

January 27, 2013

Re: Proposed Rule 9(h)(2)—Licensed Legal Interns (Term of Limited License).

“A limited license is granted at the sufferance of the Supreme Court and may be revoked at any time upon the court’s own motion, or upon the motion of the Board of Governors, in either case with or without cause.”

While I am certain Washington state citizens have nothing but gratitude for the fact the state Supreme Court deigns, at times, and at its “sufferance,” to grant a limited license to practice law, my feeling is that the level of gratitude may perhaps not be potentially quite as high for the fact such a license may be revoked at any time by motion of either the State Supreme Court *or* Board of Governors, with or “*without cause*.”

Excuse me? “Without cause?” And if I had not raised this issue, I am almost certain no one amongst the drafters of this rule would even have batted an eye, or ever has about the issue, as evidenced by the fact this is being carried over from the existing rule. I suspect this same group of, essentially, establishment members of the Washington legal community (and I know the type, as I have served on a Judicial Evaluation Committee and a Judiciary and the Courts Committee), has a hard time also truly fathoming how the Washington State Bar Association’s (WSBA) wings could just have been clipped to the tune of several million dollars a year as a result of the bar referendum and, furthermore, why, once again, bills are being, or have been, introduced in the state legislature designed, essentially, to disband the WSBA. The answer is arrogance. One answer, essentially nothing else.

The arrogance and lack of due process, based on a feeling of unchecked entitlement, that oozes from the proposed rule above, and also, as an aside, is all over the entire character and fitness and admissions processes for full licensure, boggles one’s mind. But then in what other setting do you have such little “outsider” substantive input in the drafting of, essentially, laws, but we will call them court rules for purposes of this discussion, that affect the entirety of the Washington citizenry?

Furthermore, where is the WSBA even pretending, just for appearance sake, that due process exists, which if it did exist would be evidenced, at a minimum, by an appeal process of some kind if an individual is denied a legal intern license. Of course the bar does an excellent job of hiding, or not presenting, the actual *existing* appeals process for other decisions the bar makes as well.

Does anyone down there have the slightest *real* grasp of why, among a substantive segment of society, the legal bar is, quite frankly, thought of so poorly? It is the type of mind-boggling arrogance in a rule like I am discussing from which such public feelings spring. This type of arrogance is what people equate with the legal establishment, not acts of goodwill or pro bono work. I am sorry.

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