

## **RULE 83.4**

**(As Amended June 20, 2007)**

### **LEGAL ASSISTANCE BY CERTIFIED LAW STUDENTS**

#### **(a) In General**

A law student certified pursuant to subsection (b) may, with the permission of the Court and subject to the requirements of subsection (c), engage in the activities specified in subsections (d), (e) and (f).

#### **(b) Certification**

The Dean of any ABA accredited school of law may certify a law student who meets the following requirements:

- (1) Has completed legal studies amounting to at least 4 semesters;
- (2) Is of good character and competent legal ability and is adequately trained to perform as a legal intern;
- (3) Promises to neither ask for nor receive any compensation or remuneration of any kind for his/her services from the person on whose behalf service is rendered, but this shall not prevent a legal aid bureau, law school, or Government from paying compensation to the eligible law student, nor shall it prevent any agency from making such charges for its services as it may otherwise properly require; and
- (4) Certifies in writing that the law student has read and is familiar with the Maine Code of Professional Responsibility (Maine Bar Rule 3), the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Federal Rules of Evidence and the Rules of this Court.

The certification:

- (1) Shall be filed with the Clerk of this Court;
- (2) May be withdrawn by the Dean at any time by mailing notice to that effect to the Clerk of Court. It is not necessary that the notice state the cause for withdrawal; and

(3) May be terminated by the Court without notice or hearing and without any showing of cause. Notice of such termination shall be filed with the Clerk of Court.

**(c) Supervision**

A member of the Bar of this Court shall appear in court with any certified law student who appears in court pursuant to subsections (d) or (e) of this Rule. The member of the Bar shall file in the record of the case a written approval of the certified law student's appearance.

A member of the Bar of this Court shall supervise a certified law student in connection with any activities permitted by this Rule and shall:

- (1) Assume personal professional responsibility for the student's guidance in any work undertaken and shall supervise the quality of the student's work; and
- (2) Assist the student in preparation to the extent necessary.

**(d) Court Appearance on Behalf of Indigent Person**

A certified law student may appear in court in any civil or criminal proceeding on behalf of an indigent person receiving legal assistance from a law school clinical practice program, if the person on whose behalf the student is appearing consents in writing to that appearance. The written consent shall be filed in the record of the case.

**(e) Court Appearance on Behalf of Government**

A certified law student may appear in court in any criminal or civil proceeding on behalf of the Government with the written approval of the United States Attorney. The written approval shall be filed in the record of the case.

**(f) Other Activities**

A certified law student may prepare pleadings, briefs, and other documents to be filed in the court in any matter in which the student is eligible to appear pursuant to subsections (d) or (e). The document must be signed by the supervising lawyer.

Each pleading, brief, or other document must contain the name of the certified law student who participated in drafting it. If the student has participated in drafting only a portion of it, that fact may be mentioned.

**(g) Limitation**

Nothing contained in this rule shall affect the right of any person who is not admitted to practice law to do anything that might otherwise lawfully be done.