



## Eric R. Herlan Of Counsel

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### Bio

For more than 30 years, Eric Herlan has been representing public school districts on a wide variety of legal issues, focusing on both special education and general school law questions.

Eric gives clients practical guidance on how to resolve problems consistent with the law, often coming up with creative solutions to help them achieve their goals, even with the most complicated legal issues. He has represented Maine and New Hampshire school districts in more than 100 special education due process hearings, in addition to state complaint investigations, human rights proceedings, and the federal Office for Civil Rights investigations. Eric has also practiced in both federal and state courts, including many cases before the First Circuit Court of Appeals as well as the U.S. District Court, and he has also appeared before the Maine Supreme Court.

In addition to his legal practice, Eric regularly lectures on school law topics in Maine, New Hampshire, and across the country to a wide variety of audiences – His presentations are energetic and entertaining, whether in front of school staff in a local school district or in front of attorneys at a national conference.

Eric publishes frequently on special education and other school law topics. He has written and published *Maine Special Education Law* (2nd edition, 2020), the premier book on special education in Maine. He co-authored *New Hampshire Special Education Law* (1st edition, 2018) and is a contributing author to *Maine School Law* (6th Edition 2018). He has been a regular contributor to the *School Law Advisory* and served as its editor for many years. He has written for the *Maine Law Review* and was its editor in chief while in law school. Eric has been recognized by

### Practice Areas

School & Education  
Disability Law  
Special Education

### Admissions

Maine  
New Hampshire  
U.S. Supreme Court  
U.S. Court of Appeals for the First Circuit  
U.S. District Court for the District of Maine  
U.S. District Court for the District of New Hampshire

Best Lawyers in America, a guide to leading lawyers in the country, and in the New England Super Lawyers in the category of Education Law every year since 2010.

Eric grew up in Winter Harbor, Maine, and he is a proud graduate of Sumner Memorial High School. He has dedicated time to giving back to the community, serving as past Senior Wardens for both Trinity Episcopal Church in Portland and St. Dunstan's Episcopal Church in Ellsworth.

## **Education**

University of Maine School of Law, J.D., 1987

Columbia University, Ph. D., 1987

University of Maine at Orono, B.A., 1980

## **Recognition**

New England Super Lawyers, School & Education 2010-2025

Best Lawyers USA, Education Law 2008-2026

Martindale Hubbell, BV Distinguished

## **Publications**

Author, *Maine Special Education Law, 2nd Edition* (2020)

Contributing Editor, *Maine School Law and Practice for Board Members, 5th Edition* (2017)

Co-Author, *New Hampshire Special Education Law, 1st Edition* (2018)

Contributing Author, *Maine School Law, 6th Edition* (2018)

## **Memberships**

Maine Bar Association

Maine Council of School Board Attorneys

National Council of School Board Attorneys

New Hampshire Bar Association

New Hampshire Council of School Attorneys

## **Community/Public Service**

Trinity Episcopal Church, Portland, ME

*Past Senior Warden*

St. Dunstan's Episcopal Church, Ellsworth, ME

*Past Senior Warden*