

## **Rule M. Law Student Practice**

### **(a) Practice.**

(1) Any law student admitted to the limited practice of law pursuant to Rule 48 of the rules of the District of Columbia Court of Appeals, and certified and registered as therein required, may engage in the limited practice of law in the Superior Court of the District of Columbia on behalf of any indigent person in the Family Court, subject to the following provisions.

(A) Delinquency proceedings. A certified law student may enter an appearance on behalf of a child who is alleged to be a delinquent except in those cases where the allegation of delinquency charges murder, forcible rape, burglary in the first degree, robbery while armed, or assault with intent to commit any such offense, provided the child or parent has consented in writing to the appearance and a "supervising lawyer", as hereinafter defined, has approved such action and also entered an appearance.

(B) Persons in need of supervision proceedings. A certified law student may enter an appearance on behalf of a child who is alleged to be a person in need of supervision, provided the child has consented in writing to that appearance and a supervising lawyer has approved such action and also entered an appearance.

#### **(C) Neglect proceedings.**

(i) Children. A certified law student may enter an appearance on behalf of a child who is alleged to be neglected, provided the supervising lawyer shall obtain the appointment as *guardian ad litem* and consent to the representation of the minor child by the certified law student.

(ii) Adults. A certified law student may enter an appearance on behalf of any adult party who has consented to that appearance, provided a supervising lawyer has approved such action and also entered an appearance.

(D) Mental habilitation proceedings. A certified law student may represent a respondent or petitioner if appointed or approved by a magistrate judge or the Court, provided the party has consented in writing to such representation and a supervising lawyer has also entered an appearance in the proceeding.

(E) Mental health proceedings. A certified law student may represent a respondent or petitioner if appointed or approved by a magistrate judge or the Court, provided the party has consented in writing to such representation and a supervising lawyer has also entered an appearance in the proceeding.

(F) Domestic relations proceedings. A certified law student may enter an appearance on behalf of a party in any domestic relations action, provided the party has consented in writing to that appearance and a supervising lawyer has approved such action and also entered an appearance.

(2) Any law student eligible under these rules may also enter an appearance in any Family Court matter, except delinquency cases charging murder, forcible rape, burglary in the first degree, robbery while armed, or assault with intent to commit any such offense, on behalf of the District of Columbia with the written approval of the Office of the Attorney General, or an authorized representative, and the supervising lawyer.

(3) In each case, the written consent and approval referred to above shall be filed in the record of the case.

(4) No student may enter an appearance where such representation would generally be undertaken by a member of the Bar on a retained basis as may be determined by the Court at any point in the litigation.

(b) Requirements and limitations.

(1) The law student must be enrolled in a clinical program. A clinical program for purposes of this Rule shall be a law school program for credit of at least 4 semester hours held under the direction of a full-time faculty member of such law school, or an adjunct professor for a consortium of law schools, whose primary duty is the conduct of such programs in which a law student obtains practical experience in the operation of the District of Columbia legal system by participating in cases and matters pending before the legal system by participating in cases and matters pending before the courts or administrative tribunals. A student need not be so enrolled if that student has satisfactorily completed a clinical program and is continuing in the representation of a program's client.

(2) The law student must be registered and certified by the Admissions Committee of the District of Columbia Court of Appeals as eligible to engage in the limited practice of law as authorized by the District of Columbia Court of Appeals General Rule 48.

(3) Certified law students participating in the representation of the government or any individual litigant shall not schedule more than 1 trial for any single date except on notice to and with permission of the Court.

(c) Supervision. The "supervising lawyer" referred to above in this Rule shall:

(1) Be a lawyer whose service as a supervising lawyer for the clinical program is approved by the law school by which the law student is enrolled and who is an active practitioner of law in this Court.

(2) Assume full responsibility for guiding the student's work in any pending case or matter or any case-related activity in which he or she participates, and for supervising the quality of the student's work.

(3) Assist the student in his or her participation to the extent necessary in the supervising lawyer's professional judgment to ensure that the student participation is effective on behalf of the indigent person or government represented.

(4) Sign each pleading, memorandum, or other document filed by the student, and appear with the student at each court appearance, except that a supervisor need not be present for a non-adversary matter so long as he or she is available to the Court within one-half hour after such supervisor's presence is requested by the Court.

(5) Not schedule more than 3 cases for trial on any given day for law students being supervised by him or her.

(6) No fee shall be paid to any supervising lawyer or law student under this Rule. The Court shall be empowered, however, to permit clinical programs to receive fees, costs and penalties prescribed by law, so long as original eligibility requirements for representation are enforced.