

Rule 715

LEGAL INTERN PERMIT

- (a) **Purpose.** This rule provides a law student the opportunity to gain practical skills in a supervised environment by assisting a licensed attorney in providing competent legal services to clients, including individuals unable to pay for these services. Law schools are encouraged to provide clinical instruction for legal interns.
- (b) **Eligibility.** To obtain a legal intern permit, a student must meet the following qualifications:
 - (1) be enrolled at a law school approved by the American Bar Association;
 - (2) have successfully completed or be concurrently enrolled in the professional responsibility course required by the law school; and
 - (3) have successfully completed either 59 hours of legal studies or 44 hours of legal studies if an attorney described in subsection (e)(5)(C) will supervise the student's work.
- (c) **Required Documents and Fee.** A student must submit the following:
 - (1) an application for a legal intern permit submitted and accepted through the Attorney Admissions office's online portal;
 - (2) the contact information for the supervising attorney who will provide the certification required under subsection (e)(3); and
 - (3) the fee under Rule 707(a)(1).
- (d) **Law School Certification.** The dean, or the dean's designee, of the law school where the student is enrolled must certify that the student meets the required number of hours under subsection (b)(3) and possesses good moral character and the legal ability and training to perform as a legal intern.
- (e) **Supervising Attorney.** A student with a legal intern permit may only practice law under the supervision of a licensed attorney.
 - (1) **Full Responsibility.** A supervising attorney is fully responsible for an intern's activities performed under the attorney's supervision and must provide all necessary training and assistance.
 - (2) **Qualifications.** A supervising attorney must meet the following qualifications:
 - (A) be a Kansas attorney who is registered as active under Rule 206, in good standing, and regularly engaged in the practice of law in Kansas; and
 - (B) have never received professional discipline of any kind.
 - (3) **Certification.** The supervising attorney must certify the following on a form provided by the Attorney Admissions office:

- (A) the supervising attorney meets the qualifications in subsection (e)(2);
 - (B) the supervising attorney is professionally responsible for guiding the intern's work and for supervising the quality of the intern's work; and
 - (C) the dates the supervision of the intern begins and ends, which may be no later than the intern's law school graduation date.
- (4) **Period of Supervision.** A supervising attorney must immediately submit written notice to the Attorney Admissions office and the intern when the supervision ends or is terminated for any reason. At that time, the intern's permit is considered inactive until a new supervising attorney provides certification under subsection (e)(3) and the permit is transferred under subsection (h) or until the permit terminates under subsection (f).
- (5) **Number of Interns.** A supervising attorney must not supervise more than two interns at the same time, except for the following attorneys:
- (A) a full-time staff member of a state or local legal aid society;
 - (B) the attorney general or a county attorney, district attorney, municipal attorney, or public defender; or
 - (C) an attorney who is regularly engaged in the teaching of law at a law school approved by the American Bar Association and whose duties include participation in a legal clinic or field placement program operated as a regular part of the law school's educational program.
- (6) **Number of Supervising Attorneys.** An intern may have more than one supervising attorney if each supervising attorney submits the certification required under subsection (e)(3) to the Attorney Admissions office.
- (f) **Duration of Permit; Upon Graduation or Earlier.** A legal intern permit terminates on the date of the intern's graduation from law school. A permit may become inactive or terminate earlier than graduation under the following circumstances.
- (1) **Period of Supervision Ends.** A permit becomes inactive at the conclusion of the term of supervision stated in the certification provided under subsection (e)(3)(C).
 - (2) **Withdrawal of Supervising Attorney.** A permit becomes inactive when a supervising attorney provides notice to the Attorney Admissions office under subsection (e)(4).
 - (3) **Withdrawal of Law School Certification.** A permit terminates if the law school dean or the dean's designee submits to

the Attorney Admissions office a notice of withdrawal of the certification provided under subsection (d).

(A) The law school dean or the dean's designee must immediately submit to the Attorney Admissions office a notice of withdrawal of the certification provided under subsection (d) if the intern does any of the following:

- (i) graduates earlier than stated in the application;
- (ii) withdraws from law school;
- (iii) fails to remain in good standing;
- (iv) engages in conduct that would prevent the law school from certifying the student's character and fitness qualifications for any jurisdiction's board of bar examiners; or
- (v) engages in conduct that demonstrates the student is unfit for the duties and responsibilities of a legal intern.

(B) The law school dean or the dean's designee need not provide the intern notice, a hearing, or any showing of cause prior to withdrawal of the certification provided under subsection (d).

(4) **Termination by Supreme Court.** The Supreme Court may terminate a permit without notice, a hearing, or any showing of cause.

(g) **Notice.** The Attorney Admissions office will send notice to the intern, the supervising attorney, and the law school dean when the permit becomes inactive or is terminated prior to law school graduation.

(h) **Transfer of Permit.** If an intern obtains a new supervising attorney, the permit may be transferred as set forth below without submitting a new application or filing fee under subsection (c).

(1) The intern must provide the Attorney Admissions office with the contact information for the supervising attorney who will provide the new certification required under subsection (e)(3).

(2) Upon receipt of the new supervising attorney's certification, the Attorney Admissions office will transfer the permit and provide notice of the transfer to the intern and the law school dean. An intern must not perform any service under this rule until receipt of the transfer notice.

(i) **Client's Written Consent.** Before an intern may represent a non-government client, the client must consent in writing to representation by the intern. The client must separately consent in writing to the legal intern appearing in court under subsection (k)(2) without a supervising attorney present. The supervising attorney must countersign the client's written consent.

- (j) **Entry of Appearance.** Subject to the requirements of this rule, an intern may appear in any court or before any administrative tribunal.
 - (1) **Introduction.** A supervising attorney must introduce an intern in the manner prescribed by the individual court.
 - (2) **Nongovernment Client.** When an intern represents a nongovernment client, a supervising attorney must file an entry of appearance in each case that states the intern's representation and attach a copy of the client's written consent under subsection (i).
 - (3) **Government Client.** When the intern represents the government, the intern or supervising attorney must file the type of notice required for appearance before the court.
- (k) **In-Court Appearance.** An intern's appearance in court is subject to the following requirements.
 - (1) The supervising attorney must be personally present for any in-court proceeding, except a proceeding under subsection (k)(2) or (k)(3).
 - (2) With the client's consent under subsection (i), the supervising attorney's written consent, and the court's approval, an intern may appear in court without the supervising attorney's personal presence in the following matters:
 - (A) a civil matter, other than a domestic matter, when the amount in controversy is less than \$1,000; and
 - (B) a criminal matter when the intern is appearing on behalf of a defendant who does not have the right to counsel under any constitutional provision, statute, or court rule.
 - (3) With the supervising attorney's written consent and the court's approval, an intern may appear on the government's behalf in a criminal matter without the supervising attorney's personal presence.
 - (4) An intern may not participate in oral argument in the Supreme Court or the Court of Appeals unless the supervising attorney files a motion requesting special permission and the court grants the request.
- (l) **Out-of-Court Practice.** An intern may perform any function of an attorney subject to the following guidelines.
 - (1) With the supervising attorney's approval, an intern may engage in the out-of-court practice of law outside the supervising attorney's personal presence.
 - (2) The supervising attorney must fulfill the following duties:
 - (A) approve any legal document prepared on a client's behalf that affects the client's rights or interests; and

- (B) sign all documents filed with a court or administrative body, unless the administrative body specifically allows intern-only signature.
- (m) **Compensation.** An intern must not accept direct compensation in any form from a client. But an attorney, law firm, legal aid bureau, public defender agency, state, county, or municipality may compensate the intern and charge a client for the intern's services.
- (n) **Master of Laws Student.** A student who is enrolled in a Master of Laws program (LL.M.) at a law school approved by the American Bar Association and who has previously received a Juris Doctor degree from a law school approved by the American Bar Association is eligible to apply for a legal intern permit under this rule.
- (o) **Change of Contact Information.** An intern must update the information in the Attorney Admissions office's online portal immediately after any change of legal name, residential address, or personal phone number during the pendency of the legal intern permit.

[History: New rule adopted effective July 1, 2022.]