

STATE OF MAINE
SUPREME JUDICIAL COURT
AMENDMENT TO
MAINE RULES OF CIVIL PROCEDURE

2024 Me. Rules 05

Effective: September 23, 2024

All of the Justices concurring therein, the following amendment to the Maine Rules of Civil Procedure 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 89 of the Maine Rules of Civil Procedure is amended to read as follows:

**RULE 89. WITHDRAWAL OF ATTORNEYS; VISITING LAWYERS;
TEMPORARY PRACTICE WITH LEGAL
SERVICES ORGANIZATIONS**

....

~~(c) Attorneys Practicing With Legal Services Organizations. Any member in good standing of the Bar of any other state or of the District of Columbia who 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 indigents in civil matters, may be permitted to practice before the courts of this State 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 following conditions:~~

~~(1) An application for temporary permission to practice law in this State under the provisions of this Rule shall be filed with the Clerk of the Law Court, and shall be accompanied by:~~

~~(A) a certificate of the highest court of another state certifying that the attorney is a member in good standing in the bar of that court; and~~

~~(B) a statement signed by the executive director or chief executive officer of the legal services organization that the attorney (i) is currently employed by or volunteering with the organization, and (ii) 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.~~

~~(2) 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. 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.~~

~~(3) Permission to practice under this Rule shall terminate whenever the attorney ceases to be employed by or volunteer with the 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 Clerk of the Law Court and the Board of Overseers of the Bar.~~

~~(4) An attorney permitted to practice temporarily under this Rule shall perform no legal services within the State except for clients aided by the legal services organization by which the attorney is employed 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 legal services organization,~~

~~or by a governmental body or charitable institution to enable the attorney to work for the legal services organization.~~

~~(5) 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 organized legal services organization concerned, who shall be an attorney fully licensed to engage in the general practice of law within this State.~~

~~(6) Attorneys permitted to practice temporarily under this Rule are subject to the 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.~~

Advisory Note – September 2024

Rule 89(c) is repealed and its contents relocated to new Maine Bar Admission Rule 11C, where the contents of the rule have been changed, as indicated in the Advisory Note to that rule, to “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 to “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.”

Dated: September 18, 2024

FOR THE COURT,*

/s/ _____
VALERIE STANFILL
Chief Justice

ANDREW M. MEAD
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.