NOTICE OF COMMENT PERIOD

The Nebraska State Bar Association proposed amendments to the Nebraska Supreme Court rules; specifically, Chapter 3, Article 7: Senior Law Students; Limited Practice of Law.

The Nebraska Supreme Court invites those interested to comment on the proposed rule amendments. Anyone desiring to submit a public comment for the Supreme Court's consideration should do so via email to joshua.shasserre@nejudicial.gov, with the following text listed in the email subject line: **Chapter 3, Article 7: Senior Law Students.** Comments will be accepted through April 1, 2027.

The full text of the proposed amendments is available below. To obtain a paper copy, please call the Clerk's Office at 402-471-3731.

CHAPTER 3: ATTORNEYS AND THE PRACTICE OF LAW

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Article 7: Senior Law Students; Limited Practice of Law.

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§ 3-701. Purpose.

The purpose of this rule is to provide senior law students with supervised practical training in the practice of law during the period of their formal legal education and the 12-month period immediately following graduation prior to being admitted to full practice before this court.

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§ 3-703. Requirements and limitations.

To become eligible to participate in legal activities pursuant to this rule, a law student must:

(A) Be duly enrolled in, or have graduated from, a law school ~~approved~~ accredited by the American Bar Association. A law student will be considered duly enrolled during the period of his or her law school's next summer vacation period following completion of the requirements of § 3-703(B), and for the 12 months following the student's graduation from law school.

(B) Have completed legal studies sufficient to have attained senior standing at his or her law school.

(C) Be certified 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 under the general supervision of the attorney or attorneys designated by name.

(D) To the extent the student is appearing before a court, be introduced to the court in which he or she is appearing by an attorney duly admitted to practice in that court.

(E) To the extent the student is appearing before a court, receive the affirmative consent of the court in which he or she is appearing to appear before it.

(F) Not ask for or receive any compensation or remuneration of any kind for his or her services directly from the client on whose behalf he or she renders services. This provision is not intended to preclude the supervising attorney from compensating the eligible law student nor to prevent the supervising attorney from receiving a fee from the client for the services performed in compliance with the otherwise applicable rules of proper professional conduct.

(G) For purposes of Neb. Ct. R. §§ 2-201(I) and 2-208(C)(1), the student shall be considered a non-attorney user and required to comply with all applicable provisions of those rules.

(H) Certify in writing that the law student has read the Nebraska Rules of Professional Conduct as adopted by the Supreme Court of Nebraska and agrees to be subject to and abide by those rules; and provide the written certification to the law school dean prior to certification of the law student by the dean under § 3-705.

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§ 3-705. Certification.

The certification of a student by the law school dean:

(A) Shall be filed with the Clerk of this Court and, unless it is sooner withdrawn, shall terminate upon the earlier of: ~~the student does not take the first bar examination following his or her graduation, or if the student takes such bar examination and fails it, or if he or she is admitted to full practice before this court.~~

(1) the passage of 12 months from the date of his or her graduation from an accredited law school;

(2) denial of an application for admission to the bar of Nebraska for any reason other than failure of a bar examination; or

(3) being admitted to the bar in any jurisdiction.

(B) May be withdrawn by the dean at any time by mailing a notice thereof to the Clerk of this Court. It is not necessary that the notice state the cause for withdrawal.

(C) May be terminated by this Court at any time without prior notice and without any showing of cause.

(D) May be withdrawn at any time by the supervising attorney. Upon the event of such a withdrawal, the supervising attorney shall immediately notify the Clerk of the Supreme Court that supervision of the student will cease. The supervising attorney shall also provide immediate notice to the student and the student's law school.

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