

RULE 11A. RECIPROCAL ADMISSION BY MOTION.

(a) An applicant who is an attorney admitted to practice law in a state or territory of the United States or the District of Columbia and meets the following requirements may, upon motion, be admitted to the practice of law without taking and passing the bar examination required by Rule 10, provided that the state or territory of the United States in which the applicant is admitted to practice law allows admission without examination of persons admitted and in good standing to practice law in the State of Maine under circumstances comparable to those set forth in this rule. The applicant shall present evidence that the applicant:

1. Is admitted to practice law in, and is an active member in good standing of the bar of, another state or territory of the United States (or the District of Columbia) that allows admission without examination of persons admitted and in good standing to practice law in the State of Maine under circumstances comparable to those set forth in this rule;

2. (A) Has been an active member in good standing of the bar of the State of New Hampshire and has been primarily engaged in the active practice of law in the State of New Hampshire for no less than three years immediately preceding the date upon which the application is filed;

(B) Has been an active member in good standing of the bar of the State of Vermont and has been primarily engaged in the active practice of law in the State of Vermont for no less than three years immediately preceding the date upon which the application is filed; or

(C) Has been primarily engaged in the active practice of law in one or more United States jurisdictions (which may include the active practice of law in the State of Maine to the extent permitted by Rule 5.5(d) of the Maine Rules of Professional Conduct) for at least 5 of the 7 years immediately preceding the date upon which the application is filed.

For the purposes of this Rule, the “active practice of law” shall include the following activities, either separately or in the aggregate, if performed on a full time basis:

- (i) Representation of one or more clients in the private practice of law;
- (ii) Service as a lawyer with a local, state, territorial or federal agency including military service;
- (iii) Teaching law at a law school approved by the American Bar Association;
- (iv) Service as a judge in a federal, state, or local court of record;
- (v) Service as a judicial law clerk; or
- (vi) Service as in house counsel providing legal services to the lawyer’s employer.

The “active practice of law” shall not include work undertaken during any period in which the applicant is not an active member in good standing of the bar of a United States jurisdiction and shall not include work that, as undertaken, constituted the unauthorized practice of law in the jurisdiction in which it was performed or in the jurisdiction in which the clients receiving the unauthorized services were located.

3. Has graduated with a J.D. or LL.B degree from a law school approved by the American Bar Association (i) having a three (3) school year course of study and requiring students to devote substantially all their working time to study, called a full-time law school; or (ii) having a course of study of not less than four (4) school years, equivalent in the number of credit hours to a three (3) school year course of study in a full-time law school and in which students devote only part of their working time to their studies, called a part-time law school; or (iii) has graduated from a law school in an English-speaking, common law country having pursued a course of study substantially equivalent to that of a law school approved by the American Bar Association. A combination of study in full-time and part-time law schools will be accepted only if such law schools meet the above requirements, and the applicant shall have graduated from one or the other. Study in any law school which conducts its courses by correspondence or does not require attendance of its students at its lectures or classes shall not constitute compliance with the rule;

4. Has satisfactorily completed the Multistate Professional Responsibility Examination in accordance with Rule 11, prior to the date on which the application is filed;

5. [Deleted]

6. Is not currently subject to lawyer discipline or the subject of a pending disciplinary matter in any jurisdiction;

7. Possesses good character and is fit to practice law in the State of Maine;

8. Has completed at least fifteen hours of continuing legal education in Maine practice and procedure in courses approved by the Maine Board of Overseers of the Bar within one year immediately preceding the date on which the applicant is certified for admission; and

9. If domiciled in or maintaining a principal office in another jurisdiction, will, upon admission to the bar of the State of Maine, designate the Board of Overseers of the Bar as the agent to receive service of process if the attorney cannot, with due diligence, be served with process in any action arising out of or related to the practice of law.

(b) An applicant who has failed the Maine bar examination within five years of the date of filing an application for admission without examination shall not be eligible for admission on motion. An applicant who has resigned from the practice of law in the State of Maine, or who has been disbarred or is currently under suspension from the practice of law in any jurisdiction shall not be eligible for admission under this Rule, provided, however, that an administrative suspension from the practice of law in a jurisdiction other than the State of Maine, for failure to comply with that jurisdiction's registration, dues, or continuing legal education requirements, shall not preclude admission under this Rule if the Board determines that the applicant has demonstrated that requiring the applicant to return to good standing in, or resign from, the jurisdiction that imposed the administrative suspension would impose an undue hardship on the applicant and the applicant is in good standing in at least one state of reciprocal admission.

(c) Any applicant for admission by motion shall comply with the application and good character and fitness requirements of Rules 5, 6 and 9 of the Maine Bar Admission Rules.

(d) Any applicant admitted to practice in accordance with this Rule shall register as required by Rule 6(a)(1) of the Maine Bar Rules and pay the annual fees required by Rule 10 of the Maine Bar Rules, and shall otherwise comply with the requirements of the Maine Bar Rules and the Maine Rules of Professional Conduct in the same manner as any other attorney admitted to active practice in the State of Maine.