Maine State Bar Association

MAINE BAR JOURNAL

Volume 41 | Number 3 | 2026

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Moments of Connection

One of my favorite parts of serving as MSBA President has been watching people connect.

I watched it at the Gala, where lawyers from every corner of our profession came together to support access to justice. I experienced it at the Summer Bar Conference, where conversations between seasoned practitioners, new lawyers, and everyone in between reminded me why Maine has earned its reputation for having a collegial bar.

Watching those moments unfold made me realize something about my own story. In my first President's Page, I shared the story of the lawyer I met while bartending at a local pub in Portland. He encouraged me to apply to law school, offered me a job at his firm, and wrote me a letter of recommendation. I ended the story there, but it was really only the beginning. Not long after that meeting, I found out I was pregnant. For a moment, I wondered whether my dream of becoming a lawyer would have to wait. Ultimately, I decided not to let an unexpected detour keep me from pursuing my dream. I applied to Maine Law when I was eight months pregnant. A few months later, I learned that I had been waitlisted. I was disappointed, but by then my son was a month old. I was exhausted, overwhelmed, and trying to figure out how to care for a newborn. Looking back, had I been admitted then, I don't think I would have accepted.

Instead, two days before orientation that fall, I received a phone call from Maine Law offering me a spot. I said yes without hesitation, enrolled my son in daycare, and jumped right in.

Law school as a single mom with a baby was not easy. I often questioned whether I could make it, but I was encouraged by the law school community. Throughout my three years at Maine Law, my professors gave me grace, and my classmates stepped up whenever I needed help. When my son was sick and I had to miss multiple classes, more than one classmate emailed me their notes without me even asking. When I couldn't find a babysitter for my first-year oral argument, I brought my son to school. A classmate happily watched him while I presented.

These weren't grand gestures. They were small acts of kindness that made an enormous difference. They taught me that community isn't built through extraordinary moments, but by people simply showing up for each other.

Those classmates became more than classmates. They became colleagues, mentors, friends, and people I still call today. Whenever I have needed advice, a sounding board, or simply another lawyer willing to help, someone from our legal community has been there.

That is what makes the Maine bar so special. Through my time as President, I have had the privilege of watching that same spirit play out across our profession. I saw it in the generosity that made the Gala possible and again at the Summer Bar Conference, where lawyers at every stage of their careers reconnected with old friends, welcomed new colleagues, and simply made time to talk.

When trust exists, we are better able to have difficult conversations, give one another the benefit of the doubt , and remember that we are all working toward the same larger purpose, even when we disagree.

Those moments may seem small, but they build trust. And when trust exists, we are better able to have difficult conversations, give one another the benefit of the doubt , and remember that we are all working toward the same larger purpose, even when we disagree.

Our conversations about the Rule of Law throughout the conference demonstrated why those connections matter. We did not all agree. That was never the goal. In fact, some of the conversations were difficult, but because we were talking with colleagues, not strangers on the internet, we were able to continue the conversation, ask questions, challenge one another, and, for the most part, assume good intentions.

During the Thomas Jefferson presentation, one idea especially resonated with me. He spoke about the importance of looking for people of good faith, even in those with whom we disagree politically. More than two centuries later, that advice still feels remarkably relevant, and that lesson applies just as readily to our profession.

The greatest value of connection isn't that it helps us agree. It's that it helps us disagree in a more collegial way. It changes how we experience it. When we know one another, we are more likely to extend grace, less likely to assume the worst, and better able to remember that the person across the table is a colleague first and an opponent only on a particular issue. Our profession will never be defined by unanimous opinions, nor should it be. Lawyers are trained to see different sides of an issue, but if we can continue to approach one another with curiosity, humility, and an assumption of good intentions, we will preserve the very thing that has long made the Maine bar special. We pick up the phone to answer each other's questions. We mentor younger lawyers. We treat opposing counsel with respect. We celebrate one another's successes and support one another through challenges. That reputation does not exist by accident. It exists because generations of lawyers have chosen to invest in one another.

In a world that often feels increasingly divided and increasingly isolated, I believe we need more connection and more community, not less.

My hope is that we continue to show up for conferences, committee meetings, volunteer opportunities, mentoring relationships, and the conversations that don't fit neatly into an agenda. Those are the moments where trust is built, friendships begin, and the next generation of Maine lawyers discovers that they belong. Perhaps most importantly, they remind us that while we may not always think alike, we have far more in common than we sometimes realize.

That is the Maine bar I have been fortunate to experience, and it is one worth preserving.

ANGELA P. ARMSTRONG is the Maine State Bar Association's Executive Director. She can be reached at aarmstrong@mainebar.org.

Behind the Scenes

Members usually see the finished product—a CLE program, a conference, a new policy, a publication, or a special event. What they do not always see are the many meetings, conversations, drafts, and decisions that happen behind the scenes to bring it all together. Over the past several months, I have spent a great deal of time in those behind-the-scenes conversations. I have participated in meetings of our Board of Governors and Bylaws & Policies Committee, worked with members and staff on CLE program planning, and been involved in planning our Summer and Winter Bar Conferences and 135th Anniversary Gala.

The work looks different depending on the group and the project, but there is one thing they all have in common: members volunteering their time to help make the Maine State Bar Association stronger. Sometimes that work involves reviewing a policy or discussing proposed changes to our bylaws—occasionally one word at a time. It may not be the most exciting work we do, but it is important. Those discussions help ensure that the Association operates responsibly, that expectations are clear, and that future leaders have the guidance they need.

Our Board of Governors is asked to consider an even wider range of issues. Board members must look beyond their own practices or individual interests and think about what is best for the Association and its membership as a whole. They ask questions, consider different perspectives, and help us weigh both the immediate and long-term impact of the decisions before them.

CLE program planning presents a different challenge. Our volunteer planners help identify the issues members need to know about, determine what information will be most useful, and find speakers who can bring the subject to life. By the time members receive an email announcing a program, a great deal of work has already taken place behind the scenes.

The same is true of our Summer and Winter Bar Conferences. Members see the finished product when they attend, but they do not see the planning meetings, the long email chains, the changes made along the way, or the countless details that must come together. Our conferences are successful because members and staff work together, share ideas, solve problems, and keep things moving forward.

Our 135th Anniversary Gala was a very different type of event for the MSBA, and its planning brought together a different group of members. They helped shape the evening, make connections, generate enthusiasm, and create an event that both celebrated the Association and raised meaningful support for civil legal aid. Their involvement was an important part of what made the Gala so successful.

As Executive Director, I have the opportunity to see much of this work firsthand. That has been especially true this year in working with our President, Rachel Okun. Rachel has brought tremendous energy and many new ideas to the Association, and she has been equally willing to roll up her sleeves and work alongside staff to make them happen. Her involvement has

The work looks different depending on the group and the project, but there is one thing they all have in common: members volunteering their time to help make the Maine State Bar Association stronger.

extended far beyond what is typically expected of a volunteer president and has been an important part of all we have accomplished this year.

None of this volunteer work is particularly convenient. Our members are busy. They have clients, colleagues, families, and many other demands on their time. Yet they continue to show up, review materials, share their experience, ask good questions, and help us make better decisions.

It is easy to take the finished product for granted. A program appears on the calendar. A conference comes together. A new policy is adopted. A publication arrives. A special event takes shape. But none of it happens on its own. Behind each of those efforts are members who gave their time, shared their knowledge, and helped move the work of the Association forward. To all of you who contribute to that work—often quietly and behind the scenes—thank you! Please know how much your time, ideas, and willingness to get involved are appreciated.

For those who may be interested in becoming more involved, there are many ways to contribute to the work of the MSBA. Please reach out to me, and we'll find an opportunity that is right for you.

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*These attorneys gave at both the Anniversary Sustaining and Sustaining membership levels.

Sustaining memberships permit MSBA members to make additional commitments to the Maine State Bar Association. As established by the MSBA's Board of Governors, an Anniversary Sustaining Membership is $135 and an individual Sustaining Membership is $100, in addition to a member's regular membership dues.

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Justice

LAURA M. O'HANLON is a graduate of the University of Maine School of Law, whose career took her from an internship with the US Attorney's Office, into private practice, then back to Maine Law as the director of career services, followed by a brief tour with the postal service. In her many roles within the Maine Judicial Branch, she facilitated access to the court system. Currently, she serves as deputy general counsel at Bath Iron Works Corporation and is an immediate past co-chair of the (2025) Campaign for Justice.

Campaigning for Justice: Civil Legal Aid and the Rule of Law

At the summer bar conference, I connected with long-time friends, new colleagues, *and* Thomas Jefferson;[1] we discussed interesting ideas and the important work that Maine lawyers do each day. Reflecting upon that gathering, I am struck by the profound responsibility entrusted to us as lawyers: to defend justice, uphold the rule of law, and ensure the promise of equality. Today, more than ever, this charge calls us to support civil legal aid, a cause that safeguards not only the rights of individuals, but the vitality of our communities, and the integrity of the judicial system.

In the wake of America's 250th anniversary, our nation's founding principles remain front of mind. Thomas Jefferson, an honorary member of the Maine State Bar Association, has stated that "Equal and exact justice to all [people], of whatever state or persuasion…" is fundamental right for every citizen. [2] President Jefferson emphasized the importance of this right, by explaining that, "The most sacred of the duties of a government [is] to do equal and impartial justice to all its citizens." [3]

When we modernize and act on these sentiments by supporting civil legal aid, we help our country fulfill a sacred duty, making justice not a privilege for some, but an evolving guarantee for all.

Here in Maine, at an Access to Justice Symposium in 2015, retired Associate Justice of the Supreme Judicial Court, Howard H. Dana[4] observed:

> In a society of laws, we require that everyone accept where they temporarily find themselves on the economic ladder of life even as they work within our society to improve their lot. However, we must never expect the poor to tolerate the inability to enjoy equal treatment under the law. "Nothing," wrote Reginald Heber Smith, "rankles more in the human heart than a brooding sense of injustice . . . . [I]njustice makes us want to pull things down." [5]

Following his implicit call to action, Justice Dana expressed confidence in the Maine bar as follows: "We are blessed to live in a State where routinely the leaders of government and the private sector come together to solve problems."[6]

These words urge us to continue forward. They remind us to pull things down and put them back together. Our advocacy for and financial support of access to justice help shape solutions for real people, and they are an embodiment of our shared values as citizens of Maine and officers of the court.

Each day, many individuals find hope and resolution through legal aid. Take, for instance, a mother able to escape an abusive relationship and secure safe housing for her children, or a veteran who retained benefits and his independence after resolving an eligibility error. These are not abstract victories; they are tangible examples of how our support changes lives.

Civil legal aid is more than just a means to assist individuals; it is an investment in Maine's economic well-being. By preventing homelessness, preserving employment, and resolving disputes efficiently, legal aid strengthens the fabric of our society. When our neighbors can secure housing, remain safe, and protect their livelihoods, the benefits ripple outward, bolstering our economy and fortifying the stability of our communities.

Moreover, supporting civil legal aid contributes to the effectiveness of the judicial system, and enhances the reputation of the Maine Bar. It signals our commitment to public trust and professional honor, demonstrating that we are guardians of justice and stewards of the rule of law—not only for our clients, but for all Mainers.

The Campaign for Justice unites Maine's legal community in a collaborative effort to raise funds for six participating legal service organizations that provide much needed information, advice, and advocacy for those struggling with civil matters. [7] Every dollar donated helps Mainers navigate a complex system,

Civil legal aid is more than just a means to assist individuals; it is an investment in Maine's economic well-being. By preventing homelessness, preserving employment, and resolving disputes efficiently, legal aid strengthens the fabric of our society.

transforming the ideal of justice into a lived reality.

Giving is simple—via online donation, mail, workplace giving,[8] and (until the end of August) along with your annual attorney registration[9]—and the impact is profound.

When you support the Campaign for Justice, you set an example, inspiring colleagues to follow your lead and ensure legal assistance for more people, regardless of means. Now is the moment to lead with generosity and purpose. Join me, Thomas Jefferson, Justice Dana, and other members of Maine's legal community in supporting access to justice for all. Let us serve our country, honor our profession, help our neighbors, and strengthen the rule of law in Maine. Together, we can make access to justice more than an aspiration; we can make it a reality for all.

To learn more and to donate, visit the Campaign for Justice website[10] or contact any 2026 cabinet member, including me. [11] Thank you.

ENDNOTES

1 The Maine State Bar Association invited Thomas Jefferson to reflect on *The Boisterous Sea of Liberty* at the summer bar conference. While at the Samoset (in the person of Steve Endebo), President Jefferson stopped by to visit with the Campaign for Justice (CFJ) team. We very much enjoyed his presentation and his visit (and we appreciate his permission to use his photograph—he looks good for 283 years old!). More information about his presentation and about Mr. Edenbo can be found at: https://www.mainebar.org/page/SBC2026events & https://www.yourthomasjefferson.com/meet-steve

2 Jefferson, Thomas. *1st Inaugural Address*, Memorial Edition 3:321 (1801) cited at https://constitutioncenter.org/the-constitution/historic-document-library/detail/thomas-jefferson-first-inaugural-address-1801

3 Jefferson, Thomas. *Note for Destutt de Tracy's Treatise on Political Economy*, Memorial Edition 14:465 (1816); extract available at https://tjrs.monticello.org/letter/1695

4 In June 2025, Justice Dana was recognized in the Maine Health Care Association's 22nd annual Remember ME photography exhibit, which celebrates those who have made extraordinary contributions to their communities, their professions, and the state of Maine. https://www.pipershores.org/blog/celebrating-a-legacy-piper-shores-resident-remember-me-project/. The RememberME project's tribute to Justice Dana collapses his distinguished career into a digestible piece, in line with his humility and yearning for more concise writing. It is available at https://www.mehca.org/files/RememberME/RME2025.pdf

5 Dana, Howard. *Legal Aid and Legal Services: An Overview*, 67 Me. L. Rev. 275, 276 (2015).

6 *Id.* at 280

7 The CFJ provides funding for six-participating legal service providers; namely, Immigrant Legal Advocacy Project, Legal Services for Maine Elders, Maine Equal Justice Project, Pine Tree Legal Assistance, The Clinics at Maine Law, & Volunteer Lawyers Project.

8 CFJ website: www.campaignforjustice.org

9 Board of Overseers of the Bar attorney services registration link can be found here: https://apps.web.maine.gov/online/maine_bar/overseer/index.html

10 https://www.campaignforjustice.org/waystogive

11 The 2026 Cabinet list is available on the CFJ website at: https://www.campaignforjustice.org/campaign-leadership and cabinet members can be reached through hello@campaignforjustice.org

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MARK BASSINGTHWAIGHTE, ESQ., is the resident Risk Manager at ALPS Insurance. To learn more about how ALPS can support your solo or small firm visit: alpsinsurance.com.

Closed Client Files: Retention Periods and Best Practices

As a risk manager for a national legal malpractice insurance company, this is the one question I have been asked more than any other. Often the reason why is because an attorney or law firm is tired of paying the costs associated with storing all their closed files, and they're hoping to hear it's okay to get rid of most of them.

Unfortunately, the answer isn't as straightforward as one might hope because the answer is it depends. Start with a baseline assumption of seven years and go from there. Of course, once any destruction date arrives make sure you follow through with a proper file destruction process.

File Retention

General Retention Guidelines: Why Seven Years Is a Reasonable Baseline

Because guidelines and ethical opinions differ across jurisdictions, you should always check with the authorities where you practice. That said, most recommendations fall in the seven-to-ten-year range. Speaking as a risk manager, I lean toward the shorter end of that window. My reasoning is this. The statute of limitations on malpractice under contract law is often five or six years, and I add one more year just to play it safe. Thus, seven years is generally sufficient for most matters. If seven years have not yet passed, the safest answer is simple: keep the file.

I can share that over the years I have encountered a few firms that take a far more aggressive approach. Some of these firms went so far as to destroy all files well within the first-year post closure. I strongly advise against this. If a malpractice claim ever arises, you will have no file to defend yourself with, which is a position you never want to be in. Trust me on that one.

Why Some Files Must Be Kept Longer Than Your Standard Retention Period

Even after your seven-year (or up to ten-year) retention period has passed, you may still be unable to destroy certain files. As with most rules, there are exceptions that require additional storage time. These include, but are not limited to:

- Files where the malpractice statute of limitations has not yet run (and remember the doctrine of continuous representation can toll these statutes).
- Files involving a client who was, and still is, a minor.
- Estate planning files for clients who are still alive.Files containing agreements that have not yet been executed or fully paid off.
- Files establishing the tax basis of client assets.
- Adoption files.
- Support or custody files with continuing obligations.
- Files with renewable judgments.
- Corporate books and records for active client entities.
- Files for clients convicted of a capital crime.
- Files involving certain "problem clients."

In a perfect world, every file would have been assigned a destruction date, or at least a review date, when it was first closed. If that didn't happen, use these exceptions to guide your decisions now.

File Destruction

Always Conduct a Final Review Before Destroying Any File

Before destroying any given file, conduct one final review. This step prevents premature destruction and ensures that documents that should not be destroyed are preserved.

When the file was originally closed, you should have separated and returned all original documents belonging to the client. If that didn't happen, now is the time to correct it.

During this final review, identify and preserve:

- Documents that clearly or probably belong to the client.
- All original documents.
- Any documents the client may need or reasonably expect you to preserve.
- The file's closure letter.

That closure letter is more important than many lawyers realize because it can help clarify whether a conflict of interest exists later. If closure letters are destroyed, you lose the ability to provide documentation that an inactive client is actually a past client under Rule 1.9, the "Former Client" Rule.

Why You Shouldn't Unilaterally Decide to Destroy Client Files

To varying degrees in many jurisdictions, the file is considered client property. This means clients should be made aware of and give their permission to have their property destroyed. If clients were never informed of your file retention and destruction policy when their file was closed, try to contact them now to see if they want their file. Some lawyers try sending letters to the last known address, but with older files this effort often yields little success. To avoid having to deal with this problem, many firms now include file-retention language in their engagement letters and closure letters, at least on a going forward basis. If you wish to adopt a similar approach, consider including the following sample language in your closure letters.

> *I have enclosed your original documents as I no longer need to keep them, and I thought you would want them for your records. It is our firm's practice to destroy files [number of] years after we close them. If you would like us to return your file to you [number of] years from now instead of destroying it, please send me a note to that effect within the next thirty days so that we can segregate your file from all our other files and accommodate your request. You will need to be responsible for keeping us informed as to how to reach you should your contact information ever change.*

If you find yourself needing to send past clients a letter years after closing their files, you might consider designing a letter

Family Law Attorney

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based upon this sample language.

> *Our policy is to destroy files [number of] years after they are closed. We have retained your file for that period of time and are now preparing to have it destroyed. If your desire is to have our firm continue to store it or see that it is returned to you, you must send me a letter telling us of your desire and this must be done no later than ten days after the date you receive this letter.*

Protect Confidentiality to the Very End

Once you determine which files can be destroyed, make sure you follow through and see that they are properly destroyed. Never just toss boxes upon boxes of files in a dumpster behind the office or drop them off at the local landfill! Client files must be incinerated or shredded because your obligation to preserve and maintain client confidences doesn't end even though your file retention period has.

Document the Final Disposition of Every File

And finally, create and maintain an inventory of the final disposition of all files. At a minimum, track:

- Client name
- File matter
- Method of disposition (destroyed or returned)
- Date of disposition

This record will prove useful should any questions arise years later.

Why You Don't Get a Pass Just Because Digital Storage is Inexpensive

One final thought. I have found that some firms try to avoid the headache of having to work through much of the above by choosing to keep digital copies of client files indefinitely because virtual storage is inexpensive. They scan the file, destroy the hard copy, and keep the digital version.

On the surface, this may seem like a problem has been solved, but it really hasn't. Again, your ethical obligations remain the same regardless. For example, as you replace or upgrade hardware and storage devices, all client data on those devices should still be reviewed to ensure nothing is prematurely lost. Similarly, you can't simply abandon a cloud storage account or recycle or donate old devices without destroying all digital client files that were stored there. In other words, the issues remain the same whether your files are paper or digital because there is no digital storage exception in the Rules of Professional Conduct.

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May 15, 2006 | Grace | Portland, Maine

The Maine State Bar Association celebrated its 135th Anniversary Gala & Silent Auction with an evening of community, generosity, and shared commitment to justice.

Thanks to the incredible support of our sponsors, donors, volunteers, and guests, the event raised $45,000 for the Campaign for Justice and the Maine Justice Foundation, helping expand access to justice initiatives across Maine.

A few moments from an unforgettable evening.
Photos by Dave Dostie Photography. Photo booth photos by Maine Photobooth.

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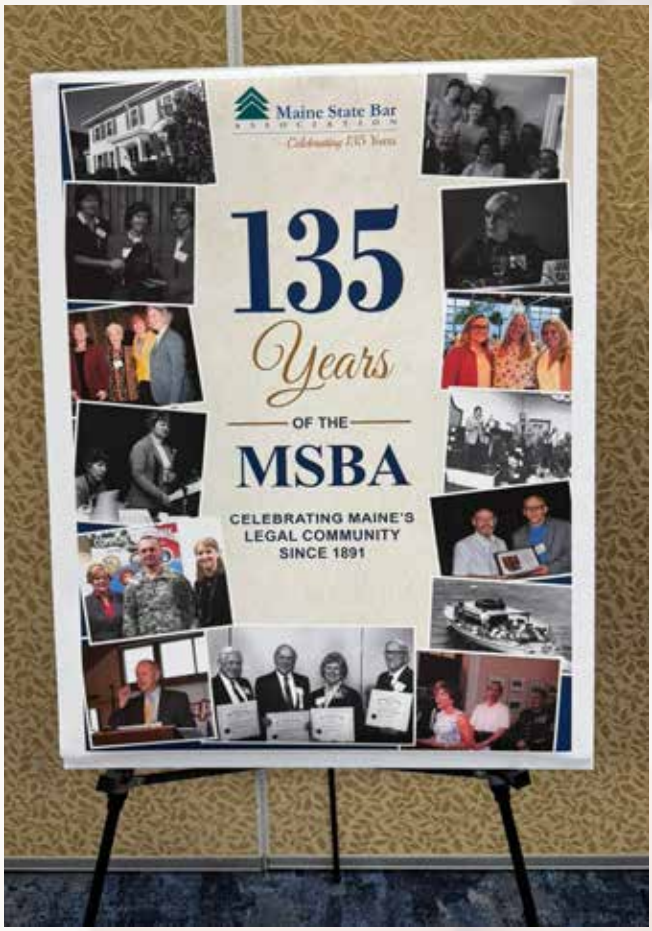
These photos capture highlights from the three-day event. Photos by Tiffany Wolff.



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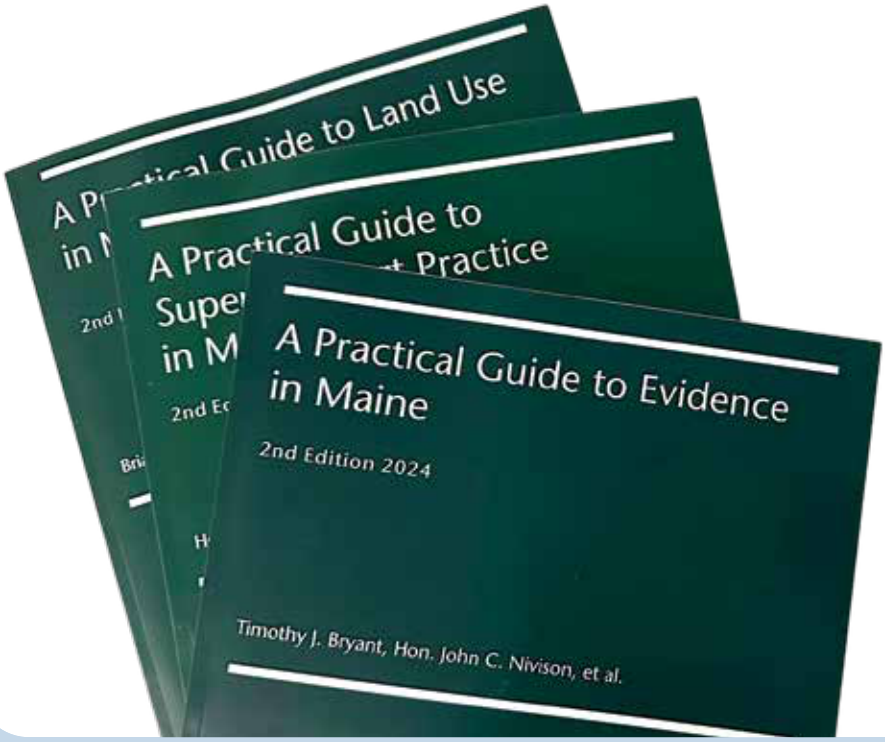

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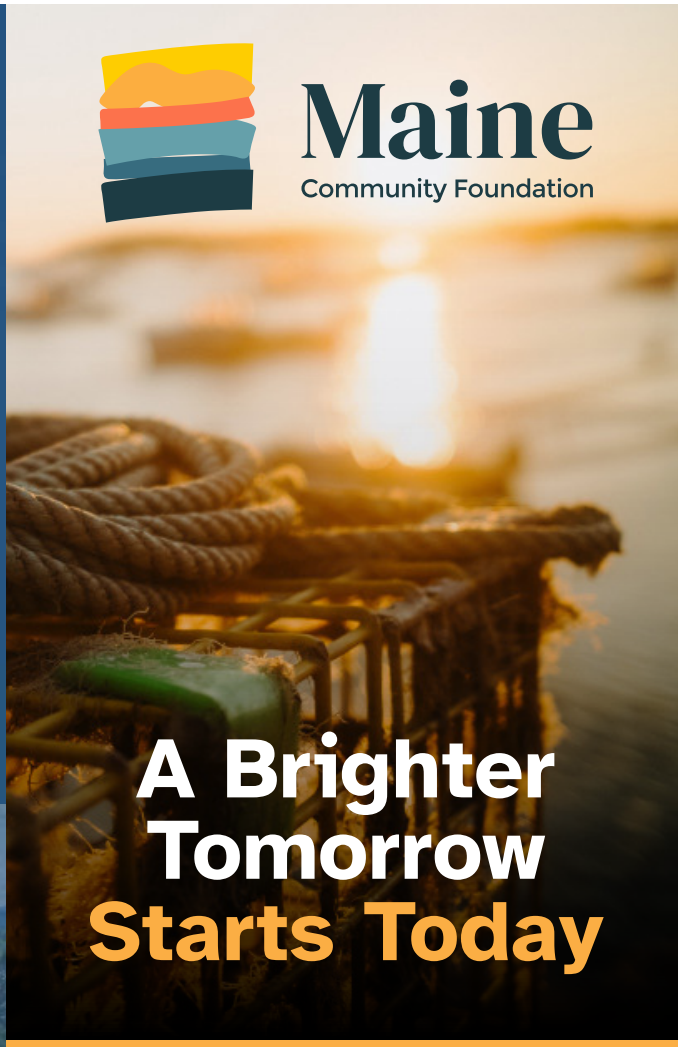

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MSBA NOMINATING PETITION

(Must be filed no later than October 1, 2026)

We, the undersigned voting members of the Maine State Bar Association in good standing, nominate

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INSTRUCTIONS FOR MAKING NOMINATIONS

Under Article IX of the MSBA Bylaws, any member eligible to vote may nominate a candidate for office of the Board of Governors by signing the nominating petition and filing it with the Executive Director of the Association **no later than October 1**. A minimum of **twenty (20) eligible members** may nominate a candidate for **officer** of the Board of Governors. A minimum of **ten (10) eligible members** may nominate a candidate for **district governor or at-large governor**. Whenever a contest exists, the Executive Director shall send ballots to each appropriate district for contested governor races or to the membership at-large for contested officer or at-large position races.

OFFICERS are elected at-large; GOVERNORS are elected by resident members in their respective districts, except for the Public Service Sector and In-House Counsel Governors, which are elected at-large. Governors representing the BIPOC Lawyers Section, New Lawyers Section, and Women's Law Section are elected by their respective section members.

OFFICES TO BE FILLED

Offices to be filled are those of **Vice President, five Governors by district election, and two Governors by election at-large**. 2026 President-Elect James B. Haddow becomes President automatically and 2026 Vice President Haley B. Hall becomes President-Elect automatically. Districts to be voted on are: Three (Cumberland – two seats); Four (Sagadahoc & Lincoln); Five (Androscoggin); and Seven (Somerset & Piscataquis). At-large positions to be voted on are: In-House Counsel and Public Service Sector.

MICHELLE DRAEGER is the Executive Director of the Maine Justice Foundation. The Foundation's FY 2025 Annual Financial Report was filed with Chief Justice Valerie Stanfill on April 10, 2026.

IOLTA at Work: A Record Year for Access to Justice in Maine

Every time a Maine lawyer holds client funds that are too small or too short-term to earn interest for the client, those funds are deposited in an IOLTA account (Interest on Lawyers' Trust Accounts). The interest generated flows to the Maine Justice Foundation, which distributes it as grants to civil legal aid organizations serving low-income and vulnerable Mainers. It is a quiet, largely invisible engine that powers access to justice across our state. And in fiscal year 2025, that engine ran at historic levels.

A Second Consecutive Record Year

The Maine Justice Foundation's FY 2025 Annual Financial Report, filed with the Maine Supreme Judicial Court in April 2026 pursuant to Maine Bar Rule 6(e), reflects a year of extraordinary IOLTA performance and impact. The Foundation received $3,243,670 in IOLTA funds in FY 2025 (October 1, 2024, through September 30, 2025), the second-highest annual IOLTA total ever recorded in Maine, trailing only the record-setting $3,315,475 received in FY 2024. Both figures dwarf the historical norm as recently as FY 2022 when annual IOLTA income stood at under $1 million.

This sustained strength reflects the elevated interest rate environment of recent years. Monthly IOLTA income exceeded the Foundation's budget in every single month of FY 2025, ending the year at 131.3% of projected income. While the Federal Reserve's rate reductions that began in late 2024 produced modest softening with average monthly receipts dipped from $276,289 in FY 2024 to $270,306 in FY 2025, the overall environment remained robust. The Foundation continues to monitor rate trends closely as FY 2026 unfolds.

The Largest Grant Distribution in the Foundation's History

The headline number for FY 2025 is $3,440,239: the total in IOLTA grants distributed to Maine's six civil legal aid providers. That figure represents a 50.3% increase over the prior year's distributions of $2,289,260, and the largest single-year IOLTA grant total in the Foundation's history.

That total includes two components. First, the Foundation's FY 2025 budgeted grants to the six providers, totaling $1,969,368, distributed quarterly throughout the year. Second, and equally significant was a supplemental distribution of $1,470,871 in surplus FY 2024 IOLTA funds, approved by the Foundation's Board of Directors in February 2025 upon completion of the FY 2024 audit. That supplemental distribution was itself the largest in the Foundation's history, reflecting the Board's commitment to moving surplus funds to providers of civil legal aid as quickly and responsibly as possible.

The combined FY 2025 distributions to each provider were as follows:

- Volunteer Lawyers Project — $1,180,002
- Pine Tree Legal Assistance — $605,482
- Maine Equal Justice — $598,602
- Legal Services for Maine Elders — $447,231
- Immigrant Legal Advocacy Project — $416,269
- Cumberland Legal Aid Clinic (Clinics at Maine Law) $192,653

Funding Arrived When It Was Needed Most

The scale of these distributions matters enormously in context. Fiscal year 2025 was a year of acute stress for civil legal aid providers across Maine. Organizations faced simultaneous losses in federal funding, rapidly shifting federal policies, and surging client demand driven by economic pressures and aggressive immigration enforcement. IOLTA funds arrived as a stabilizing force at precisely the moment providers needed it most.

IOLTA is a quiet, largely invisible engine that powers access to justice across our state. And in fiscal year 2025, that engine ran at historic levels.

The Volunteer Lawyers Project sustained core services in family law, housing, public benefits, and protection from abuse while hiring a full-time Justice Referral Coordinator in northern Maine and piloting a Community Justice Worker project to reach rural communities that have historically lacked access to legal help.

Pine Tree Legal Assistance absorbed more than $1.4 million in lost federal funding while experiencing a 10%-plus increase in requests for help at 10,282 in 2025 while handling 7,858 total cases and securing $4.17 million in income, savings, and benefits for clients.

Maine Equal Justice responded to a fall 2025 SNAP funding freeze, providing rapid legal assistance to thousands of low-income Mainers facing disrupted food benefits, opening 697 new cases while also expanding housing representation for immigrants.

Legal Services for Maine Elders used IOLTA funding to maintain Helpline hours and legal staffing, ensuring that all urgent legal matters were handled within 48 hours.

The Immigrant Legal Advocacy Project used supplemental funds to expand detention representation and community outreach at a time when individuals with pending legal status and no criminal history were being detained and transferred out of state, facing deportation without legal intervention.

The Clinics at Maine Law handled 595 cases across thirteen counties in CY 2025, representing 87% of all clinic caseload, with a 28% increase in clients served by the Prisoner Assistance Clinic and over 300 immigration detention consultations. IOLTA funds fueled significant program growth and community outreach far beyond the courtroom.

Reserves: Prudent Stewardship for an Uncertain Future
Sound stewardship of IOLTA funds requires not only maximizing distributions to providers but also maintaining reserves sufficient to sustain those providers during leaner times. Maine's IOLTA reserve history is instructive: in FY 2015, after years of declining interest rates, the Foundation's reserve balance went negative, requiring difficult choices about grant distributions.

To prevent a recurrence, the Foundation adopted a revised IOLTA Minimum Reserve Policy in December 2024, setting a target reserve equal to the average annual IOLTA income over the previous ten years.[1] As of September 30, 2025, the IOLTA reserve balance stood at $1,008,994, up from $519,970 at the start of the fiscal year. By March 31, 2026, following an additional Board-approved transfer, the reserve balance stood at $1,176,917, held in liquid government money market funds. The Foundation continues to build toward the policy target, and the IOLTA reserve stands at $1,238,433 as of May 31, 2026.

Looking Ahead to FY 2026
The Foundation Board approved a FY 2026 IOLTA budget with $1,765,823 in budgeted grants to the six providers. Combined with a supplemental distribution of $609,129 in surplus FY 2025 funds distributed in February 2026, total projected IOLTA distributions to the providers in FY 2026 are $2,374,952. As of March 2026, IOLTA income is tracking over budget for the year, with some monthly totals running over the same periods in FY 2025. The Board and Finance Committee are monitoring trends closely and will assess the possibility of additional supplemental distributions after completion of the FY 2026 audit.

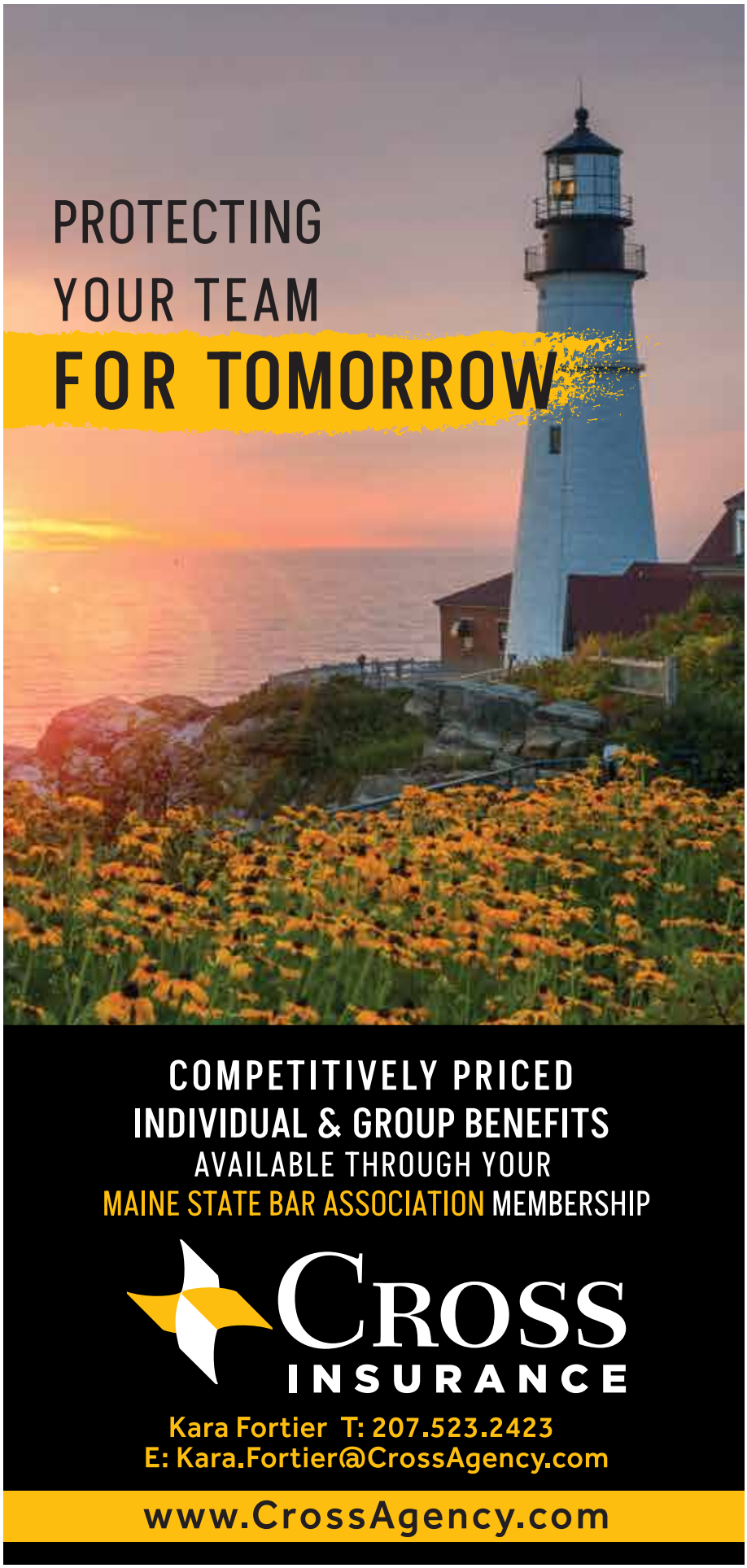
The Role of Maine Lawyers and Their Banks
None of this is possible without the participation of Maine's lawyers and the financial institutions that hold their IOLTA accounts. Under Maine Bar Rule 6(c)(4), IOLTA accounts must earn at least the same interest rates available to similarly situated non-IOLTA accounts. The Foundation gives special recognition to the fourteen institutions that go beyond that baseline. Six Index Rate institutions including Bank of America, Key Bank, M&T Bank, Skowhegan Savings Bank, University Credit Union, and Washington Savings Bank pay interest equal to 65% of the Federal Funds Target Rate. Eight Prime Partner banks pay 2% on IOLTA funds.

Maine lawyers play an essential role too. Proper identification and maintenance of IOLTA accounts ensures that eligible client funds are working for the people who need civil legal aid. In a year when those needs have never been greater, that quiet compliance with Bar Rule 6 helped deliver more than $3.4 million to providers on the front lines of access to justice.

The full FY 2025 Annual Financial Report, including the audited financial statements prepared by Nicholson, Michaud & Nadeau, is available at ***justicemaine.org****.*

ENDNOTE

1 Currently approximately $1.5 million.



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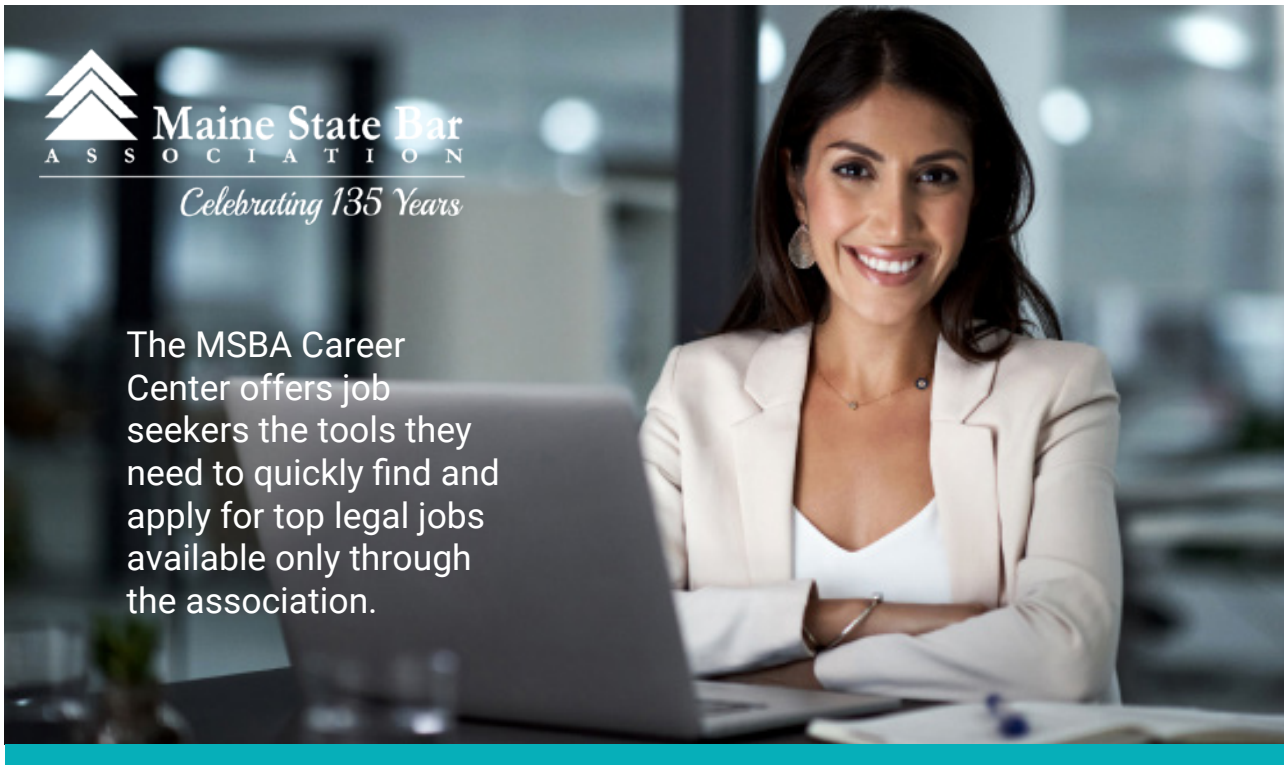

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