

Rules of the United States District Court for the District of Columbia
LCvR 83.4
PRACTICE BY LAW STUDENTS

(a) **ACTIVITIES.**

A law student certified pursuant to this Rule may:

(1) Enter an appearance in this court in any criminal or civil case if the client on whose behalf the law student is appearing has consented in writing to that appearance, and a "supervising lawyer", as hereinafter defined, has also indicated written approval of that appearance.

(2) Engage in activities on behalf of the client in all ways that a licensed attorney may, under the general supervision of the supervising lawyer; however, a student may make no binding commitments on behalf of a client absent prior client and supervisory approval; and in any matters, including depositions, in which testimony is taken the student must be accompanied by the supervising lawyer. Documents or papers filed with the court must be read, approved, and co-signed by the supervising lawyer.

(3) The court retains the authority to establish exceptions to such activities, and also to limit a student's participation in any individual case.

(b) **STUDENT, PROGRAM and SUPERVISOR REQUIREMENTS.**

(1) **STUDENT REQUIREMENTS.**

In order to be certified pursuant to this Rule a law student shall:

(i) Be a law student in good standing, enrolled in and attending a law school approved by the American Bar Association;

(ii) Have completed at least four semesters of legal studies, or the equivalent;

(iii) Have knowledge of the Federal Rules of Civil and Criminal Procedure, Evidence, and the Code of Professional Responsibility;

(iv) Be enrolled for credit in a law school clinical program which has been certified by this court;

(v) Be certified by the dean of the law school, or the dean's designee, as being of good character and sufficient legal ability, and as being adequately trained, in accordance with paragraphs (i)-(iv) above, to fulfill the responsibilities as a legal intern to both the client and the court;

(vi) Be certified by this court to practice pursuant to this Rule;

(vii) Neither ask for nor receive any fee or compensation of any kind from the client on whose behalf service is rendered, nor under the Criminal Justice Act, under this Rule; but this shall not prevent a lawyer, legal aid bureau, law school, public defender agency or the government from paying compensation to the eligible law student nor shall it prevent any agency from making such charges for its services as it may otherwise properly require.

(2) **PROGRAM REQUIREMENTS.**

- (i) The program;
- (ii) Must be a law school clinical practice program for credit, in which a law student obtains academic and practice advocacy training, utilizing attorneys certified by the dean of the law school for practice supervision;
- (iii) Must be certified by this court;
- (iv) Must be conducted in such a manner as not to conflict with normal court schedules;
- (v) May accept compensation other than from a client such as Criminal Justice Act (CJA) payments;
- (vi) Must maintain malpractice insurance for its activities.

(3) SUPERVISOR REQUIREMENTS.

The person under whose supervision an eligible law student does any of the things permitted by this Rule shall:

- (i) Be a member in good standing of the Bar of this court;
 - (aa) 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 the responsibilities of a supervisor; or
 - (bb) Be a member of the Bar of this court for at least two years, who after the certification by the dean of the law school as being of good character and adequately trained to fulfill the responsibilities of a supervisor, is determined by the court to be competent to carry out the role of supervising attorney;
- (ii) Be certified by this court as a student supervisor;
- (iii) Be present with the student at all times in court, and at other proceedings in which testimony is taken;
- (iv) Co-sign all pleadings or other documents filed with the court;
- (v) Supervise concurrently no more than 10 students carrying clinical practice as their entire academic program, with a proportionate increase in the number of students as their percentage of time devoted to clinical practice may be less;
- (vi) Assume full personal professional responsibility for student's guidance in any work undertaken and for the quality of a student's work, and be available for consultation with represented clients;
- (vii) Assist and counsel the student in activities mentioned in this Rule, and review such activities with the student, all to the extent required for the proper practical training of the student and the protection of the client;
- (viii) Be responsible to supplement oral or written work of the student as necessary to ensure proper representation of the client

(c) CERTIFICATION OF STUDENT, PROGRAM AND SUPERVISOR.

(1) STUDENT:

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

(i) Certification to appear in a particular case may be withdrawn by the court at any time, in the discretion of the court, and without any showing of cause.

(2) PROGRAM:

(i) Certification of a program by the court shall be filed with the Clerk and shall remain in effect indefinitely unless withdrawn by the court;

(ii) Certification of a program may be withdrawn by the court at the end of any academic year without cause, or at any time, provided notice stating the cause for such withdrawal is furnished to the law school dean and supervisor.

(3) SUPERVISOR:

(i) Certification of a supervisor must be filed with the Clerk, and shall remain in effect indefinitely unless withdrawn by the court;

(ii) Certification of a supervisor may be withdrawn by the court at the end of any academic year without cause, or at any time upon notice and a showing of cause;

(iii) Certification of a supervisor may be withdrawn by the dean by mailing a notice to that effect to the Clerk.