

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

**2024 Me. Rules 04**

Effective: September 23, 2024

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 11C of the Maine Bar Admission Rules is adopted to read as follows:

**RULE 11C. TEMPORARY PERMISSION TO PRACTICE**

(a) Any member in good standing of the Bar of any other state or of the District of Columbia who either becomes employed by the Maine Commission on Public Defense Services or becomes employed by or engages in pro bono services as a volunteer with a legal services organization based in this State that is funded from state, federal or recognized charitable sources and provides legal assistance to indigent persons, may be permitted to practice before the courts of this State on a temporary basis subject to the provisions of this Rule. Attorneys permitted to practice under this Rule are not, and shall not represent themselves to be, members of the bar of this State, and shall not practice law in Maine outside of the scope of the attorney's employment or voluntary pro bono service with a legal services organization based in Maine. Practice under this Rule shall be subject to the conditions in subsection (b).

(b) An application for temporary permission to practice law in this State under the provisions of this Rule shall be filed with the Executive Clerk of the Supreme Judicial Court and shall be accompanied by a certificate of the highest court or the appropriate office in charge of attorney regulation of another state

certifying that the attorney is a member in good standing in the bar of that court and

(1) if employed by the Maine Commission on Public Defense Services, a statement that the attorney has a minimum of one year of relevant legal experience and has completed the Commission's minimum standards training or other similar training designated by the Maine Commission on Public Defense Services, or

(2) if employed by or volunteering for a legal services organization, a statement signed by the executive director or chief executive officer of the legal services organization that the attorney (A) is currently employed by or volunteering with the organization, and (B) has expressly agreed not to practice law in Maine outside of the scope of the attorney's employment or voluntary pro bono service with the legal services organization.

(c) An attorney is permitted to practice subject to the provisions of this Rule on the date that the application for temporary permission to practice law is approved by a single justice of the Supreme Judicial Court either under this Rule or the former Maine Rule of Civil Procedure 89(c). An attorney's permission to practice subject to the provisions of this Rule shall be effective only when a copy of the Court's approval is filed with the Board of Overseers of the Bar and shall remain in effect for the time specified in the application, but not to exceed two years from the date the application is approved, except that an attorney who has provided, and will be providing, voluntary pro bono service only with a legal services organization, and who is not, and will not be, an employee of a legal services organization, may re-apply for temporary permission to practice at any time, subject to all other provisions of this rule.

(d) Permission to practice under this Rule shall terminate whenever the attorney ceases to be employed by the Maine Commission on Public Defense Services or to be employed by or volunteer with a legal services organization. When an attorney permitted to practice under this Rule ceases to be so employed or engaged as a volunteer, the attorney shall file a statement to that effect with the Executive Clerk of the Supreme Judicial Court and the Board of Overseers of the Bar.

(e) An attorney permitted to practice temporarily under this Rule shall perform no legal services within the State except for clients aided by the Maine Commission on Public Defense Services or the legal services organization by which the attorney is employed or volunteers and for such purposes only, and the attorney shall not accept any compensation for such services, except such salary as may be paid by the Maine Commission on Public Defense Services, the legal services organization, or a governmental body or charitable institution to enable the attorney to work for the Commission or legal services organization.

(f) All pleadings signed by an attorney permitted to practice under this Rule shall bear the name and office address, and be signed on behalf of, an attorney supervisor of the Maine Commission on Public Defense Services or the organized legal services organization concerned, who shall be an attorney fully licensed to engage in the general practice of law within this State.

(g) Attorneys permitted to practice temporarily under this Rule are subject to the Maine Rules of Professional Responsibility and Maine Bar Rules and may be disciplined or suspended from practice in the manner now or hereafter provided by rule for the discipline or suspension of attorneys generally.

(h) If an attorney permitted to practice under this Rule is thereafter admitted to the Maine Bar, the provisions of this Rule will no longer apply upon such admission.

### **Advisory Note – September 2024**

Rule 11C is adopted to (1) incorporate the contents of the contemporaneously repealed Maine Rule of Civil Procedure 89(c), (2) add provisions authorizing temporary permission to practice for an attorney who is a member in good standing of the Bar of any other state or of the District of Columbia if that attorney is employed by the Maine Commission on Public Defense Services and has completed the Commission's minimum standard training, and (3) properly identify the Executive Clerk of the Supreme Judicial Court, rather than the Clerk of the Law Court, as the person who will accept filings.

For additional advisory notes regarding prior amendments to Maine Rule of Civil Procedure 89(c), see the Advisory Notes appended to Maine Rule of Civil Procedure 89.

Dated: September 18, 2024

FOR THE COURT,\*

/s/

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VALERIE STANFILL  
Chief Justice

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

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