

Rules of the Supreme Court of Wyoming Providing for the Organization and Government of the Bar Association and Attorneys at Law of the State of Wyoming

Rule 12. Law students' right to practice law.

(a) Definitions. -

(1)

"Eligible law student" means a person who:

(i)

is duly enrolled in any law school accredited by the American Bar Association; is in the period between semesters and in good standing; or is a graduate thereof during the time prior to announcement of the results of the first bar examination given after such graduation;

(ii)

has been certified to the Wyoming Supreme Court by the dean of such law school as having satisfactorily completed at least four (4) semesters of legal studies, and to be of good character and competent legal ability; and

(iii)

has filed an affidavit with the Wyoming Supreme Court that the student will comply with the ethical standards set forth in the Rules of Professional Conduct for Attorneys at Law.

(2)

"General supervision" means furnishing assistance and exercising direction and control of the legal activities of the student, accompanied by personal and professional responsibility for guidance and quality of work prepared by the supervised student.

(3)

"Indigency Committee" means a committee of eight (8) members of the Wyoming State Bar, four (4) to be appointed by the Supreme Court and four (4) to be appointed by the President of the Albany County Bar Association.

(4)

"Practice of law" means advising others and taking action for them in matters connected with law. It includes preparation of legal instruments and acting or proceeding for another before judges, courts, tribunals, commissioners, boards or other governmental agencies.

(b) Conditions. -

(1)

An eligible law student may engage, as an intern, in the practice of law under the general supervision of an active member of the Wyoming State Bar, other than a professor of the law school, conditioned as follows:

(i)

The person to be represented consents in writing to legal assistance to be provided by the student;

(ii)

The supervising lawyer shall be present whenever the law student appears before any court, tribunal, commission, board or other governmental agency of the state unless such presence shall be waived in each instance by such court, tribunal, commission, board or other governmental agency;

(iii)

A lawyer shall not supervise more than three (3) students at any one time;

(iv)

If the student is an intern with the public defender (directly or indirectly), attorney general, legal services corporation or similar entity, the student shall be under the general supervision of a specific lawyer employed by such entity.

(2)

An eligible law student may engage, as an intern, in the practice of law for indigent persons only under the general supervision of a professor of law designated for such by the Dean of the University of Wyoming Law School, conditioned as follows:

(i)

The person to be represented consents in writing to legal assistance to be provided by the student;

(ii)

The supervising professor shall be present in court in any criminal matter in which the indigent has the right to the assignment of counsel under any constitutional provision, statute, or rule of this court; but the designated supervisor need not be personally present in court in other matters, civil or criminal, when the indigent person consents thereto in writing and with approval of the court in which the matter is pending;

(iii)

The person to be represented shall meet the income-and-asset criteria within the poverty guidelines of a legal services corporation in Wyoming; such person shall furnish information relative to such criteria under oath;

(iv)

Neither the student nor the supervising professor shall ask for or receive any compensation or remuneration of any kind for the services rendered to the indigent, except that supervising professors may receive their regular pay from the University of Wyoming Law School.

(3)

An eligible law student may engage, as an intern, in the practice of law under the Prosecution Assistance Program of the University of Wyoming Law School only under the general supervision of a member of the Wyoming State Bar who is also representing the state or a governmental agency or subdivision thereof, conditioned as follows:

(i)

The matter involved is a criminal matter or a civil matter related to a criminal matter, e.g. licensing, etc.;

(ii)

The supervising attorney shall be present in court during the time such matter is being presented to the court, provided that the court may permit the student to act without the presence of the supervising attorney.

(4)

A person studying law in the office of a member of the Wyoming State Bar pursuant to W.S. 33-5-105 (1977) may engage as an intern in the practice of law under the general supervision of the lawyer under whom the person is studying, conditioned as follows:

(i)

The student has:

(A)

satisfactorily completed one (1) year of office legal studies as prescribed by the Board of Law Examiners and satisfactorily completed two (2) semesters of legal studies or the equivalent thereof in a law school approved by the American Bar Association; or

(B)

satisfactorily completed two (2) years of office legal studies as prescribed by the Board of Law Examiners and be enrolled in the University of Wyoming Law School;

(ii)

The student has been certified to this court by the supervising lawyer to be in compliance with subdivision (b)(4)(i), and to be of good character and competent legal ability;

(iii)

The student has filed an affidavit with this court as an agreement to comply with the ethical standards set forth in the Rules of Professional Conduct for Attorneys at Law;

(iv)

The person to be represented consents in writing to legal assistance to be provided by the student;

(v)

The supervising lawyer shall be present whenever the student appears before any court, tribunal, commission, board or other governmental agency of the state, and such appearance shall not be waived by such court, tribunal, commission, board or other governmental agency;

(vi)

A lawyer shall not supervise more than one (1) student at any one (1) time.

(c)

Certification by the dean of the law school or by a supervising lawyer under whom a student is studying pursuant to W.S. 33-5-105 (1977) may be withdrawn without cause upon notice of such to this court; and this court may terminate the practice of law by any student at any time without hearing or showing of cause.

(Amended November 12, 1991, effective February 11, 1992.)