

27 NCAC 01C .0206 ACTIVITIES

(a) A properly certified law student may engage in the activities provided in this rule under the supervision of an attorney qualified and acting in accordance with the provisions of Rule .0205 of this subchapter.

(b) Without the presence of the supervising attorney, a certified law student may give advice to a client, including a government agency, on legal matters provided that the certified law student gives a clear prior explanation that the certified law student is not an attorney and the supervising attorney has given the certified law student permission to render legal advice in the subject area involved.

(c) A certified law student may represent an eligible person, the state in criminal prosecutions, a criminal defendant who is represented by the public defender, or a government agency in any proceeding before a federal, state, or local tribunal, including an administrative agency, if prior consent is obtained from the tribunal or agency upon application of the supervising attorney. Each appearance before the tribunal or agency shall be subject to any limitations imposed by the tribunal or agency including, but not limited to, the requirement that the supervising attorney physically accompany the certified law student.

(d) In all cases under this rule in which a certified law student makes an appearance before a tribunal or agency on behalf of a client who is an individual, the certified law student shall have the written consent in advance of the client. The client shall be given a clear explanation, prior to the giving of his or her consent, that the certified law student is not an attorney. This consent shall be filed with the tribunal and made a part of the record in the case. In all cases in which a certified law student makes an appearance before a tribunal or agency on behalf a government agency, the consent of the government agency shall be presumed if the certified law student is participating in a law school externship program or an internship program of the government agency. A statement advising the court of the certified law student's participation in an externship or internship program at the government agency shall be filed with the tribunal and made a part of the record in the case.

(e) In all cases under this rule in which a certified law student is permitted to make an appearance before a tribunal or agency, subject to any limitations imposed by the tribunal, the certified law student may engage in all activities appropriate to the representation of the client, including, without limitation, selection of and argument to the jury, examination and cross-examination of witnesses, motions and arguments thereon, and giving notice of appeal.

History Note: Authority G.S. 84-23;

Readopted Eff. December 8, 1994;

*Amendments Approved by the Supreme Court: June 7, 2001; March 6, 2002; March 6, 2008;
April 21, 2021.*