

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED
March 6, 2009

LAWRENCE K. BAERMAN, CLERK

**UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF NEW YORK**



**Rules Regarding Student Practice
in the Northern District of New York**

GENERAL ORDER #13

1. A law student appearing as a Student Practitioner may with the court's approval, under supervision of an attorney, appear on behalf of any person, including the United States Attorney, who has consented in writing on the form prescribed by the clerk¹.

2. The attorney who supervises a student shall in compliance with this Rule:

- (a) Be a member of the bar of the United States District Court for the Northern District of New York.
- (b) Assume personal 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 unless his presence is waived by the court.
- (e) Indicate in writing his consent to supervise the student.

3. In order to appear, the student shall:

- (a) Be duly enrolled in a law school approved by the American Bar Association.
- (b) Have completed legal studies amounting to at least four semesters, or the equivalent.
- (c) Be recommended by either the dean or a faculty member of his or her law school as a student practitioner. This recommendation may be withdrawn by the recommender at any time by mailing a notice to the Clerk or by termination by the court without notice of hearing and without showing of cause.
- (d) Neither ask for nor receive any compensation or remuneration of any kind for his services from the person on whose behalf s/he renders services, but this 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. Neither the student, nor anyone on the student's behalf, shall seek recovery of attorneys' fees from an adverse party for the services rendered by the student as a Student Practitioner.
- (e) Certify in writing that s/he is familiar with the federal procedural and

¹ For student practitioner admission in the Bankruptcy Court, applicants shall refer to Bankruptcy Court Administrative Order 09-03, available on the Court's website, www.nynb.uscourts.gov

evidentiary rules as well as the local rules of this court. The student practitioner shall complete and file an application for admission as a student practitioner on the form supplied by the Clerk.

- (f) Upon filing such application with the Clerk of the Court, in proper form, the Clerk shall file the order approving the student practitioner in the case in which they will appear. The application shall also contain information on the expected date of graduation from law school. The applications for student practitioners will be maintained by the Attorney Registration Clerk.
- (g) A student practitioner may appear and render services pursuant to this Rule after approval of the application by a District Court Judge or Magistrate Judge and until the results of the first New York State bar examination subsequent to the student's graduation has been published.

4. The law student so enrolled and supervised in accordance with these rules, may:

- (a) Appear as counsel in court or at other proceedings when consent of the client or his authorized representative, or 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.
- (b) Prepare and sign motions, petitions, answers, briefs, and other documents in connection with any matter in which s/he had met the conditions of (a) above; each such document shall also be signed by the supervising attorney and shall be filed in the case file.

5. Forms approved by the court for use in connection with this Rule shall be available in the Clerk's Office and on the Court's website, www.nynd.uscourts.gov.

6. **Effective Date.**

General Order #13 as revised was approved by the Court on the 6th day of March, 2009.



Norman A. Mordue
Chief United States District Court Judge

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

**APPLICATION FOR ADMISSION AS A STUDENT PRACTITIONER
PURSUANT TO GENERAL ORDER #13 OF THE NORTHERN DISTRICT.**

(NAME OF STUDENT)

ADDRESS AND PHONE OF ABOVE:

*Please note that this address will be the address to which all notices and correspondence are to be mailed by the Court.

() -
(Area Code and Phone Number)

NAME OF LAW SCHOOL STUDENT IS ATTENDING: _____

NUMBER OF SEMESTERS STUDENT HAS COMPLETED: _____

ANTICIPATED GRADUATION DATE²: _____

TO BE COMPLETED BY LAW STUDENT

I certify that I have completed at least 4 semesters of law school; that I have read and am familiar with the provisions of the Judicial Code (Title 28 USC), which pertain to the jurisdiction of, and practice in, the United States District Courts; the Federal Rules of Evidence for the District Courts; the Federal Rules of Civil and Criminal Procedure for the District Courts; the Local Rules and General Orders for the Northern District of New York; and the Code of Professional Responsibility of the American Bar Association; and will faithfully adhere thereto; and that I will receive no compensation from the person on whose behalf I am rendering services, in accordance with part 3(d) of General Order #13 pertaining to Student Practice in the Northern District of New York. I further understand that I will be assigned a Bar Roll Number by the Clerk of the Court to facilitate the keeping of an accurate roll of members of the bar of this court. Upon graduation and formal admission to the Bar for the Northern District of New York I shall complete an attorney registration statement and file such statement with the clerk of the court in accordance with Local Rule 83.(1).

CERTIFICATION OF APPLICANT

(DATE)

(SIGNATURE OF STUDENT)

²Student Practitioner's admission shall automatically expire upon graduation unless an application for extension is granted



**TO BE COMPLETED BY THE DEAN OR A FACULTY MEMBER OF
THE STUDENT'S LAW SCHOOL.**

I certify that this student has completed at least four semesters of law school work and recommend that the student be admitted to the court as a student practitioner.

(DATE)

(SIGNATURE OF DEAN)

or

(SIGNATURE OF FACULTY MEMBER)



Admission Approved:

(DATE)

(U.S. DISTRICT JUDGE)

(U.S. MAGISTRATE JUDGE)

*****COMPLETED FORM SHALL BE FILED IN THE CASE IN WHICH THE STUDENT PRACTITIONER WILL APPEAR UPON APPROVAL BY DISTRICT OR MAGISTRATE JUDGE*****