

STATE OF MAINE  
SUPREME JUDICIAL COURT  
**PROPOSED** AMENDMENT TO  
MAINE BAR RULES

1. Rule 6 of the Maine Bar Rules is amended to read as follows:

**RULE 6. MAINTENANCE OF TRUST ACCOUNTS IN APPROVED  
INSTITUTIONS; IOLTA**

....

**(e) Maine Justice Foundation Actions.**

(1) The Maine Justice Foundation shall publish annually a list of eligible institutions that may hold trust and IOLTA accounts.

(2) By March 1 of each year, the Maine Justice Foundation shall complete a financial report of the IOLTA funds received and distributed by it for the previous calendar year. The financial report shall be conducted according to generally accepted accounting principles and shall include indication of the purposes for which IOLTA funds have been expended in the previous year. Copies of the financial report shall be provided to the Court.

(3) IOLTA funds received and distributed pursuant to this Rule are intended to be used to provide direct legal services to low income and qualifying individuals. IOLTA funds shall not be expended to provide direct or indirect support for political or ideological activities, including

(A) supporting or opposing candidates for elective office;

(B) supporting or opposing ballot initiatives or referenda;

(C) lobbying in support of or in opposition to pending or proposed legislation;

(D) seeking public support through the media, including social media, to support or oppose legislation, ballot initiatives or referenda, or candidates for elective office; or

(E) voter registration, voter education, voter signature gathering, or get-out-the-vote actions.

The Maine Justice Foundation shall apply no more than 20% of gross annual IOLTA funds toward its administrative or other expenses and costs.

The provisions of Rule 6(e)(3) do not apply to the Campaign for Justice funds addressed in Rule 6(f).

**Advisory Note - \_\_\_\_\_ 2019**

Rule 6(e) is amended to add a new subdivision (3) to clarify that IOLTA funds are intended to be used to provide direct legal services to low income and qualifying individuals, and that the funds may not be used to provide direct or indirect support for political or ideological activities. The Maine Justice Foundation shall apply no more than 20% of gross annual IOLTA funds toward its administrative or other expenses and costs.

Subdivision (3) further specifies that its provisions do not apply to the Campaign for Justice funds addressed in Rule 6(f).