

**Amendment to the
Montana Student Practice Rule
August 13, 1991**

The following order was issued by the Montana Supreme Court on August, 13, 1991:

**IN THE MATTER OF THE AMENDMENT
OF THE MONTANA STUDENT PRACTICE RULE**

By order dated April 30, 1975, this Court adopted the Montana Student Practice Rule (Rule). The Rule allows certain law students to provide assistance to practicing lawyers, within limited parameters. One of the provisions of the Rule has been that the law student must have completed legal studies amounting to at least two-thirds of the total credit hours required for graduation before being eligible to practice under the Rule.

Over the past several years, it has come to the Court's attention that a number of law students have essentially completed two-thirds of their law school studies but are a few credits short of the Rule's requirement. It has been the practice of the Court, upon petition by these students, to allow them to practice under the Rule provided that they are certified by the dean of the law school as being of good character and competent legal ability and as being adequately trained to perform as a legal intern. It is our intention to incorporate this practice the Rule

IT IS NOW ORDERED that Section III of the Montana Student Practice Rule is amended to read as follows:

III. Requirements and Limitations

In order to make an appearance pursuant to this rule, the law student must:

- A. Be duly enrolled in a law school approved by the American Bar Association.
- B. Have completed legal studies amounting to at least two-thirds (2/3) of the total credit hours required for graduation, or be within five credit hours (assuming ninety credits are required for graduation) of meeting this requirement.
- C. Be certified by the dean of the 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 is appearing by an attorney admitted to practice in that court.
- E. Neither ask for nor receive any compensation or remuneration of any kind for his services from the person on behalf he renders services; but this shall not prevent a lawyer,

legal aid bureau, law school, public defender agency, or the state 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.

F. Certify in writing that he has read and is familiar with and will abide by the Code of Professional Responsibility.

The Clerk is instructed to send a copy of this order to J. Martin Burke, dean of the Law School of the University of Montana.

DATED this 13th day of August, 1991.