

STATE OF MINNESOTA

IN SUPREME COURT

ADM09-8002

ORDER PROMULGATING AMENDMENTS
TO THE STUDENT PRACTICE RULES

On May 1, 2013, the Minnesota State Board of Law Examiners will assume responsibility for administering the Student Practice Rules. In order to facilitate that transfer of responsibility, the Board of Law Examiners has recommended that certain amendments be made to the Student Practice Rules. The court has considered the proposed amendments and concluded that a public comment period is not necessary.

The court being fully advised in the premises,

IT IS HEREBY ORDERED THAT:

1. The attached amendments to the Student Practice Rules be, and the same are, prescribed and promulgated to be effective May 1, 2013.
2. The Student Practice Rules, as amended effective May 1, 2013, shall be posted on the website of the Minnesota State Board of Law Examiners.

Dated: March 4, 2013

BY THE COURT:

_____/s/_____

Lorie S. Gildea
Chief Justice

AMENDMENTS TO THE STUDENT PRACTICE RULES

In the following amendments, deletions are indicated by a line drawn through the words and additions by a line drawn under the words.

Rule 1. General Student Practice

1.03 Certification

The state, local, or other government unit or agency or organization or persons representing indigent clients shall submit in writing to the student's law school the student's name and a statement that the student will be properly supervised under the provisions of this practice rule. The student's law school shall then certify the student's academic standing and file this certification with the ~~Supreme Court~~Board of Law Examiners for approval. Written notification of approval shall be provided to the law school. The certification shall remain in effect for twelve (12) months after the date filed. Law students may be recertified for additional twelve-month periods. Certification shall terminate sooner than twelve (12) months upon the occurrence of the following events:

- (1) Certification is withdrawn by the unit, agency, organization, or person by mailing notice to that effect to the law student, the law school, and the ~~Supreme Court~~ Board of Law Examiners along with the reason(s) for such withdrawal;
- (2) Certification is terminated by the ~~Supreme Court~~ Board of Law Examiners by mailing notice to that effect to the law student, the law school, and the unit, agency, organization or person along with the reason(s) for such termination;
- (3) Certification shall terminate upon the student being placed on academic probation;
- (4) The student does not take the first bar examination following his or her graduation, upon which the certification will terminate on the first day of the exam;
- (5) The student takes but fails the bar examination, upon which the certification will terminate upon notice to the dean and the law student of such failure; or

(6) The student takes and passes the bar examination and is admitted to the bar of the court.

* * *

1.05 Miscellaneous

Nothing contained in this rule shall affect the existing rules of this court or the right of any person who is not admitted to practice law to do anything that he or she might lawfully do prior to the adoption of this rule. Any student enrolled in any school of law approved by the American Bar Association who otherwise meets the qualifications of this rule may petition ~~this Court~~ the supreme court for the rights provided by this rule.

(Amended effective May 1, 2013).

Rule 2. Clinical Student Practice

* * *

2.03 Certification

Certification of a student by the law school shall be filed with the ~~Supreme Court Board of Law Examiners~~ Supreme Court Board of Law Examiners for approval. Written notification of approval shall be provided to the law school. The certification shall remain in effect for twelve (12) months after the date filed. Law students may be recertified for additional 12-month periods. Certification shall terminate sooner than twelve (12) months upon the occurrence of the following events:

(1) Certification is withdrawn by the dean by mailing notice to that effect to the law student and the ~~Supreme Court Board of Law Examiners~~ Supreme Court Board of Law Examiners along with the reason(s) for such withdrawal;

(2) Certification is terminated by the ~~Supreme Court Board of Law Examiners~~ Supreme Court Board of Law Examiners by mailing a notice to that effect to the law student and to the dean along with the reason(s) for such termination;

(3) The student does not take the first bar examination following his or her graduation, upon which the certification will terminate on the first day of the exam;

(4) The student takes but fails ~~in~~ the bar examination, upon which the certification will terminate upon notice to the dean and the law student of such failure; or

(5) The student takes and passes the bar examination and is admitted to the bar of this court.

* * *

2.05 Miscellaneous

Nothing contained in this rule shall affect the existing rules of this court or the right of any person who is not admitted to practice law to do anything that he or she might lawfully do prior to the adoption of this rule. Any student enrolled in any school of law approved by the American Bar Association who otherwise meets the qualifications of this rule may petition ~~this Court~~ the supreme court for the rights provided by this rule.

(Amended effective May 1, 2013).

Rule 3. Student Observation of Professional Activities

* * *

Rule 3.03 Certification

Certification of a student by the law school shall be filed with the ~~Supreme Court Board of Law Examiners~~ Board of Law Examiners for approval. Written notification of approval shall be provided to the law school. The certification shall remain in effect for twelve (12) months after the date filed. Law students may be recertified for additional twelve-month periods. Certification shall terminate sooner than twelve (12) months upon the occurrence of the following events:

- (1) Certification is withdrawn by the dean by mailing notice to that effect to the law student and the ~~Supreme Court Board of Law Examiners~~ Board of Law Examiners along with the reason(s) for such withdrawal;
- (2) Certification is terminated by the ~~Supreme Court Board of Law Examiners~~ Board of Law Examiners by mailing a notice to that effect to the law student and to the dean along with the reason(s) for such termination;
- (3) The student does not take the first bar examination following his or her graduation, upon which the certification will terminate on the first day of the exam;
- (4) The student takes but fails ~~in~~ the bar examination, upon which the certification will terminate upon notice to the dean and the law student of such failure; or
- (5) The student takes and passes the bar examination and is admitted to the bar of this court.

(Added effective April 23, 2009.)

* * *

Rule 3.05 Miscellaneous

Nothing contained in this rule shall affect the existing rules of this court or the right of any person who is not admitted to practice law to do anything that he or she might lawfully do prior to the adoption of this rule. Any student enrolled in any school of law approved by the American Bar Association who otherwise meets the qualifications of this rule may petition ~~this Court~~ the supreme court for the rights provided by this rule.

(Added effective April 23, 2009.)

(Amended effective May 1, 2013).