

HISTORY

ADMISSION TO BAR--"STUDENT RULE"
(aka COURT RULES ON CERTIFIED LAW STUDENTS)1966

- 4/21 (S.Ct. Meeting #2) Considered concept of rule allowing limited practice by law students. Judge Sheran to report at next meeting.
- 6/6 (S.Ct. #3) Judge Sheran reports that law school Deans Lockhart (U of M) and Heidenreich (Wm. Mitchell) will study further and present specific proposal.

1967

- 6/27 "RULE- -STUDENT [Minnesota law school seniors] REPRESENTATION OF INDIGENT LITIGANTS" adopted.
- 12/14 (S.Ct. #12) Agreed that under rule students may sit at S. Ct. counsel table during arguments.

1973

- 3/22 (S.Ct. #51) Because of special circumstances, approved waiver for Koochiching County Public Defender: Harvard student may be certified.
- 7/12 (S.Ct. #54) Approved special exception allowing graduate to continue under rule until admitted after bar examination.

1974

- 8/8 (S.Ct. #64) Approved amendment enlarging application of rule.
- 9/5 Above amendment adopted.
- 12/17 (Letter to Deputy City Atty., St. Paul): Persons certified while students remain so during interval between graduation and admission to bar

1975

- 1/7 (Order) Because of special circumstances, Koochiching County Pub. Def. may employ North Dakota U. student.
- 3/11 (Letter) Certification not available to first-year students
- 3/21 (Letter) Wm. Mitchell College requests that rule be extended to allow representation of government agencies.
- 9/3 (S.Ct. #75) Amendment adopted: Representation of government agencies inserted in rule.
- 12/31 Judges Otis & Peterson deny LAMP attorney request to allow student assistant to argue case in S. Ct.

1976

- 1/15 Washington County Judge refuses to allow certified student to appear without accompanying atty., except on Order from S. Ct.
- 2/12 (S.Ct. 81) Agreed to amendment restricting student appearances to trial courts.
- 2/17 Above amendment adopted.
- 6/2 (Note attached to letter to S. Ct. Clerk): Puget Sound (Washington) U. 3d-yr student may be certified.
- 6/6 (Letter to Dean, Hamline Law School) Students in 3-yr. program who have begun 2d year, or in 4-yr. program who have begun 3d year are eligible for certification.
- 9/1 Hennepin County Municipal Ct. adopts Student Practice Rule more restrictive than S. Ct. Rule.
- 12/3 Ramsey County Municipal Judges propose to adopt Student Practice Rule more restrictive than S. Ct. Rule.

(Continued)

1976, continued

12/16 (S.Ct. #89) Agreed not to oppose Hennepin & Ramsey Counties Municipal Courts Student Practice Rules until conflict may require formal decision.

1977

"STUDENT RULE"

6/27/67 Adopted

9/5/74 First amendment filed

9/3/75 Second amendment adopted

2/17/76 Third amendment adopted

STATE OF MINNESOTA

(Adopted at meeting 81,
2/12/76)

IN SUPREME COURT

COURT RULES ON CERTIFIED LAW STUDENTS

Rule 1. Limited Practice by Certified Law Students.

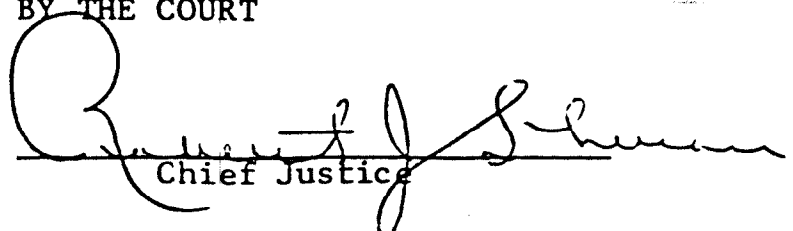
Any eligible law student in a law school in this state accredited by the American Bar Association, may, upon written approval of the Supreme Court of Minnesota, interview, advise, negotiate, and appear in any trial court on behalf of any indigent person accused of crime, or may represent any indigent person in a civil action; or may represent any state, local, or other governmental unit or agency; provided, however, that the conduct of the case is under the supervision of a member of the State Bar of Minnesota. For purposes of this rule, an "eligible" law student is one who has completed, or is completing, the final two years of the law school curriculum, and who is identified as such during all proceedings.

Before any student shall be eligible to appear in court for or on behalf of any indigent person accused of crime, or represent any indigent person in a civil action, or may represent any state, local, or other governmental unit or agency, the Dean of the accredited law school of which he is a student shall file with the Supreme Court a list of names of the enrolled students who have been selected by the faculty to participate in the program. Upon written approval by the Supreme Court of a student so certified, and the filing of such written approval, or a certified copy thereof, with the district court wherein the law school is located, such approved student shall be, and is hereby, authorized to appear in any trial court of the State of Minnesota when under the direct supervision of a member of the State Bar of Minnesota, on behalf of such indigent persons accused of crime, or to represent indigent persons in any civil action as may be assigned to them, or to represent any state, local, or other governmental unit or agency. The expression "direct supervision" shall be construed to require the personal attendance of the supervising member of the bar during any trial, plea and sentence, or any other critical stage of any proceeding in or out of the court room; provided, however, that the supervising attorney may authorize a student to appear alone in all such proceedings other than the actual trial whenever the supervising attorney shall deem his personal presence unnecessary to insure proper supervision. Such authorization shall be made in writing and shall be available to the court upon request. In all events representation afforded pursuant to this rule must comply with minimal standards required by the State and Federal Constitutions.

The written approval of each student by the Supreme Court of Minnesota shall remain in force and effect for a period of twelve months from the date of filing unless withdrawn earlier. Upon application by the certified student, the Supreme Court may extend the privilege.

BY THE COURT

Dated: February 17, 1976


Chief Justice

STATE OF MINNESOTA

IN SUPREME COURT

SUPREME COURT

FILED

SEP 5 1974

JOHN McCARTHY
CLERK

COURT RULES ON CERTIFIED LAW STUDENTS

RULE 1. Limited Practice by Certified Law Students

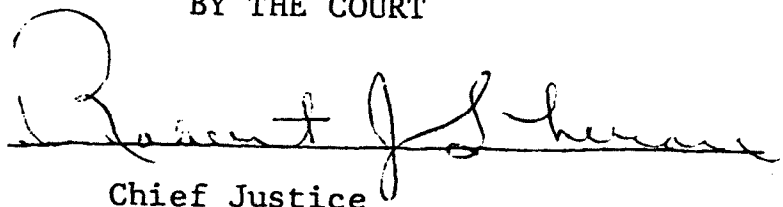
Any eligible law student in a law school in this state accredited by The American Bar Association, may, upon written approval of the Supreme Court of Minnesota, interview, advise, negotiate, and appear in any court on behalf of any indigent person accused of crime, or on behalf of the prosecution, or may represent any indigent person in a civil action; provided, however, that the conduct of the case is under the supervision of a member of the State Bar of Minnesota. For purposes of this rule, an "eligible" law student is one who has completed, or is completing, the final two years of the law school curriculum, and who is identified as such during all proceedings.

Before any student shall be eligible to appear in court for or on behalf of any indigent person accused of crime, or on behalf of the prosecution, or represent any indigent person in a civil action, the Dean of the accredited law school of which he is a student shall file with the Supreme Court a list of names of the enrolled students who have been selected by the faculty to participate in the program. Upon written approval by the Supreme Court of a student so certified, and the filing of such written approval, or a certified copy thereof, with the district court wherein the law school is located, such approved student shall be, and is hereby, authorized to appear in any court of the State of Minnesota when under the direct supervision of a member of the State Bar of Minnesota, on behalf of such indigent persons accused of crime, or on behalf of the prosecution, or to represent indigent persons in any civil action as may be assigned to them. The expression "direct supervision" shall be construed to require the personal attendance of the supervising member of the bar during any trial, plea and sentence, or any other critical stage of any proceeding in or out of the court room; provided, however, that the supervising attorney may authorize a student to appear alone in all such proceedings other than the actual trial whenever the supervising attorney shall deem his personal presence unnecessary to insure proper supervision. Such authorization shall be made in writing and shall be available to the court upon request. In all events representation afforded pursuant to this rule must comply with minimal standards required by the State and Federal Constitutions.

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Dated: September 3, 1974.

BY THE COURT


Chief Justice

(This rule supersedes the rule dated June 27, 1967)

Adm. to Bar - Student Rule
Limited practice -
Amendment
adopted 9/3,4/75
(# 75)

STATE OF MINNESOTA

IN SUPREME COURT

COURT RULES ON CERTIFIED LAW STUDENTS

Rule 1. Limited Practice by Certified Law Students.

Any eligible law student in a law school in this state accredited by the American Bar Association, may, upon written approval of the Supreme Court of Minnesota, interview, advise, negotiate, and appear in any court on behalf of any indigent person accused of crime, ~~or on behalf of the prosecution~~, or may represent any indigent person in a civil action; or may represent any state, local, or other governmental unit or agency; provided, however, that the conduct of the case is under the supervision of a member of the State Bar of Minnesota. For purposes of this rule, an "eligible" law student is one who has completed, or is completing, the final two years of the law school curriculum, and who is identified as such during all proceedings.

Before any student shall be eligible to appear in court for or on behalf of any indigent person accused of crime, ~~or on behalf of the prosecution~~, or represent any indigent person in a civil action, or may represent any state, local, or other governmental unit or agency, the Dean of the accredited law school of which he is a student shall file with the Supreme Court a list of names of the enrolled students who have been selected by the faculty to participate in the program. Upon written approval by the Supreme Court of a student so certified, and the filing of such written approval, or a certified copy thereof, with the district court wherein the law school is located, such approved student shall be, and is hereby, authorized to appear in any court of the State of Minnesota when under the direct supervision of a member of the State Bar of Minnesota, on behalf of such indigent persons accused of crime, ~~or on behalf of the prosecution~~, or to represent indigent persons in any civil action as may be assigned to them, or to represent any state, local, or other governmental unit or agency. The expression "direct supervision" shall be construed to require the personal attendance of the supervising member of the bar during any trial, plea and sentence, or any other critical stage of any proceeding in or out of the court room; provided, however, that the supervising attorney may authorize a student to appear alone in all such proceedings other than the actual trial whenever the supervising attorney shall deem his personal presence unnecessary to insure proper supervision. Such authorization shall be made in writing and shall be available to the court upon request. In all events representation afforded pursuant to this rule must comply with minimal standards required by the State and Federal Constitutions.

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BY THE COURT

Chief Justice

Original rule, as promulgated 6/27/67 - see Minutes, S.C.T. meetings 2 (4/21/66) & 3 (6/6/66)

RULE—STUDENT REPRESENTATION OF INDIGENT LITIGANTS

Any senior law student in a law school in this state accredited by The American Bar Association may, with the written approval of the Supreme Court of Minnesota, interview, advise, negotiate, and appear in any municipal or trial court on behalf of any indigent person accused of crime, or on behalf of the prosecution, or may represent any indigent person in a civil action; provided, however, that the conduct of the case is under the supervision of a member of the State Bar of Minnesota.

Before any student shall be eligible to appear in court for or on behalf of any indigent person accused of crime, or on behalf of the prosecution or represent any indigent person in a civil action, the Dean of the accredited law school of which he is a student shall file with the Supreme Court a list of names of the enrolled students who have been selected by the faculty to participate in the program. Upon written approval by the Supreme Court of a student so certified, and the filing of such written approval, or a certified copy thereof, with the District Court wherein the law school is located, such approved student shall be, and is hereby, authorized to appear in any court of the State of Minnesota when under the supervision of a member of the State Bar of Minnesota, or on behalf of such indigent persons accused of crime, or on behalf of the prosecution, or to represent indigent persons in any civil action as may be assigned to them. The expression "supervision" shall be construed to require the personal attendance of the supervising member of the bar during any trial, plea and sentence, or any other critical stage of any proceeding in or out of the court room. In all events representation afforded pursuant to this rule must comply with minimal standards required by the State and Federal Constitutions.

The written approval of each student by the Supreme Court of Minnesota shall remain in force and effect for a period of twelve months from the date of filing unless withdrawn earlier.