

NOTICE TO THE BAR

AMENDMENTS TO RULE 1:21-3 – APPEARANCE WITHOUT SUPERVISION BY LAW GRADUATES EMPLOYED BY CERTAIN NONPROFIT ENTITIES ASSOCIATED WITH ABA-ACCREDITED LAW SCHOOLS

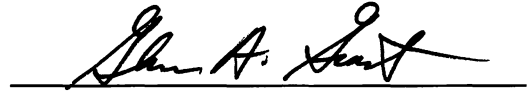
The Supreme Court by order dated October 8, 2019 has adopted amendments to Rule 1:21-3 (“Appearance by Law Graduates and Students; Special Permission for Out-of-State Attorneys”) to permit law graduates employed by law school affiliated nonprofit organizations that provide legal assistance to persons of low- and low-moderate means to appear on certain matters without supervision prior to passage of the New Jersey bar examination.

The amendments to Rule 1:21-3, as published with this notice, are effective immediately.

Permission to appear without in-court attorney supervision applies only to law graduates (not law students) working with a qualifying law school nonprofit organization (as defined by Rule 1:21-1(e)) that provides legal services to persons of low- and low-moderate incomes. Law graduates employed by such law school legal services organizations may appear before the Appellate Division, a trial court, or an agency, without attorney supervision if the matter does not involve potential incarceration of a client for more than six months, or a potential monetary award for or against a client of more than \$100,000. Permission to appear without attorney supervision concludes if the graduate fails to sit for and pass the first bar examination scheduled after graduation.

The amendments to Rule 1:21-3(a) reinforce the Court’s support of law school associated nonprofit organizations that assist persons who do not qualify for pro bono legal help and who are unable to afford legal services at standard market rates. Allowing law graduates to appear in court without supervision will enable such organizations to employ more law graduates and to provide reduced-fee services to more clients. The Court’s action is intended to improve access to our courts by persons who otherwise would decline to seek legal relief or would be forced to do so without legal guidance. Expanding the capacity of law school affiliated nonprofit organizations to educate, train, and mentor law graduates also is designed to improve the quality of the New Jersey bar, including by supporting acquisition of practical skills in an expedited and hands-on manner while instilling in recent graduates a greater understanding of the value of legal representation as well as potential barriers to equal access to justice.

Questions regarding this notice may be directed to the Office of the
Administrative Director of the Courts at (609) 376-3000.

A handwritten signature in black ink, appearing to read "Glenn A. Grant", is positioned above a horizontal line.

Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: October 9, 2019

SUPREME COURT OF NEW JERSEY

It is ORDERED that the attached amendments to Rule 1:21-3 of the Rules Governing the Courts of the State of New Jersey are adopted to be effective immediately.

For the Court,

A handwritten signature in blue ink, appearing to read "S. G. ...", is written over the text "For the Court,".

Chief Justice

Dated: October 8, 2019

1:21-3. Appearance by Law Graduates and Students; Special Permission for Out-of-State Attorneys

(a) Appearance Prior to Passing Bar Examination. A graduate of a law school [approved] accredited by the American Bar Association may, before passing the bar examination, appear in any court for the purpose of answering the calendar call in an action in which the attorney or firm employing the graduate is the attorney of record. A graduate of a law school accredited by the American Bar Association and employed by a nonprofit organization incorporated in this or any other state for the purpose of providing legal assistance to persons of low and low-moderate means, which is affiliated or associated with an ABA-accredited law school and has a program to educate, mentor, or train recent law school graduates, as defined by R. 1:21-1(e), may appear before the Appellate Division, a trial court, or an agency, without attorney supervision if the matter does not involve potential incarceration of a client for more than six months, or a potential monetary award for or against a client of more than \$100,000. Permission to appear without attorney supervision pursuant to this paragraph by a law graduate who has not passed the New Jersey bar examination shall terminate upon the graduate's failure to sit for and pass the first bar examination scheduled following graduation.

(b) Appearance by Law Students and Graduates.

No change...

(c) Permission for Out-of-State Attorneys to Practice in This State.

No change...

Note: Source - R.R. 1:12-8A(a)(b)(c). Caption amended and paragraph (d) adopted July 1, 1970 effective immediately; paragraph (c) amended July 7, 1971 to be effective September 13, 1971; paragraph (a) amended April 2, 1973 to be effective immediately; paragraph (c) amended July 17, 1975 to be effective September 8, 1975; caption and paragraph (a) amended July 29, 1977 to be effective September 6, 1977; paragraph (c) amended July 16, 1979 to be effective September 10, 1979; paragraph (c) amended October 9, 1979 to be effective immediately but amendment

stayed October 31, 1979; paragraph (c) amended July 21, 1980 to be effective September 8, 1980; paragraph (d) amended July 16, 1981 to be effective September 14, 1981; former paragraph (b) deleted and former paragraphs (c) and (d) redesignated as (b) and (c) November 1, 1985 to be effective January 2, 1986; paragraphs (a), (b) and (c) amended July 13, 1994 to be effective September 1, 1994; paragraph (c) amended July 12, 2002 to be effective September 3, 2002; paragraph (c) amended July 27, 2006 to be effective September 1, 2006; paragraphs (a), (b) and (c) amended, and subparagraphs (c)(1) and (c)(2) amended, former subparagraphs (c)(3) and (c)(4) deleted, and former subparagraphs (c)(5) and (c)(6) redesignated as (c)(3) and (c)(4) July 22, 2014 to be effective January 1, 2015; paragraph (b) amended March 6, 2017 to be effective immediately; paragraph (a) amended October 8, 2019 to be effective immediately.