



# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1691

H.P. 1126

House of Representatives, April 17, 2025

### **An Act to Expand Access to Justice in Rural Maine by Incentivizing Attorneys to Practice in Underserved Areas**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script, reading "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative KUHN of Falmouth.  
Cosponsored by Senator CARNEY of Cumberland and  
Representatives: DUCHARME of Madison, HENDERSON of Rumford, LEE of Auburn,  
MURPHY of Scarborough, POIRIER of Skowhegan, SATO of Gorham, SINCLAIR of Bath.

1 Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 20-A MRSA c. 426-A is enacted to read:

3 **CHAPTER 426-A**

4 **ACCESS TO JUSTICE LOAN PROGRAM**

5 **§12311. Definitions**

6 As used in this chapter, unless the context otherwise indicates, the following terms  
7 have the following meanings.

8 **1. Authority.** "Authority" means the Finance Authority of Maine.

9 **2. Fund.** "Fund" means the Access to Justice Loan Program Revolving Fund  
10 established in section 12313.

11 **3. Maine resident.** "Maine resident" means a person who, at the time the person  
12 submits an application for participation in the program, has been a resident of this State,  
13 for purposes other than enrolling in an accredited law school, for a minimum of 2 years and  
14 who satisfies any other criteria adopted by the authority by rule.

15 In adopting other criteria by rule, the authority shall, at a minimum, consider the following:

16 A. The length of a person's residence in the State for purposes other than enrolling in  
17 an accredited law school;

18 B. The secondary school attended by a person;

19 C. The legal residence of the parents of a person;

20 D. A person's place of voting registration, if registered to vote; and

21 E. The jurisdictions to which a person pays income or other taxes.

22 **4. Program.** "Program" means the Access to Justice Loan Program established in  
23 section 12312.

24 **5. Underserved area.** "Underserved area" means an area in the State, as determined  
25 by the authority, in which there is an insufficient number of licensed and practicing  
26 attorneys to satisfy the significant and unmet need for legal services of the individuals  
27 residing in that area.

28 **§12312. Access to Justice Loan Program**

29 **1. Establishment.** The Access to Justice Loan Program is established within and  
30 under the administration of the authority to annually, as funds permit, award loans to and  
31 enter into loan repayment agreements with eligible persons.

32 **2. Eligibility.** A person is eligible to participate in the program if the person:

33 A. Is a Maine resident;

34 B. Meets one of the following educational and financial criteria:

35 (1) Is enrolled or intends to enroll in an accredited law school and demonstrates  
36 financial need; or

1           (2) Has graduated from an accredited law school within the 5 years prior to  
2           applying to the program, is licensed or eligible to be licensed to practice law in the  
3           State and has outstanding law school loans;

4           C. Demonstrates an interest in or commitment to providing legal services in an  
5           underserved area; and

6           D. Meets other eligibility criteria established by the authority.

7           **3. Funding options available; maximum amounts.** As funds permit, the authority  
8           shall award loans to eligible applicants who meet the criteria in subsection 2, paragraph B,  
9           subparagraph (1) and shall enter into loan repayment agreements with eligible applicants  
10           who meet the criteria in subsection 2, paragraph B, subparagraph (2). The maximum loan  
11           or loan repayment amount available to each program participant is \$25,000 per year for a  
12           period of up to 4 years.

13           **4. Loan agreement; forgiveness.** An eligible applicant who meets the criteria in  
14           subsection 2, paragraph B, subparagraph (1) and is awarded a loan shall enter into a loan  
15           agreement as set out in this subsection.

16           A. Except as otherwise provided in this section, upon completion of the loan recipient's  
17           law school education, the recipient shall repay the loan as follows.

18               (1) If the loan recipient does not obtain loan forgiveness pursuant to subparagraph  
19               (2), the recipient shall repay the entire principal of the loan plus simple interest at  
20               a rate to be determined by the authority by rule. Interest may not begin to accrue  
21               on the loan until the loan recipient completes, withdraws from or otherwise fails to  
22               continue the recipient's law school education.

23               (2) A loan recipient who, upon conclusion of the recipient's law school education  
24               elects to offer legal services in an underserved area is forgiven 25% of the original  
25               outstanding indebtedness for each year the recipient offers those services.

26           B. Loans must be repaid over a term not longer than 10 years, except that the authority  
27           may extend the term of a loan recipient's loan as necessary to ensure repayment.  
28           Repayment must commence when the loan recipient completes, withdraws from or  
29           otherwise fails to continue the recipient's law school education.

30           **5. Loan repayment agreement.** An eligible applicant who meets the criteria in  
31           subsection 2, paragraph B, subparagraph (2) and enters into a loan repayment agreement  
32           receives payment from the authority on the recipient's outstanding indebtedness for law  
33           school education at a rate of \$25,000 for each year, up to a maximum of 4 years, that the  
34           recipient continues to offer legal services in an underserved area.

35           **6. Default.** Except as provided in subsection 7, a loan recipient under subsection 4  
36           who agrees to offer legal services in an underserved area and who fails to complete the  
37           period of service required to pay off the loan pursuant to subsection 4, paragraph A,  
38           subparagraph (2) is liable to the authority for an amount equal to the sum of the total amount  
39           paid by or on behalf of the authority to or on behalf of the recipient under the loan  
40           agreement plus interest at a rate determined by the authority. The authority shall award a  
41           loan recipient credit for offering legal services in an underserved area for each consecutive  
42           12-month period that the recipient offers those services.

1 A loan recipient may petition the authority for permission to default without penalty from  
2 a loan agreement to provide legal services in an underserved area. Upon receipt of such  
3 petition, the authority may provide the loan recipient permission to default without penalty  
4 based on catastrophic or other circumstances that prevent the recipient from offering legal  
5 services in an underserved area for the required period of time. In the case of a default  
6 permitted by the authority, the loan recipient must receive credit for the number of months  
7 served and shall repay to the authority in cash payments under the terms of the original  
8 loan agreement the remaining financial obligation plus interest.

9 **7. Deferments.** The authority may grant a loan recipient under subsection 4 a  
10 deferment on repayment of a loan under the program for causes established by the authority  
11 by rule. The authority shall assess interest on the loan during the deferment at a rate to be  
12 determined by the authority by rule. A loan recipient shall repay the recipient's total  
13 financial obligation to the authority, including principal and interest, through return service  
14 or cash payments.

15 **8. Rules.** The authority may adopt rules as necessary for the implementation and  
16 administration of the program. Rules adopted pursuant to this subsection are routine  
17 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

18 **§12313. Access to Justice Loan Program Revolving Fund**

19 **1. Fund established.** The Access to Justice Loan Program Revolving Fund is  
20 established as a nonlapsing, interest-earning, revolving fund within and under the  
21 jurisdiction of the authority to carry out the purposes of the program. The fund must be  
22 administered in accordance with the following.

23 A. Any unexpended balance in the fund carries over for continued use under this  
24 chapter.

25 B. The authority may receive, invest and expend, on behalf of the fund, money from  
26 gifts, grants, bequests and donations in addition to money appropriated or allocated by  
27 the State.

28 C. Loan repayments by recipients of loans under this chapter or other repayments to  
29 the authority must be invested by the authority, as provided by law, with the earned  
30 income to be added to the fund.

31 D. Money received by the authority on behalf of the fund, except interest income, must  
32 be used for the designated purpose of awarding loans and entering into loan repayment  
33 agreements under the program; interest income may be used for the designated  
34 purposes of the program or to pay student financial assistance administrative costs  
35 incurred by the authority for the operation of the program.

36 **2. Allocation of repayments.** The authority may reallocate a portion of the annual  
37 loan repayments under subsection 1, paragraph C for the purpose of recruiting law school  
38 students and recent law school graduates to offer legal services in underserved areas. That  
39 portion may be used:

40 A. In accordance with criteria established by the authority, to encourage law school  
41 students and recent law school graduates to offer legal services in underserved areas;  
42 or

1       B. To repay education loans for the law school education of licensed attorneys to enable  
2       the attorneys to offer legal services in underserved areas in accordance with section  
3       12312, subsection 5.

4       **3. Rules.** The authority may adopt rules as necessary for the implementation and  
5       administration of the fund. Rules adopted pursuant to this subsection are routine technical  
6       rules as defined in Title 5, chapter 375, subchapter 2-A.

7       **§12314. Stakeholder consultation**

8       In implementing, administering and assessing the effectiveness of the program and the  
9       fund, the authority shall consult with the University of Maine System and may engage  
10      additional stakeholders from the legal community, including, but not limited to,  
11      representatives of legal education communities and legal practice communities in the State  
12      and organizations representing the interests of underserved areas in the State.

13      **Sec. 2. Establishment of rural practice track at University of Maine School**  
14      **of Law; report.** In accordance with the requirements of this section and to the extent  
15      sufficient funding is available, the University of Maine System shall establish at the  
16      University of Maine School of Law a rural practice track.

17      1. The rural practice track must support the practice of law in underserved areas in the  
18      State by:

19          A. Attracting and selecting, through recruitment and other measures, qualified law  
20          school applicants from rural and underserved areas in the State who demonstrate a  
21          commitment to and aptitude for practicing law in those areas upon graduation;

22          B. Placing or otherwise connecting enrolled and qualified law school students with  
23          internships, externships and other professional opportunities with organizations and  
24          other entities that provide legal services to individuals in underserved areas in the State;

25          C. Placing or otherwise connecting recent qualified law school graduates with  
26          employment or other professional opportunities providing legal services to individuals  
27          in underserved areas in the State; and

28          D. Encouraging collaboration between the school of law and secondary school  
29          students, undergraduate school students and other individuals in underserved areas in  
30          the State, as well as with organizations and other entities that provide legal services to  
31          individuals in those areas.

32      2. The school of law shall administer the rural practice track and develop and  
33      implement guidelines, policies and procedures for the operation of the track and for staff  
34      and students participating in the track. The school of law may accept gifts, bequests and  
35      endowments, as well as federal, private and other grants or donations, to support the  
36      objectives of the rural practice track. In administering the rural practice track, the school  
37      of law must:

38          A. Provide, in each academic year, a housing stipend sufficient to cover the cost of  
39          dormitory housing at the University of Southern Maine for up to 6 first-year or  
40          2nd-year law school students who reside in underserved areas in the State or who have  
41          demonstrated a commitment to and aptitude for practicing law in those areas upon  
42          graduation, as determined by the school of law;

1 B. Provide, in each semester of the academic year and over the summer, internship,  
2 externship and other professional opportunities with organizations and other entities  
3 that provide legal services to individuals in underserved areas in the State for up to 6  
4 2nd-year or 3rd-year law school students who reside in underserved areas in the State  
5 or who have demonstrated a commitment to and aptitude for practicing law in those  
6 areas upon graduation, as determined by the school of law;

7 C. Develop and implement a comprehensive marketing and communications plan to  
8 recruit and retain students from underserved areas in the State who demonstrate a  
9 commitment to and aptitude for practicing law in those areas upon graduation and  
10 support the placement or other employment of law school students and recent graduates  
11 in those areas; and

12 D. Collaborate as necessary with the Finance Authority of Maine in its development,  
13 implementation and administration of the Access to Justice Loan Program established  
14 under the Maine Revised Statutes, Title 20-A, section 12312.

15 No later than January 1, 2026, the University of Maine System shall submit a report to  
16 the Joint Standing Committee on Education and Cultural Affairs and to the Joint Standing  
17 Committee on Judiciary outlining its plan for implementation of the rural practice track at  
18 the University of Maine School of Law, including any recommendations for legislative or  
19 other action. After reviewing the report, either committee may report out legislation related  
20 to the report to the Second Regular Session of the 132nd Legislature.

## 21 SUMMARY

22 This bill establishes the Access to Justice Loan Program and Access to Justice Loan  
23 Program Revolving Fund under the Finance Authority of Maine for the purpose of  
24 awarding loans to and entering into loan repayment agreements with eligible Maine  
25 residents. Eligibility is limited to Maine residents who demonstrate an interest in or  
26 commitment to providing legal services in an underserved area of the State and who are  
27 enrolled or intend to enroll in an accredited law school and demonstrate financial need or  
28 have graduated from an accredited law school within the prior 5 years, are licensed or  
29 eligible to be licensed to practice law in the State and have outstanding law school loans.  
30 The maximum amount of a loan to or loan repayment agreement with a program participant  
31 is \$25,000 per year for a period of up to 4 years.

32 The bill also directs the University of Maine System, to the extent sufficient funding is  
33 available, to establish at the University of Maine School of Law a rural practice track to  
34 support the practice of law in underserved areas in the State. Among other things, the rural  
35 practice track must be designed to:

36 1. Provide, in each academic year, a housing stipend sufficient to cover the cost of  
37 dormitory housing at the University of Southern Maine for up to 6 first-year or 2nd-year  
38 law school students who reside in underserved areas in the State or who have demonstrated  
39 a commitment to and aptitude for practicing law in those areas upon graduation; and

40 2. Provide, in each semester of the academic year and over the summer, internship,  
41 externship or other professional opportunities with organizations and other entities that  
42 provide legal services to individuals in underserved areas in the State for up to 6 2nd-year  
43 or 3rd-year law school students who reside in underserved areas in the State or who have

1 demonstrated a commitment to and aptitude for practicing law in those areas upon  
2 graduation.

3 No later than January 1, 2026, the University of Maine System is required to submit a  
4 report to the Joint Standing Committee on Education and Cultural Affairs and to the Joint  
5 Standing Committee on Judiciary outlining its plan for implementation of the rural practice  
6 track at the University of Maine School of Law, including any recommendations for  
7 legislative or other action. After reviewing the report, either committee may report out  
8 legislation related to the report to the Second Regular Session of the 132nd Legislature.