

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: MIDDLE DISTRICT : Misc. No. 92-266
STUDENT PRACTICE RULE : (Amendment To Reference
: New Local Rule Numbers)
:

ORDER

Pursuant to Federal Rule of Civil Procedure 83, IT IS HEREBY ORDERED that the following Student Practice Rule is adopted by this Court and incorporated into the Rules of Court for the Middle District of Pennsylvania and designated as LR 83.19.

Student Practice Rule

A. **PURPOSE.** The following Student Practice Rule is designed to encourage law schools to provide clinical instruction in litigation of varying kinds, and thereby enhance the competence of lawyers in practice before the United States Court.

B. **STUDENT REQUIREMENTS.** An eligible student must:

1. be duly enrolled in a law school;
2. have completed at least four semesters of legal studies, or the equivalent;
3. be enrolled for credit in a law school clinical program which has been certified by this Court;
4. be certified by the Dean of the law school, or the Dean's designee, as being of good character and sufficient legal ability, in accordance with Section 1-3 above, to fulfill his responsibilities as a legal intern to both his client and this Court;
5. be certified by this Court to practice pursuant to this Rule;
6. not accept personal compensation for his legal services from a client or other source;
7. be introduced to the judge before whom the student is to practice by the supervising attorney.

C. **PROGRAM REQUIREMENTS.** The program:

1. must be a law school clinical practice program for credit, in which a law student obtains academic and practice advocacy training, utilizing law school faculty for practice supervision, including federal government attorneys, private practitioners, or attorneys working for public defender offices, district attorney offices, the Office of Attorney General, or legal services programs, providing all such attorneys utilized for this purpose have been admitted to practice in this Court;

2. must be certified by this Court;

3. must be conducted in such a manner as not to conflict with normal court schedules;

4. may accept compensation other than from a client;

5. must secure and maintain professional liability insurance for its activities and file a certificate of such insurance with the Clerk of Court.

D. SUPERVISOR REQUIREMENTS. A supervisor must:

1. have faculty or adjunct faculty status at the responsible law school and be certified by the Dean of the law school as being of good character and sufficient legal ability and as being adequately trained to fulfill his responsibilities as a supervisor, or in the alternative must be approved by either the Court or the Dean of the law school;

2. be admitted to practice in this Court;

3. be present with the student at all times in court, and at other proceedings, including depositions, in which testimony is taken;

4. co- sign all pleadings or other documents filed with this Court;

5. assume full personal professional responsibility for the student's guidance in any work undertaken and for the quality of a student's work, and be available for consultation with represented clients;

6. assist and counsel the student in activities mentioned in this rule, and review such activities with the student, to the extent required for the proper practical training of the student and the protection of the client;

7. be responsible to supplement oral or written work of the student as necessary to ensure proper representation of the client.

E. CERTIFICATION OF STUDENT, PROGRAM AND SUPERVISOR.

1. STUDENTS

a. Certification by the law school Dean and approval by this Court shall be filed with the Clerk of Court, and unless it is sooner withdrawn, shall remain in effect until expiration of 18 months;

b. Certification to appear in a particular case may be withdrawn by this Court at any time, in the discretion of the Court, and without any showing of cause.

2. PROGRAM

a. Certification of a program by this Court shall be filed with the Clerk of Court and shall remain in effect indefinitely unless withdrawn by the Court;

b. Certification of a program may be withdrawn by this Court at any time.

3. SUPERVISOR

a. Certification of a supervisor must be filed with the Clerk of Court, and shall remain in effect indefinitely unless withdrawn by this Court;

b. Certification of a supervisor may be withdrawn by this Court at any time;

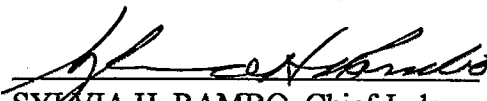
c. Certification of a supervisor may be withdrawn by the Dean by mailing the notice to that effect to the Clerk of Court.

F. ACTIVITIES. A certified student, under the personal supervision of his supervisor, as set forth in Part D of this Rule, may:

1. represent any client including federal, state or local government bodies, in any civil or administrative matter, if the client on whose behalf he is appearing has indicated in writing his consent to that appearance and the supervising lawyer has also indicated in writing his approval of that appearance;

2. engage in all activities on behalf of his clients that a licensed attorney may engage in.

G. LIMITATION OF ACTIVITIES. The Court retains the power to limit a student's participation in any particular case to such activities as the Court deems consistent with the appropriate administration of justice.


SYLVIA H. RAMBO, Chief Judge
Middle District of Pennsylvania

Dated: June 2, 1997