November 14, 2023

FOR THE COURT,*

_____/s/_____
VALERIE STANFILL
Chief Justice

ANDREW M. MEAD
JOSEPH M. JABAR
ANDREW M. HORTON
CATHERINE R. CONNORS
RICK E. LAWRENCE
WAYNE R. DOUGLAS
Associate Justices

* This Rule Amendment Order was approved after conference of the Court, all Justices concurring therein.