In 2009, The American Bar Association (ABA) re-accredited the University of Maine Law School and thus, the Law School Library. See below for further details.

April 28, 2009

Chancellor Richard L. Patenaude
University of Maine System
18 Central Street
Bangor, ME 04401

Dr. Selma Botman
President
University of Southern Maine
96 Falmouth Street
Portland, ME 04104-9300

Dean Peter R. Pitgoff
University of Maine
School of Law
246 Deering Avenue
Portland, ME 04102

Dear Chancellor Patenaude, President Botman, and Dean Pitgoff:

Attached please find the decision of the Accreditation Committee at its meeting on April 16-18, 2009, with respect to the University of Maine School of Law.

The Committee's Findings and Conclusions do not reflect a comprehensive checklist evaluation of each Standard and each facet of the institution. Indeed, this letter focuses, by the very nature of the process, essentially on concerns or possible aspects of non-compliance identified in the site evaluation report of the School or arising out of submissions or questionnaire answers by the School. Because the general impressions of different site teams are inherently non-comparable, the Accreditation Committee does not attempt to summarize all the information that could be gleaned from a site evaluation report, and recipients of this letter are encouraged, therefore, to consult the full site evaluation report for collegial advice and general impressions of the team. The site evaluation team does not make the official findings or conclusions for the Section of Legal Education and Admissions to the Bar of the American Bar Association. These are made by the Accreditation Committee and the Council of the Section.
A law school that is approved by the American Bar Association continues in that status pending final action by the Accreditation Committee and Council of the Section of Legal Education and Admissions to the Bar and pending review by the House of Delegates of the American Bar Association.

Please feel free to call me, Deputy Consultant Dan J. Freehling, or Executive Assistant Cathy A. Schrage if you have any questions.

Sincerely yours,

Hulett H. Askew
Consultant on Legal Education
to the American Bar Association

HHA/cs
Attachment
DECISION OF THE ACCREDITATION COMMITTEE
April 2009

The Accreditation Committee (the “Committee”), at its April 16-18, 2009 meeting, again considered the status of the University of Maine School of Law (the “Law School” or the “School”). The Committee had before it the letter and supporting materials submitted by Dean and Professor of Law Peter Pitreoff and President of the University of Southern Maine Selma Botman dated January 21, 2009, which were submitted specifically in response to the Committee’s September 30, 2008, letter. The Committee also had before it the history of decisions made with respect to the School since its last regular site visit; that history is attached to this document as an appendix.

FINDINGS OF FACT:

(1) At its September 2008 meeting, the Committee considered the status of the University of Maine School of Law in connection with its regular sabbatical site evaluation conducted March 2-5, 2008. In accordance with Rule 13(a), the Committee concluded that it had reason to believe that the Law School had not established that it was in compliance with the Standards in the following respects:

(a) Standard 405(d), in that the School had not demonstrated that it affords legal writing teachers such security of position and other rights and privileges of faculty membership as may be necessary to (1) attract and retain a faculty that is well qualified to provide legal writing instruction as required by Standard 302(a)(3), and (2) safeguard academic freedom.

(b) Standards 701 and 702, in that the School had not demonstrated that it has physical facilities that are adequate both for its current program of legal education and for growth anticipated in the immediate future, and that the physical facilities for the law library are sufficient in size, location, and design in relation to the School’s programs and enrollment to accommodate its students and faculty and the law library’s services, collections, staff, operations, and equipment.

(2) The Committee also concluded at that time that it had insufficient information available to make a determination as to the Law School’s compliance with Standard 304(a), with regard to whether a student is permitted to be enrolled at any time in coursework that, if successfully completed, would exceed 20 percent of the total coursework required by that school for graduation.

(3) The Committee requested that the Dean of the Law School submit a report by February 1, 2009, with all relevant information necessary
to demonstrate compliance with the Standards noted in Finding of Fact (1),
and to provide additional information to enable the Committee to make a
determination as to the Law School’s compliance with Standard 3024(e), as
noted in Finding of Fact (2).

(4) Legal Writing Teachers – [Standard 406(d)]. On November 24,
2008, the School’s Faculty Personnel Committee adopted a renewable
contract track for legal writing faculty parallel to the existing track for clinical
faculty. The policy subsequently was approved by the Provost of the
University. Under this policy, initial appointment is for a two-year
probationary term as an Associate Legal Writing Professor of Law. This
contract may be renewed for a maximum of two subsequent two-year terms.
While the individual is in the final year of the third probationary appointment,
he/she will be considered for the position of Legal Writing Professor of Law,
which has a five-year presumptively renewable appointment. Individuals
with prior experience in the field of teaching legal research and writing may
be considered for promotion at an earlier stage. The Legal Writing Professor
is eligible for all of the perquisites that are available to tenured and tenure-
track faculty, except that he/she is not entitled to take sabbatical leave,
apply for or hold endowed faculty chairs or professorships, nor receive
faculty scholarship awards.

(5) Facilities – [Standards 701 and 702]. The School reported
that, while it continues to work towards an eventual relocation, significant
work has taken place to address problems in its present facility. The Muskie
School for Public Service was moved out of the building and the entire fifth
floor was given to the Law School. This allowed for acquisition and
renovation of additional classrooms, faculty offices, administrative offices,
and student meeting and work space. The School has gained two seminar-
sized classrooms. A third fifth-floor classroom will be completed before
the beginning of the 2009-10 academic year. The Office of Development &
Alumni Relations also relocated to the fifth floor, opening space on the first
floor for offices for the Legal Writing Program. The Center for Law &
Innovation was moved from an off-campus location to the fifth floor, and the
Marine Law Institute was moved from the fourth floor to the fifth floor.
Planning is underway to construct group study spaces in the library and in
the library annex. Lighting has been replaced in many areas of the building,
hallways and lobbies have been repainted, and ceiling tiles have been
replaced. Renovations also have been made to first-floor men’s lavatory, the
driveways and parking lot, and the main elevator. With support from the
University, the roof is in the process of being repaired and re-sealed, the roof
vents and drains are being cleaned and re-caulked, and other maintenance
issues relating to moisture in the building (especially the library and computer
lab) are being addressed.
[6] Request for Additional Information to Determine Compliance with Standard 304(a). The School reported that in no event has any student been permitted to take more than 18 hours in any given semester (i.e., more than 20 percent of the 90 hours required for graduation). On November 24, 2008, the faculty adopted an amendment to the Minimum/Maximum Credit Rules stating that the Associate Dean for Academic Affairs may grant permission to take more than 16 hours upon a showing of extreme hardship, but that in no event will more than 18 hours be approved.

CONCLUSIONS:

(1) Based on the Dean’s response that provides new information and makes important assurances of continuing actions, the Committee concludes that the Law School has adequately demonstrated that it is in compliance with the Standards in respect to:

(a) Standard 405(d), in that the Law School has adopted a new approach in an effort to afford legal writing teachers such security of position and other rights and privileges of faculty membership as may be necessary to (1) attract and retain a faculty that is well qualified to provide legal writing instruction as required by Standard 302(a)(3), and (2) safeguard academic freedom. [See Finding of Fact (4).]

(b) Standards 701 and 702, in that the Law School has taken steps to ensure that it has physical facilities that are adequate both for its current program of legal education and for growth anticipated in the immediate future, and that the physical facilities for the law library are sufficient in size, location, and design in relation to the School’s programs and enrollment to accommodate its students and faculty and the law library’s services, collections, staff, operations, and equipment. [See Finding of Fact (5).]

(2) The Committee is able to determine from the additional information provided that the School is in compliance with Standard 304(e), in that no student is permitted to be enrolled at any time in coursework that, if successfully completed would exceed 20 percent of the total coursework required by the School. [See Finding of Fact (6)]

(3) The University of Maine School of Law remains on the list of law schools approved by the American Bar Association.