(2) The Court may, in its discretion, entertain a writ appeal petition to review a decision of a Court of Criminal Appeals on a petition for extraordinary relief. See Rules 18(a)(4), 27(b), and 28.

\* \* \* \* \*

Rule 19. Time Limits

(d) Petition for extraordinary relief. A petition for extraordinary relief under Rule 4(b)(1) shall be filed, with a supporting brief and any available record, as soon as possible but, in any event, no later than 20 days after the petitioner learns of the action complained of. However, a petition for writ of habeas corpus or writ of error coram nobis may be filed at any time. See Rules 27(a) and 28.

## Rule 27. Petition for Extraordinary Relief, Writ Appeal Petition, Answer, and Reply

- (a) Petition for extraordinary relief. (1)
  A Petition for extraordinary relief,
  together with any available record, shall
  be filed within the time prescribed by
  Rule 19(d), shall be accompanied by
  proof of service on all named
  respondents, and shall contain:

  \* \* \* \* \* \* \*
- (E) The jurisdictional basis for the relief sought, including an explanation of how the writ will be in aid of the Court's jurisdiction; the reasons the relief sought cannot be obtained during the ordinary course of trial or appellate review or through administrative procedures; and the reasons relief has not been sought from the appropriate Court of Criminal Appeals, if that is the case, see Rule 4(b)(1); and

# Rule 30. Motions

\* \* \* \* \* \*

- (b) *An* answer to a motion *may* be filed no later than 5 days after the filing of the motion.
- (c) [New] A reply to an answer to a motion may be filed no later than 5 days after the filing of the answer.

[Subsections (c) through (f) to be redesignated as subsections (d) through (g), respectively.]

(g) [Ås redesignated] Notwithstanding any other provision of these rules, the Court may immediately act on any motion without awaiting an answer *or a reply*, if it appears that the relief sought ought to be granted. \* \* \*

### **Rule 31. Petition for Reconsideration**

\* \* \* \* \*

(c) [New] A reply to an answer to a petition may be filed no later than 5 days after the filing of the answer.

[Subsections (c) and (d) to be redesignated subsections (d) and (e), respectively.]

### Proposed Student Practice Rule

#### a. Appearance by Law Student

With leave of this Court, an eligible law student acting under a supervising attorney may appear in a particular case, except a case in which any party is under or is potentially subject to a sentence of death, on behalf of any party, including the United States, provided that the student and supervising attorney comply with the provisions of this rule.

### b. Eligibility of Student

To be eligible to appear and participate in any case, a law student must:

- (1) Be a student in good standing in a law school approved by the American Bar Association, or be a recent graduate of such school awaiting the result of a state bar examination;
- (2) Have completed legal studies amounting to at least four semesters, or the equivalent if the school is on some basis other than a 3 year, 6 semester basis:
- (3) Have completed and received a passing grade in courses in criminal procedure and criminal law;
- (4) Neither ask for nor receive any compensation or remuneration of any kind from the person on whose behalf the services are rendered; and
- (5) Be familiar with the Uniform Code of Military Justice and the rules of this Court.
- c. Supervising Attorney Requirements

A supervising attorney must:

- (1) Be an attorney of record in the case;
- (2) Be a member in good standing of the bar of this Court;
- (3) Have been admitted to practice for a minimum of two years and have appeared and argued in at least one case before this Court or appeared and argued in at least three cases before state or Federal appellate courts;
- (4) Not supervise more than five (5) students at any one time;
- (5) Appear with the student in any oral presentations before this Court;
- (6) Read, approve and sign all documents filed with this Court;
- (7) Assume personal professional responsibility for the student's work in matters before this Court;
- (8) Be responsible to supplement the oral or written work of the student as

necessary to ensure proper representation of the client;

(9) Guide and assist the student in preparation to the extent necessary or appropriate under the circumstances;

(10) Be available to consult with the

client; and

(11) Neither ask for nor receive any compensation or remuneration of any kind from the person on whose behalf the services are rendered.

#### d. Authorization and Certification

- (1) The party on whose behalf the student appears must consent to the representation by that student in writing.
- (2) The supervising attorney must indicate in writing approval of the appearance by the law student and consent to supervise the law student.

(3) The law student must be certified by the dean of the student's law school as being of good character and

competent legal ability.

(4) Before commencing student representation in any case under this rule, the supervising attorney shall file a motion for leave to allow student representation in such case. The motion should put forth that the provisions of this rule have been met and that in counsel's view the case is an appropriate one for student representation. The written consent, approval and certification referred to above shall be attached to the motion. A copy of the motion shall be served on opposing counsel, but no answer will be allowed except with leave of the Court. Once these documents are filed, the Court will decide, using its description on a case-by-case basis, whether to allow the student representation.

### e. Activities

Upon fulfilling the requirements of this rule, the student may enter an appearance in a case and:

- (1) assist in the preparation of briefs and other documents to be filed in this Court, but such briefs or documents must also be signed by the supervising attorney;
- (2) participate in oral argument, but only in the presence of the supervising attorney; and
- (3) take part in other activities in connection with the case, subject to the direction of the supervising attorney.

#### f. Termination

The dean's certification of the student:

(1) shall remain in effect, unless sooner withdrawn, until the publication of the results of the first bar examination taken by such student following the student's graduation. For any student