

New Jersey U.S. District Court SUMMARY

Rule

Civ. Rule 101.1(h), Local Rules, U.S. District Court for the District of New Jersey.

Eligible students:

Any 3rd year law student at an accredited law school, certified by the Dean or a faculty member as competent. See the rule for additional requirements concerning the authority of a judge to permit or limit student practice in a particular case. Student may be compensated by the law office, but not by the client. Student must comply with Disciplinary Rules.

Eligible law offices; required supervision:

Student may represent any consenting client. Supervising attorney must be a member of the bar of the Court, and must be personally present at all proceedings. The attorney also must assume responsibility for the representation, file written consent to supervise the student, and assist the student.

Permitted scope of practice:

Student may appear in court or at other proceedings, and may sign documents along with the supervising attorney.

Approval process:

Student appearance is “with the Court’s approval”; each judge has discretion to approve student practice.

Forms to certify compliance with requirements of this Rule are available in the Clerk’s office, and also appear as appendices to the Court rules. Appendix A1 is signed by the client and supervising attorney for each case; Appendix A2 is signed by the student and supervising attorney. Both forms are to be submitted to the Clerk’s office in Trenton:

Clerk, U.S. District Court
402 E. State St., Room 2020
Trenton, N.J. 08608

For more information, contact Ms. Gigi VanNies, personnel specialist at the Clerk’s Office, 609-989-2984.

U.S.Dist.Ct.Rules D.N.J., as amended through July 1, 2001

CIV. RULE 101.1 ADMISSION OF ATTORNEYS

...

(h) Appearance by Supervised Law Students. With the Court's approval, an eligible law student may appear under supervision of an attorney on behalf of any person, including the United States Attorney, who has consented in writing.

(1) The attorney who supervises a student shall:

(A) be either a member of the bar of this Court who maintains a bona fide office in this District or an attorney permitted to practice before the courts of the State of New Jersey under N.J.R. 1:21-3(c).

(B) personally assume professional responsibility for the student's work;

(C) assist the student to the extent necessary;

(D) appear with the student in all proceedings before the Court; and

(E) file written consent to supervise the student.

(2) In order to appear, the student shall:

(A) be enrolled in a law school approved by the American Bar Association;

(B) have successfully completed legal studies amounting to at least two-thirds of the credits needed for graduation or the equivalent;

(C) be certified by either the dean or a faculty member of that law school as qualified to provide the legal representation permitted by these Rules (This certification may be withdrawn by the person so certifying at any time by mailing a notice to the Clerk, or upon termination by the Judge presiding in the case in which the student appears without notice or hearing and without a showing of cause. The loss of certification by action of a Judge shall not be considered a reflection upon the character or ability of the student.);

(D) be introduced to the Court by an attorney admitted to practice in this District;

(E) neither ask for nor receive from the client represented any compensation or remuneration of any kind for services rendered; but this limitation shall not prevent an attorney, legal aid bureau, law school, public defender agency, a State, or the United States from paying compensation to the eligible law student, nor shall it prevent any agency from making proper charges for its services;

(F) certify in writing that he or she is familiar and will comply with the Disciplinary Rules;

(G) certify in writing that he or she is familiar with the Federal procedural and evidentiary rules relevant to the action in which he or she is appearing.

(3) The law student, supervised in accordance with these Rules, may:

(A) appear as counsel in court or at other proceedings when written consent of the client (or of the United States Attorney when the client is the United States) and the supervising attorney have been filed, and when the Court has approved the student's request to appear in the particular case to the extent that the Judge presiding at the hearing or trial permits;

(B) prepare and sign motions, petitions, answers, briefs, and other documents in connection with

any matter in which he or she has met the conditions of L.Civ.R. 101.1(h)(3)(A); each such document shall also be signed by the supervising attorney.

(4) Forms for designating compliance with this Rule are set forth in Appendix A1 and A2, and shall be available in the Clerk's office. Completed forms shall be filed with the Clerk.

(5) Participation by students under this Rule shall not be deemed a violation in connection with the rules for admission to the bar of any jurisdiction concerning practice of law prior to admission to that bar.