

# THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE SUGGESTED )  
AMENDMENTS TO APR 1—IN GENERAL; )  
SUPREME COURT; PREREQUISITES TO THE )  
PRACTICE OF LAW; COMMUNICATIONS TO )  
THE BAR; CONFIDENTIALITY; DEFINITIONS, )  
APR 3—APPLICANTS FOR ADMISSION TO )  
PRACTICE LAW, AND GR 24—DEFINITION OF )  
THE PRACTICE OF LAW )  
\_\_\_\_\_)

O R D E R  
NO. 25700-A-1306

The Washington State Bar Association Board of Governors, having recommended the expeditious adoption of the suggested amendments to APR 1—In General; Supreme Court; Prerequisites to the Practice of Law; Communications to the Bar; Confidentiality; Definitions, APR 3—Applicants for Admission to Practice Law, and GR 24—Definition of the Practice of Law, and the Court having considered the suggested amendments, and having determined that the suggested amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

- (a) That the suggested amendments as attached hereto are expeditiously adopted.
- (b) That pursuant to the emergency provisions of GR 9(j)(1), the suggested rule amendments are effective immediately.
- (c) The rule amendments will be published expeditiously in the Washington Reports.

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ORDER

IN THE MATTER OF THE SUGGESTED AMENDMENTS TO APR 1—IN GENERAL;  
SUPREME COURT; PREREQUISITES TO THE PRACTICE OF LAW;  
COMMUNICATIONS TO THE BAR; CONFIDENTIALITY; DEFINITIONS, APR 3—  
APPLICANTS FOR ADMISSION TO PRACTICE LAW, AND GR 24—DEFINITION OF  
THE PRACTICE OF LAW

DATED at Olympia, Washington this 7th day of October, 2020.

Johnson  
Madsen, J.  
Owens, J.  
González, J.

Stephens, C.J.  
Helen McLeod, J.  
Lu, J.  
Montoya-Lent, J.  
Whitener, J.

1 **ADMISSION AND PRACTICE RULES (APR)**

2 **APR 1 IN GENERAL; SUPREME COURT; PREREQUISITES TO THE PRACTICE OF**  
3 **LAW; COMMUNICATIONS TO THE BAR; CONFIDENTIALITY; DEFINITIONS**

4 (a) – (d) [Unchanged.]

5 (e) Definitions. The following definitions apply throughout these Admission and Practice Rules  
6 except where otherwise stated:

7 (1) "Active legal experience."

8 (A) When used to describe a requirement for admission or licensure as, or  
9 otherwise regarding, a lawyer means experience in the active practice of law as a  
10 lawyer, including practice as a Pro Bono Status Lawyer licensed under APR 3(g),  
11 or as a teacher at an approved law school, or as a judge of a court of general or  
12 appellate jurisdiction or any combination thereof, in a state or territory of the  
13 United States or in the District of Columbia or in any jurisdiction where the  
14 common law of England is the basis of its jurisprudence;

15 (B) when used to describe a requirement for licensing as, or otherwise regarding,  
16 an LLLT, means active experience practicing law as an LLLT, including practice  
17 as a Pro Bono Status LLLT Licensed under APR 3(g);

18 (C) when used to describe a requirement for licensing as, or otherwise regarding,  
19 an LPO means active experience practicing law as an LPO, including as a Pro  
20 Bono Status LPO licensed under APR 3(g).

21 (2) – (9) [Unchanged.]

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2 **APR 3 APPLICANTS FOR ADMISSION TO PRACTICE LAW**

3 (a) - (f) [Unchanged.]

4 (g) ~~Emeritus~~ Pro Bono Admission. A lawyer, LLLT, or LPO admitted to practice law in  
5 Washington State may apply for ~~emeritus~~ pro bono status when the lawyer, LLLT, or LPO is  
6 inactive or otherwise fully retired from the practice of law. An ~~emeritus~~ pro bono status lawyer,  
7 LLLT, or LPO shall provide legal services in Washington State only for a qualified legal service  
8 provider as defined in these rules.

9 (1) To apply, the lawyer, LLLT, or LPO shall:

10 (A) file an application in such form and manner as prescribed by the Bar;

11 ~~(B) present satisfactory proof of active legal experience as defined in APR 1 or at least~~  
12 ~~5 of the 10 years immediately preceding the filing of the application;~~

13 ~~(C)~~(B) file a certification from a one or more qualified legal services provider(s) that  
14 the applicant's practice of law will comply with the terms of this rule;

15 ~~(D)~~(C) comply with training requirements prescribed by the Bar; and

16 ~~(E)~~(D) furnish whatever additional information or proof that may be required in the  
17 course of investigating the applicant.

18 (2) Upon approval of the application by the Bar, the lawyer, LLLT, or LPO shall pay the  
19 current year's annual license fee in the amount required of inactive lawyers, LLLTs, or LPOs,  
20 whichever is the applicable license type. This fee shall be waived if the pro bono status lawyer,  
21 LLLT, or LPO provided at least 30 hours of pro bono service through a qualified legal service  
22 provider in the previous calendar year. ~~Emeritus p~~Pro bono status lawyers, LLLTs, or LPOs are  
23 subject to annual license renewal as provided by the Board of Governors.

1 (3) Upon admission under this section, the practice of law by a lawyer, LLLT, or LPO shall  
2 be limited to:

3 (A) providing legal service for no fee through a qualified legal services provider; or

4 (B) serving as an unpaid governing or advisory board member or trustee of or  
5 providing legal counsel or service for no fee to a qualified legal services provider.

6 The prohibition against compensation for ~~emeritus~~ pro bono status lawyers, LLLTs, or LPOs  
7 shall not prevent a qualified legal services provider from reimbursing an ~~emeritus~~ pro bono status  
8 lawyer, LLLT, or LPO for actual expenses incurred while rendering legal services under this  
9 rule. A qualified legal services provider shall be entitled to receive all court awarded attorney  
10 fees for any representation rendered by the ~~emeritus~~ pro bono status lawyer, LLLT, or LPO.

11 (4) ~~Emeritus p~~Pro bono status lawyers, LLLTs, or LPOs shall pay to the Bar an annual license  
12 fee in the amount required of inactive lawyers, LLLTs, or LPOs, whichever is the applicable  
13 license type. This fee shall be waived if the pro bono status lawyer, LLLT, or LPO provided at  
14 least 30 hours of pro bono service through a qualified legal service provider in the previous  
15 calendar year.

16 (5) The practice of a lawyer, LLLT, or LPO admitted under this section shall be subject to the  
17 applicable Rules of Professional Conduct, disciplinary rules, and to all other laws and rules  
18 governing lawyers, LLLTs, or LPOs admitted to the Bar.

19 (6) ~~Emeritus p~~Pro bono status lawyers, LLLTs, or LPOs shall be exempt from compliance  
20 with APR 11 concerning mandatory continuing legal education.

21 (7) ~~Emeritus p~~Pro bono admission shall be automatically terminated and converted to inactive  
22 status when the lawyer, LLLT, or LPO fails to comply with the terms of this rule.

23 (h) – (i) [Unchanged.]

1 **GENERAL RULES (GR) 24**

2 **GR 24 DEFINITION OF THE PRACTICE OF LAW**

3 (a) [Unchanged.]

4 (b) Exceptions and Exclusions: Whether or not they constitute the practice of law, the following  
5 are permitted:

6 (1) Practicing law authorized by a limited license to practice pursuant to Admission to  
7 Practice Rules 8 (special admission for: a particular purpose or action; indigent  
8 representation; educational purposes; ~~emeritus~~ pro bono status membership; house  
9 counsel), 9 (legal interns), 12 (limited practice for closing officers), or 14 (limited  
10 practice for foreign law consultants).

11 (2) – (11) [Unchanged.]

12 (c) – (f) [Unchanged.]