

STATE OF MAINE  
SUPREME JUDICIAL COURT  
AMENDMENT TO  
MAINE BAR RULES

**2020 Me. Rules 01**

Effective: May 13, 2020

All of the Justices concurring therein, the following amendment to the Maine Bar 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 5(c) of the Maine Bar Rules is amended to read as follows:

**(c) MCLE Requirements.**

(1) Every attorney with an active license to practice law in this jurisdiction shall be required to earn a minimum of 12 MCLE credit hours per calendar year. No more than five of the credit hours may be earned through self-study programs as defined in Rule 5(h)(1)(B).

(2) As part of the required credit hours referenced in Rule 5(c)(1), attorneys must earn at least one live credit hour in Ethics and Professionalism. Qualifying Ethics and Professionalism topics include professional responsibility, legal ethics, substance abuse and mental health issues, diversity awareness in the legal profession, attorney wellness, and legal malpractice and bar complaint prevention topics including client relations, law office and file management, and client trust account administration. The credit hour required by this section is separate from and in addition to the credit hour required by Rule 5(c)(3).

(3) As part of the required credit hours referenced in Rule 5(c)(1), attorneys must earn at least one in-person credit hour in the recognition and avoidance of harassment and discriminatory communication or conduct related to the practice of law as set out in the Maine Rules of Professional

Conduct. Qualifying topics include harassment or discriminatory communication or conduct on the basis of race, sex, religion, national origin, ethnicity, disability, age, sexual orientation, or gender identity. The credit hour required by this section is separate from and in addition to the credit hour required by Rule 5(c)(2).

(4) The credit hour required by Rule 5(c)(3) must be earned through in person attendance, unless, in the discretion of the CLE Committee, for demonstrated good cause shown, an attorney seeks and obtains prior approval to attend a live presentation through live-streaming or other electronic medium approved by the Committee. The CLE Committee's determination may include conditions mandating the CLE sponsor to ensure that participants will be monitored throughout the program for active, contemporaneous participation.

### **Advisory Note - May 2020**

Rule 5(c)(4) is added to provide the Board's CLE Committee the authority, for good cause shown based on an attorney's specific circumstances, to waive the in-person attendance requirement for education on the recognition and avoidance of harassment and discrimination.

Dated: May 13, 2020

FOR THE COURT,\*

\_\_\_\_\_/s/  
ANDREW M. MEAD  
Acting Chief Justice

ELLEN A. GORMAN  
JOSEPH M. JABAR  
THOMAS E. HUMPHREY  
ANDREW M. HORTON  
CATHERINE R. CONNORS  
Associate Justices

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