

STATE OF MAINE  
SUPREME JUDICIAL COURT  
AMENDMENTS TO THE  
MAINE BAR ADMISSION RULES

**2009 Me. Rules 11**

Effective: August 1, 2009

All of the Justices concurring therein, the following amendments to the Maine Bar Admission Rules are hereby adopted to be effective on the date indicated above. The specific rules amendments are stated below. To aid in understanding of the amendments, an Advisory Note appears after the text of each 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. Maine Bar Admission Rule 9(d)(5)(A) is amended to read as follows:

**(d) Hearing on Applicant's Moral Character.**

(5) Conduct of Hearing.

A. At least 15 days before the time set for hearing, Counsel for the Board shall mail to the applicant and file with the Board a written statement summarizing the evidence that reflects adversely on the applicant's moral character, and stating that all material in the investigative file, other than Counsel for the Board's work product, will be available to the applicant at Counsel for the Board's office during usual office hours for inspection and copying at the applicant's expense. At least 15 days before the time set for the hearing, Counsel for the Board and the applicant or Counsel for the applicant, as the case may be, shall exchange witness and exhibit lists, and each shall provide the Board seven (7) copies of each exhibit intended to be introduced at the hearing by such party.

**Advisory Note**

The proposed amendment to Rule 9(d)(5)(A) requires exhibit and witness lists to be exchanged and for copies of proposed exhibits to be provided to the Board at least 15 days prior to any Rule 9 moral character hearing.

2. Maine Bar Admission Rule 10(d) is amended to read as follows:

**(d) Contents of the Bar Examination.**

(1) The first day of the examination shall consist of questions selected by the Board with the assistance of such consultants as the Board may deem appropriate. The examination may include the Multistate Essay Examination (MEE) and/or the Multistate Performance Test prepared by the National Conference of Bar Examiners. The examination shall cover the Maine Rules of Civil and Criminal Procedure, the Maine Rules of Appellate Procedure, the Maine Rules of Evidence, the Maine ~~Code of Professional Responsibility~~ Rules of Professional Conduct, and several, but not necessarily all, of the following subjects: business associations, conflict of laws, constitutional law, contracts, ~~corporations~~, creditors' rights, criminal law, equity, estates, wills and trusts, evidence, family law, agency, partnerships, real property, statute of frauds, statutes of limitations, federal income taxation, torts, and the Uniform Commercial Code.

(2) The second day of the examination shall consist of the Multistate Bar Examination (MBE) prepared by the National Conference of Bar Examiners and administered in this State or in another jurisdiction. An applicant who qualifies under either (e)(1)(i) or (ii) may elect not to take the current MBE.

**Advisory Note**

The proposed amendment to Rule 10(d)(1) replaces “corporations” with “business associations” in the list of subjects to be tested on the Maine Bar Examination. This amendment is recommended to allow essay questions to include Limited Liability Companies due to their widespread use throughout Maine.

Also the rule is amended to recognize that the Maine Rules of Professional Conduct replaces the Code of Professional Responsibility, effective August 1, 2009.

3. These amendments are effective August 1, 2009.

Dated: May 11, 2009

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/s/  
LEIGH I. SAUFLEY  
Chief Justice

/s/

ROBERT W. CLIFFORD  
Associate Justice

/s/

DONALD G. ALEXANDER  
Associate Justice

/s/

JON D. LEVY  
Associate Justice

/s/

WARREN M. SILVER  
Associate Justice

/s/

ANDREW M. MEAD  
Associate Justice

/s/

ELLEN A. GORMAN  
Associate Justice