

## Massachusetts Student Practice Rule 3:03 Issues

The chief purpose of MA Student Practice Rule 3:03 is to provide students the opportunity to gain in-court experience under the supervision of attorneys under limited and specified situations. In addition to providing supervised training, it may provide the added benefit of enabling students who obtain employment with a limited number of employers with the opportunity to represent those employers during the period right after the bar exam and up until the results of the July bar exam. The qualifying employers in MA are legal services organizations representing the indigent, the Committee for Public Counsel Services (CPCS), county district attorney offices, and the MA Attorney General's Office.

The purpose of the rule is not, however to enable you to obtain employment with work for those employers. Accordingly, 3:03 certification must be obtained at least three months prior to graduation, which means sometime on or about February 25 of your graduation year.

**The MA Supreme Judicial Court will not issue such certification simply to enable a student to obtain post-graduate employment with a prosecutor's office or public defender's office in MA.** If you have never been certified under MA Student Practice 3:03 before and if you are being considered for post-grad employment with a CPCS office or district attorney's office here in MA requiring such certification, you need to get that certification request approved at least 3 months prior to graduation in order to be permitted to work for those employers from late July/early August up until the first bar results (which are in early November)

**Failure to obtain such certification three months prior to graduation may bar you from accepting such employment prior to the first bar results. However, MA 3:03 certification will only be issued three months prior to graduation if it is being obtained in conjunction with a rule qualifying co-op employer, a rule qualifying clinic, or a rule-qualifying special project.**

### Remember the following:

- Getting 3:03 certification for a co-op requires that it be with a qualifying co-op employer in which you are representing an indigent client in civil matters, indigent clients in criminal defense matters for CPCS, or a District Attorney's office in MA or the MA Attorney General's Office.
- If you never previously received MA Student Practice Certification 3:03 certification for a qualifying law school clinic prior to the start of your last academic quarter in the Spring of your graduation year, you must pre-register for a law school clinic in February to ensure you meet the "three month prior to graduation" requirement. Late enrollment in a clinic in the final academic quarter in Spring will, in all likelihood, disqualify you from obtaining such certification.
- If you previously received MA Student Practice Certification through a co-op or clinic, such prior certification will count. You should see Jeff in the co-op office about how to amend that certification to qualify for your post-grad employment with CPCS or a district attorney's office. But again, previous certification in MA waives you in.
- If you never previously received MA Student Practice Certification and will not be working for a co-op employer that qualifies you for MA Student Practice 3:03 certification in the Spring of your graduation year, but you previously obtained student practice certification in another state, you **may** be eligible to have that certification honored for MA 3:03 certification for purposes of post-graduate employment..
- This applies only to MA Student Practice Certification Requirements.

If you have any questions about MA Student Practice 3:03, please see Jeff Smith in the Co-op Office.