

Excerpt from Maine Bar Rule 5(f)

with November 2024 Advisory Note

RULE 5. CONTINUING LEGAL EDUCATION (“CLE”)

....

(f) Accumulation and Computation of Credits.

....

(8) During calendar years 2025 and 2026, an attorney may earn general CLE credit hours at a rate of one (1) hour of credit for every three (3) hours of *pro bono publico* service performed, with a maximum of three (3) credit hours for *pro bono publico* service in each reporting period. Hours claimed must be rounded down to the nearest quarter of an hour.

(A) As used in this rule, “*pro bono publico* service” means legal service provided without fee or expectation of fee to a person of limited means. To be considered for CLE credit hours, the *pro bono* cases must be assigned by one of the following:

(i) An organization that receives funding for *pro bono* programs or services from the Legal Services Corporation or the Maine Justice Foundation;

(ii) The University of Maine School of Law Cumberland Legal Aid Clinic;

(iii) Disability Rights Maine;

(iv) Immigrant Legal Advocacy Project;

(v) Legal Services for the Elderly;

(vi) Maine Equal Justice;

(vii) Pine Tree Legal Assistance;

(viii) Volunteer Lawyers Project; or

(ix) Any other organization recognized by the Board of Overseers of the Bar as providing legal services to persons of limited means in Maine without fee or expectation of fee.

(B) Attorneys seeking CLE credit for *pro bono publico* service shall complete and return to the Board of Overseers of the Bar an “Application for CLE credit for *Pro Bono Publico* Service” form prior to the end of the CLE reporting period during which the services were provided. Such application must include the following:

(i) The attorney’s name;

(ii) The attorney’s address;

(iii) The attorney’s bar number;

(iv) The name of the entity or entities that assigned the *pro bono* case(s) and a brief description of the services provided;

(v) A statement by the attorney of the number of *pro bono publico* service hours that attorney has provided and the number of CLE credit hours that the attorney is entitled to for that service; and

(vi) The attorney’s signature, verifying the accuracy of the information in the application.

The following is a sample form for use under this subdivision of Rule 5:

APPLICATION FOR CLE CREDIT FOR *PRO BONO PUBLICO* SERVICE

TO BE COMPLETED BY ATTORNEY

Attorney's Printed Name:
Maine Bar Number:
Attorney's Address:
Qualifying hours of *pro bono publico* service performed:

As a reminder, during calendar years 2025 and 2026, an attorney may earn general CLE credit hours at a rate of one (1) hour of credit for every three (3) hours of *pro bono publico* service performed, with a maximum of three (3) credit hours for *pro bono publico* service in each reporting period. Hours claimed must be rounded down to the nearest quarter of an hour.

General CLE credit hours claimed (Divide number of qualifying *pro bono publico* service hours by three (3) and round down to the nearest quarter of an hour. A maximum of three (3) credit hours may be claimed.):

Name(s) of legal services provider(s) that assigned the *pro bono* case(s) and brief description of the services provided:

By my signature below, I am verifying that I provided the number of hours of *pro bono publico* service claimed and that I did so without fee or expectation of fee. The CLE hours I am claiming credit for were earned during the current reporting period.

IT IS A VIOLATION OF THE MAINE RULES OF PROFESSIONAL CONDUCT TO CLAIM CLE CREDIT FOR *PRO BONO PUBLICO* SERVICE NOT ACTUALLY PERFORMED.

Attorney's Signature:

Date:

Advisory Note – November 2024

The amendment to Rule 5(f) adds new subdivision (8), establishing a two-year pilot project for the calendar years 2025 and 2026, designed to incentivize *pro bono publico* work by awarding CLE credits, consistent with Rule 5's purpose of promoting "public confidence in the legal profession," the "fair administration of justice," and the "competence and professionalism" of Maine lawyers. M. Bar R. 5(a). It also encourages lawyers to fulfill their "professional responsibility to provide legal services to those unable to pay." M.R. Prof. Conduct 6.1. This amendment recognizes that attorneys may gain deeper knowledge and understanding of the law through *pro bono* work than through other means of fulfilling their CLE obligations.

Under new Rule 5(f)(8), an attorney seeking the credit must document three hours of *pro bono* service to earn one hour of general CLE credit, and those credits are capped at three, leaving nine hours to be earned through the other routes permitted under Rule 5.

If the pilot project provides positive results, the rule may be amended to make the provisions of Rule 5(f)(8) permanent.