

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE)
ESTABLISHMENT OF THE WASHINGTON)
BAR LICENSURE TASK FORCE)
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ORDER
NO. 25700-B-649

WHEREAS, the Washington State Supreme Court has determined to implement a strategic initiative to evaluate and assess the efficacy of the Washington state bar licensure requirement for licensing lawyers, to consider alternatives to the current licensure requirements, and to analyze potential alternatives;

NOW, THEREFORE, IT IS HEREBY ORDERED:

The Washington Bar Licensure Task Force is hereby created to assess the efficacy of the Washington state bar exam and related requirements for licensing competent lawyers. The Task Force shall examine current and past bar examination methods, passage rates, and alternative licensure methods, assess disproportionate impacts on examinees of color and first generation examinees, consider the need for alternatives to the current bar exam, and analyze those potential alternatives.

The Task Force shall have broad membership as indicated in the attached strategic initiative charter, who will be appointed by the Supreme Court in consultation with the co-chairs and represented groups.

The Task Force shall also consult or coordinate with the organizations listed in the attached strategic initiative charter.

The Task Force shall be chartered through December 31, 2022.

DATED at Olympia, Washington this 20th day of November, 2020.


CHIEF JUSTICE



Washington State Supreme Court

Strategic Initiative Charter

WASHINGTON BAR LICENSURE TASK FORCE

- I. **Title:** Washington Bar Licensure Task Force
- II. **Authority:** Washington State Supreme Court (WSSC) Order, November 20, 2020

- III. **Goal:**

The goal of this strategic initiative is to evaluate & assess the efficacy of the Washington state bar licensure requirements for licensing lawyers and whether the WSSC should consider alternatives to the current licensure requirements, and to analyze those potential alternatives.

- IV. **Charge, Deliverables and End Date:**

The Washington Bar Licensure Task Force is formed to assess the efficacy of the Washington state bar exam and related requirements for licensing competent lawyers. This Task Force will examine current and past bar examination methods, passage rates, and alternative licensure methods, assess disproportionate impacts on examinees of color and first generation examinees, consider the need for alternatives to the current bar exam, and analyze those potential alternatives.

Among its tasks, the Task Force shall:

- a. Review past studies conducted on the efficacy of bar exams.
- b. Study and report on the history of the bar exam, both nationally and within the state of Washington, particularly with regard to the purpose of the bar exam at its inception.
- c. Analyze whether the bar exam as currently given serves the purpose of licensing competent lawyers.

- d. Compare Washington bar exam passage rates with other states, and if such data exists, compare rates of bar passage for examinees of color and first generation examinees.
- e. Research whether there is data demonstrating competency or lack thereof when lawyers are licensed through means other than a bar exam.
- f. If possible, seek input from those who were admitted via 2020 diploma privilege regarding their preparedness for practice, as well as input from attorneys supervising them.
- g. Make recommendations to the WSSC regarding the bar exam and licensing new attorneys in Washington state.

This charter shall expire on December 31, 2022.

V. Membership:

The Task Force shall have broad membership, to include:

Chairs:

WA Supreme Court Justice:

Co-Chair (Dean from one of the Washington law schools):

Membership:

- Deans (or their designees) of each of the Washington law schools (including Co-chair)
- Two admissions committee members from any Washington law school
- One member from the WSBA Board of Governors
- One member from the National Conference of Bar Examiners
- WSBA General Counsel or Chief Regulatory Counsel
- One student member from each of the Washington law schools
- One member from the Young Lawyers Section of the WSBA
- Two licensed lawyer members of the Washington State Bar Association, including a member with experience as an employer
- Two public members, who are not licensed legal professionals
- One member from the Minority and Justice Commission
- One member from the Gender and Justice Commission
- Additional ex officio members as determined by the Co-Chairs

VI. Entities to Consult or Coordinate with include:

- Washington State Center for Court Research
- Supreme Court Commissions and Boards
- Washington State Bar Association
- Washington lawyer organizations, including but not limited to: Washington Association of Prosecuting Attorneys, Washington Association of Criminal Defense Lawyers, Washington Association for Justice, Washington Defense Trial Lawyers Association, Washington minority bar associations
- Law School Admissions Council
- National Center for State Courts
- National Conference of Bar Examiners

VII. Staff Support and Budget:

The Supreme Court shall be responsible for adequately supporting the Task Force.