

NMRA, Rule 5-110.1

RULE 5-110.1 CLINICAL EDUCATION; OUT-OF-STATE LAW SCHOOL APPROVED PROGRAMS

Law students may advise persons and appear before the district courts in criminal matters in accordance with Rules 1-094 and 1-094.1 of the Rules of Civil Procedure for the District Courts.

[Adopted effective Oct. 1, 1995.]

NMRA, Rule 5-110.1, NM R DIST CT RCRP Rule 5-110.1 State court rules are current with amendments received through May 1, 2016. MRA, Rule 1-094.1

RULE 1-094.1. CLINICAL EDUCATION; OUT-OF-STATE LAW SCHOOL APPROVED PROGRAMS

A. Purpose. To permit out-of-state law students to earn law school clinical law credit hours under the supervision of New Mexico attorneys.

B. Practice Permitted. An eligible law student may advise persons, negotiate and appear before the courts and administrative agencies of this state, in civil and criminal matters, under the active supervision of a member of the state bar of New Mexico who has been admitted to practice law for at least five (5) years. Such supervision shall include assignment of all matters, review and examination of all documents and signing of all pleadings prepared by the student. The supervising lawyer need not be present while a student is advising a client or negotiating, but shall be present during court appearances. Each student in the program may appear in a given court with the written approval of the judge presiding over the case and shall file in the court a copy of the order granting approval and a copy of the dean of the law school's certificate required by Paragraph C of this rule. The order approving the practice by such student and the certificate of the dean of the law school shall be substantially in the form approved by the Supreme Court.

C. Eligible Students. Any law student who is regularly enrolled in an American Bar Association accredited law school may participate in a clinical law program of that law school under the direction of a qualified lawyer of this state as provided in Paragraph B of this rule if the dean of such law school provides a certificate to the supervising lawyer:

- (1) that the clinical law program complies with the current standards of the American Bar Association regarding "field placement programs";
- (2) the student has received a passing grade in law school courses aggregating thirty (30) or more semester hours or their equivalent; and
- (3) the student meets the academic and moral standards required of students enrolled at the institution.

D. Additional Student Requirements. Prior to participating in a clinical law program pursuant to the provisions of this rule, an eligible law student shall read and be familiar with the Rules of Professional Conduct and this rule.

E. Certificate Requirements. In addition to the requirements set forth in Paragraph C of this rule, the certificate of the dean of an out-of-state law school shall specify the period during which the law student will participate in the clinical law program. Certificates shall be limited to terms not exceeding four (4) months.

[Adopted effective Jan. 1, 1995.]

NMRA, Rule 1-094.1, NM R DIST CT RCP Rule 1-094.1

State court rules are current with amendments received through May 1, 2016.