

Rule 3121. Practice of Law by Staff; Qualifications.

- A.** Neither the prothonotary, deputy prothonotary, chief clerk, nor any person employed in the Office of the Prothonotary, nor any **personal staff [law clerk, administrative assistant, or secretary]** employed by an appellate court or by any judge thereof shall practice **[in the court] before any court or tribunal of this Commonwealth.** Nor shall any such person otherwise practice law **[without prior approval of the judge on whose staff such person is employed or of the president judge if such person is not so employed].** **Such a person may act pro se, and may perform routine legal work incident to the management of the personal affairs of the person or a member of the person's family, as long as the work is performed without compensation and does not involve the entry of an appearance on behalf of the family member in a court or other tribunal. Such limited practice is also subject to the disclosure of employment within the Unified Judicial System to the parties and the court in which the employee represents himself or herself.**

This rule does not apply to pro bono activities, provided that they are performed without compensation; do not involve the entry of an appearance before any court or tribunal; do not involve a matter of public controversy, an issue likely to come before the person's court, or litigation against federal, state or local government; and are undertaken after written approval of the Justice or Judge for whom the person is employed and the Chief Justice, or the President Judge of the Superior Court or Commonwealth Court, depending on which court employs the person.

- B.** **Staff attorneys must either be members of the Bar of Pennsylvania, or must have received without exception an earned Bachelor of Laws or Juris Doctor degree from a law school that was an accredited law school at the time the staff attorney matriculated or graduated.**

Note: Based on former Supreme Court Rule 6, former Superior Court Rule 4 and former Commonwealth Court Rule 60[, and makes no change in substance except to require approval by the appointing authority of the continuance of an outside law practice]. See also 42 Pa.C.S. § 2502 (certain persons not to appear as counsel). **The term "personal staff" includes, for example, a staff attorney, law clerk, administrative assistant, secretary or tipstaff. See 42 Pa.C.S. § 102 (defining "personal staff").**