

IN THE SUPREME COURT OF ALABAMA
September 19, 2006

ORDER

IT IS ORDERED that the Alabama Rule for Legal Internship by Law Students be amended to read in accordance with the appendix attached to this order;

IT IS FURTHER ORDERED that this amendment is effective September 19, 2006.

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow the Alabama Rule for Legal Internship by Law Students:

"Note from the reporter of decisions: The order amending the Alabama Rule for Legal Internship by Law Students, effective September 19, 2006, is published in that volume of Alabama Reporter that contains Alabama cases from ___ So. 2d."

Nabers, C.J., and See, Lyons, Harwood, Woodall, Stuart, Smith, Bolin, and Parker, JJ., concur.

I Robert G. Esdale, Sr., as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 19th day of Sept., 2006

Robert G. Esdale, Sr.
Clerk, Supreme Court of Alabama

APPENDIX

ALABAMA RULE FOR LEGAL INTERNSHIP BY LAW STUDENTS

I. PURPOSE

The purpose of this rule is to help the Bar discharge its responsibility to provide competent legal services for all persons, and to encourage law schools to provide senior law students with practical training during the period of their formal education, and to establish procedures to govern student internships and supervision by sponsoring attorneys.

II. APPEARANCE BEFORE COURT OR TRIBUNAL

A. An eligible law student may appear as a student intern in any civil or criminal matter in any court or before an administrative tribunal in this State if the person on whose behalf he or she is appearing has consented in writing to that appearance and the sponsoring attorney, who shall also be the attorney of record in the court or tribunal, has approved the appearance in writing.

B. The certification of the client and the sponsoring attorney shall be submitted to the court or tribunal of appearance, which shall enter an order allowing the appearance. The certification shall be made a part of the record of the court or tribunal in the case or proceedings for which the student intern shall provide services on behalf of the client.

C. The sponsoring attorney shall personally supervise and oversee at all times any such student intern who shall appear before any court or administrative tribunal, and in any case tried before a jury the licensed attorney of record shall be present in court at all times during the trial of the case.

D. A student intern may also appear in any criminal matter on behalf of the State with the written approval of the prosecuting attorney or his or her authorized representative.

III. SERVICES

A. A student intern may make court appearances and provide any related services on behalf of the client that are approved by the client, the sponsoring attorney, and the court or tribunal.

B. In addition, a student intern may engage in other services, under the supervision of a member of the Alabama State Bar, including:

1. Preparation of pleadings and other documents to be filed in any matter, but such papers must be signed by the attorney of record.

2. Preparation of briefs, abstracts, and other documents to be filed in appellate courts of this State, but such documents must be signed by the attorney of record.

C. A student intern shall be authorized to interview, advise, and negotiate for a client while rendering assistance to the sponsoring attorney.

IV. REQUIREMENTS AND LIMITATIONS

In order to perform any services pursuant to the rule, the student intern must:

- A. Be registered as a law student with the Secretary of the Board of Commissioners of the Alabama State Bar (hereinafter "Secretary") and duly enrolled in any school of law from which a graduate of such school is qualified and authorized to stand for the State of Alabama Bar Examination, provided such school of law has a full-time faculty member or a full-time administrator who is a graduate of a school of law supervising the certification of students and assigned the duties of supervising and counseling eligible and certified students. The registration requirements herein shall be satisfied by compliance with Rule I.A of the Rules Governing Admission to the Alabama State Bar. If a student desires to participate under this rule and does not intend to seek admission to the Alabama State Bar, the student must register in accordance with Rule I.A; however, the penalty imposed for

failure to register within 60 days of entry into law school shall not be applicable to the student.

B. Have completed legal studies amounting to at least four (4) semesters (not less than 54 semester hours), or the equivalent if the school is on some basis other than a semester basis.

C. Be certified in writing by the dean of his or her law school as being of good character and competent legal ability, and as being adequately trained to perform as a legal intern.

D. Be introduced to the court in which he or she is appearing by an attorney admitted to practice in that court.

E. Certify in writing that he or she has read and will abide by the Alabama Rules of Professional Conduct and also subscribe to an oath that he or she will support the Constitutions of the United States and the State of Alabama and will faithfully perform the duties of a student intern. The certificate and oath are to be filed with the Secretary.

F. Neither ask for nor receive any compensation or remuneration of any kind for specific services from the person on whose behalf he or she renders services; provided, however, that the student intern may be paid a set salary or hourly wage by an employing lawyer, law firm, government office, or other entity providing legal services.

G. The sponsoring attorney shall certify to the court or tribunal that he or she will fulfill his or her responsibilities as sponsoring attorney as set forth in this rule.

V. CERTIFICATION

The certification of a student by the law school dean:

A. Shall be filed with the Secretary and shall remain in force and effect as long as he or she continues as a student in good standing, and after graduation from law school may remain in force and effect until the results of the next Alabama Bar examination are announced.

B. May be withdrawn by the dean at any time by mailing a notice to that effect to the Secretary.

C. May be terminated by the Board of Commissioners of the Alabama State Bar at any time. Notice of the termination shall be filed with the Secretary and with the dean of the law school in which the student is enrolled.

D. The Secretary shall maintain a continuous register of all law students currently certified as legal interns. This register shall include all pertinent information required under this rule.

VI. ATTORNEY'S RESPONSIBILITY

The member of the Bar to whom the eligible student intern is assigned and under whom the student intern does any of the things permitted by this rule shall:

A. File an appropriate certificate as sponsoring attorney of a law student intern with the Secretary.

B. Assume personal professional responsibility under the Alabama Rules of Professional Conduct for the student intern's work.

C. Secure the prior written consent of the client for the services actually to be performed in court by the student intern and keep the client advised of the services being performed by the student intern.

D. Supervise the activities and services of the student intern, all of which shall be performed under the member's direction and with his or her knowledge and approval.