

IN THE COURT OF APPEALS OF MARYLAND

R U L E S O R D E R

WHEREAS, in response to a comment letter from the Access to Justice Department requesting modification of Forms 19-A.1 and 19-A.2 in connection with the Attorney Information System implementation rules changes proposed in the One Hundred Ninety-Eighth Report of the Rules Committee, this Court, by Rules Order dated December 3, 2018, adopted amendments to Forms 19-A.1 and 19-A.2, together with related amendments to current Rule 19-214 (Special Admission of Out-of-State Attorneys Pro Hac Vice) that included renumbering it as Rule 19-217, all effective January 1, 2019; and

WHEREAS, by that Rules Order, current Rule 19-217 (Legal Assistance by Law Students) will be renumbered Rule 19-220, effective March 1, 2019; and

WHEREAS, it has come to the Court's attention that between January 1, 2019 and March 1, 2019, if no further amendment is made, two Rules would have been assigned the same number; and

WHEREAS, this Court having considered this matter at an open meeting, notice of which was posted as prescribed by law, and finding that an emergency exists with reference to it, it is this 12th day of December, 2018,

ORDERED that current Rule 19-217 (Legal Assistance by Law Students) be, and it is temporarily renumbered, without substantive change, as Rule 19-217.1, effective January 1, 2019; and it is further

ORDERED that the temporary renumbering shall, without further Order of the Court, automatically terminate on March 1, 2019, on which date all amendments to current Rule 19-217 contained in this Court's Rules Order of December 3, 2018, including the renumbering of it as Rule 19-220, shall become effective; and it is further

ORDERED that a copy of this Order be posted promptly on the website of the Maryland Judiciary.

/s/ Mary Ellen Barbera

Mary Ellen Barbera

/s/ Clayton Greene, Jr.

Clayton Greene, Jr.

/s/ Robert N. McDonald

Robert N. McDonald

/s/ Shirley M. Watts

Shirley M. Watts

/s/ Michele D. Hotten

Michele D. Hotten

/s/ Joseph M. Getty

Joseph M. Getty

Filed: December 12, 2018

/s/ Suzanne C. Johnson

Acting Clerk
Court of Appeals of Maryland

Pursuant to Maryland Uniform Electronic Legal
Materials Act
(§§ 10-1601 et seq. of the State Government Article) this document * authentic.



Suzanne C. Johnson, Acting Clerk

MARYLAND RULES OF PROCEDURE

TITLE 19 - ATTORNEYS

CHAPTER 200 - ADMISSION TO THE BAR

AMEND current Rule 19-217 by temporarily renumbering it Rule 19-217.1, as follows:

Rule ~~19-217~~ 19-217.1. LEGAL ASSISTANCE BY LAW STUDENTS

(a) Definitions

As used in this Rule, the following terms have the following meanings:

(1) Law School

"Law school" means a law school that meets the requirements of Rule 19-201 (a) (2).

(2) Clinical Program

"Clinical program" means a law school program for credit in which a student obtains experience in the operation of the legal system by engaging in the practice of law that (A) is under the direction of a faculty member of the school and (B) has been approved by the Section Council of the Section of Legal Education and Admission to the Bar of the Maryland State Bar Association, Inc.

(3) Externship

“Externship” means a field placement for credit in a government or not-for-profit organization in which a law student obtains experience in the operation of the legal system by engaging in the practice of law, that (A) is under the direction of a faculty member of a law school, (B) is in compliance with the applicable American Bar Association standard for study outside the classroom, (C) has been approved by the Section Council of the Section of Legal Education and Admission to the Bar of Maryland State Bar Association, Inc., and (D) is not part of a clinical program of a law school.

(4) Supervising Attorney

“Supervising attorney” means an attorney who is a member in good standing of the Bar of this State and whose service as a supervising attorney for the clinical program or externship is approved by the dean of the law school in which the law student is enrolled or by the dean's designee.

(b) Eligibility

A law student enrolled in a clinical program or externship is eligible to engage in the practice of law as provided in this Rule if the student:

- (1) is enrolled in a law school;

(2) has read and is familiar with the Maryland Attorneys' Rules of Professional Conduct and the relevant Maryland Rules of Procedure; and

(3) has been certified in accordance with section (c) of this Rule.

(c) Certification

(1) Contents and Filing

The dean of the law school shall file the certification of a student with the Clerk of the Court of Appeals. The certification shall state that the student is in good academic standing and has successfully completed legal studies in the law school amounting to the equivalent of at least one-third of the total credit hours required to complete the law school program. It also shall state its effective date and expiration date, which shall be no later than one year after the effective date.

(2) Withdrawal or Suspension

The dean may withdraw the certification at any time by mailing a notice to that effect to the Clerk of the Court of Appeals. The certification shall be suspended automatically upon the issuance of an unfavorable report of the Character Committee made in connection with the student's application for admission

to the Bar. Upon any reversal of the unfavorable report, the certification shall be reinstated.

(d) Practice

In connection with a clinical program or externship, a law student for whom a certification is in effect may appear in any trial court or the Court of Special Appeals, or before any administrative agency, and may otherwise engage in the practice of law in Maryland, provided that the supervising attorney (1) is satisfied that the student is competent to perform the duties assigned, (2) assumes responsibility for the quality of the student's work, (3) directs and assists the student to the extent necessary, in the supervising attorney's professional judgment, to ensure that the student's participation is effective on behalf of the client the student represents, and (4) accompanies the student when the student appears in court or before an administrative agency. The law student shall neither ask for nor receive personal compensation of any kind for service rendered under this Rule, but may receive academic credit pursuant to the clinical program or externship.

Source: This Rule is derived from former Rule 16 of the Rules Governing Admission to the Bar of Maryland (2016).