

NORTHERN DISTRICT OF NEW YORK - FEDERAL CIVIL LOCAL RULE

83.11 Student Practice (Amended January 1, 2018)

(a) **Appearance of Law Student Intern:** An eligible law student appearing as a Student Practitioner may with the court's approval, under supervision by a member of this bar, appear on behalf of any person, including the United States Attorney, or the Federal Public Defender, who has consented in writing on the form prescribed by the clerk¹.

(b) **Requirements of Supervising Attorney:** The attorney who supervises a student intern shall in compliance with this Rule:

1. Be a member of the bar of the United States District Court for the Northern District of New York;
2. Assume personal professional responsibility for the student's work;
3. Assist the student to the extent necessary;
4. Appear with the student in all proceedings before the court unless his presence is waived by the court;
5. Indicate in writing his or her consent to supervise the student intern under this rule.

(c) **Requirements of Law Student Intern:** In order to appear pursuant to this Rule, the law student intern shall:

1. Be duly enrolled in good standing in a law school approved by the American Bar Association;
2. Have completed legal studies amounting to at least four semesters, or the equivalent if the school is on some basis other than a semester basis;
3. 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 This recommendation may be withdrawn by the recommender at any time by mailing a notice to the Clerk or by termination by the court without notice of hearing and without showing of cause;
4. Neither be employed or ask for nor receive any compensation or remuneration of any kind for his/her 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

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.

prevent any agency from making proper charges for its services. Any requested charges shall account for the unique role of the student practitioner(s) and the charges requested shall not exceed charges awarded for similar cases conducted by non-student practitioners.

5. Certify in writing that s/he is familiar with the federal procedural and 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.
6. 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.

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.

(d) Privileges of the Law Student Intern: The law student so enrolled and supervised in accordance with these rules, may:

1. 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, or the Federal Public Defender, and the supervising attorney have been filed, and when the court has approved the student's request to appear in the particular case.
2. 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.

(e) Forms: 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.