

STATE OF MAINE
SUPREME JUDICIAL COURT
PROPOSED AMENDMENT TO THE
MAINE BAR RULES

1. Rule 5 of the Maine Bar Rules is amended to read as follows:

RULE 5. CONTINUING LEGAL EDUCATION (“CLE”)

(a) CLE Credit.

(1) Except as otherwise provided in this rule, every attorney required to register in accordance with these Rules shall complete ~~11~~ 12 credit hours of approved CLE in each calendar year. At least one live credit hour ~~in each calendar year~~ shall be primarily concerned with professionalism education and one live credit hour shall be primarily concerned with harassment and discriminatory conduct or communication related to the practice of law as set out in Rule 8.4(g) of the Maine Rules of Professional Conduct.

(A) Qualifying professionalism education topics include, among other things, professional responsibility, legal ethics, substance abuse and mental health issues, diversity awareness in the legal profession, and legal malpractice and bar complaint avoidance topics including law office and file management, client relations, and client trust account administration.

(B) Qualifying harassment and discrimination education topics include conduct or communication related to the practice of law involving harassment or discrimination on the basis of race, sex, religion, national origin, ethnicity, disability, age, sexual orientation, or gender identity.

If an attorney is subject to this rule for more than 3 months of a calendar year but for less than the entire year, the number of credits required for that year shall be prorated according to the number of full months of the year in which the attorney is subject to this rule. However, an attorney who has registered in emeritus attorney status is required to complete only seven credit hours of approved CLE in each calendar year, unless exempted from the requirements of CLE as provided by Rule 5(a)(5). Attorneys whose required hours are

prorated or who register under emeritus status must complete the professionalism and harassment/discrimination credit as defined above.

(2) An attorney who completes more than ~~11~~ 12 credit hours in a calendar year may carry forward up to 10 credit hours to satisfy the requirement of the following year, provided that the ethics or professionalism ~~education and harassment/discrimination credit~~ requirements of Rule 5(a)(1) ~~is~~ are satisfied for each calendar year.

(3) The requirement of Rule 5(a)(1) may be met only by teaching (as provided in subsection (8)), attending courses, or completing any CLE activity entitled to credit as provided in Rule 5(c) and (d), provided that no more than ~~one half of the~~ five credit hours required in any reporting period may be earned through in-house courses, self-study, or a combination thereof.

(4) An attorney subject to this rule who ~~is a member of the bar of~~ maintains a principal office for the practice of law in another jurisdiction which has a mandatory CLE requirement satisfies the requirements of Rule 5(a)(1) ~~if the attorney is in~~ by certifying compliance with a that jurisdiction's CLE requirement, ~~established by court rule or statute in that jurisdiction.~~ ~~If the other jurisdiction does not require the equivalent of one professionalism education credit hour per year, the attorney must complete one approved professionalism education credit hour in each calendar year.~~ An attorney subject to this rule who is a member of the bar of another jurisdiction must meet the requirement of Rule 5(a)(1) if CLE is not mandated by court rule or statute in the other jurisdiction.

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