

RULES OF THE SUPREME COURT OF KENTUCKY

ADMISSION OF PERSONS TO PRACTICE LAW

SCR 2.540 Limited student practice

Any student who has successfully completed two-thirds of the academic hour requirement for the first degree in law at an approved law school and is participating in a law school sponsored clinic, intern, extern, or public service program may provide legal services to, and may appear in any proceeding in any court of this state on behalf of any person financially unable to employ counsel, or, on behalf of the Commonwealth or the United States' Attorney; and any student who has successfully completed two-thirds of the academic hour requirements for the first degree in law may provide legal advice, counseling and negotiation services to a college or university student, regardless of that student's financial status, pursuant to an approved law school clinical program provided:

(a) Such student is providing such services to, or appearing in such proceeding on behalf of, a person assigned to the student through a clinic, intern, extern, or public service program operated by an approved law school under the direction of a full or part time law school director.

(b) The Chief Justice of the Supreme Court of Kentucky, the dean of the student's law school, and the director of the law school program in which such student is participating, have filed written approval of such student with the clerk of the Supreme Court, the clerk of the courts before which the student is to appear, and the clerk of the circuit court in the county wherein the student's law school is located.

(c) A member in good standing of the bar of this state personally supervises all activities of the student in each case, with the exception that the student may consult with the client or potential clients, but may not advise, negotiate or appear alone in administrative proceedings or in the courts of this state in civil or criminal matters without personal appearance and supervision by a member in good standing of the bar of this state, and as otherwise provided in this Rule.

In all criminal cases involving crime for which the defendant may be punished by a fine of more than \$500.00 or by confinement for more than twelve months, personal supervision of the activities of the student requires that a member in good standing of the bar of this state be present for all proceedings which take place before a judge.

In the defense of any criminal case which involves a crime for which the defendant may be punished by a fine of more than \$500.00 or by confinement for more than twelve months, and which is to be prosecuted in a county not having a formal public defender program, the attorney who is to supervise the student must be appointed by the judge of the court before whom the cause is pending.

No student authorized to perform legal services under this Rule shall ask for or receive any compensation or remuneration of any kind for the services. This Rule does not prevent a law school from awarding scholarships or fellowships to a law student authorized to perform legal services under this Rule.

Unless earlier revoked, approval to perform legal services under this Rule shall be effective until the Monday following the distribution of results of the first bar examination for which an approved law graduate could be admitted to practice under the Rules of the Court.

Any student authorized to perform legal services under this Rule must subscribe to the following

oath.

OATH OF LEGAL INTERN UNDER STUDENT PRACTICE RULE

I, _____, do solemnly swear that I will, as a Legal Intern, support and defend the Constitution of the United States and the Constitution of the State of Kentucky; that cognizant of the trust placed in me and the responsibility it carries, I will conduct myself in all matters to the extent given me as an officer of the court with the utmost fidelity toward the court and all persons whose affairs are in any way entrusted to me; that I will neither take part in deception of the court, nor allow deception to take place, and should any be practiced will inform the court; that I will accept no remuneration for services performed as a Legal Intern except those specifically provided by the Rules of the Supreme Court; that I subscribe to and will abide by the Rules of Professional Conduct as adopted by the Supreme Court of Kentucky; and that I will so exercise these privileges given me that it may be alike useful in the service of justice and in my preparation to assume full responsibility later as a member of the bar.

The above and foregoing Oath was subscribed to by the above named Legal Intern and administered to him/her by me, on this _____ day of _____, 19____.

Notary Public

HISTORY: Amended by Order 99-1, eff. 2-1-00; prior amendments eff. 3-1-98 (Order 97-4), 3-1-98 (Order 97-3), 10-1-94 (Order 94-1), 7-1-78, 1-1-78