

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE SUGGESTED)
AMENDMENTS TO APR 3—APPLICANTS FOR)
ADMISSION TO PRACTICE LAW)
)
)
_____)

ORDER

NO. 25700-A-1584

The Washington State Bar Association (WSBA) and the University of Washington School of Law, having recommended the suggested amendments to APR 3—Applicants for Admission to Practice Law, and the Court having approved the suggested amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as attached hereto are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2025.

(b) The purpose statement as required by GR 9(e) is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2025. Comments may be sent to the following

Page 2

ORDER

IN THE MATTER OF THE SUGGESTED AMENDMENTS TO APR 3—APPLICANTS FOR
ADMISSION TO PRACTICE LAW

addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov.

Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 11th day of July, 2024.

For the Court


González, C.J.

GR 9 COVER SHEET

Suggested Amendments ADMISSION AND PRACTICE RULES (APR) Rule 3(c)

Submitted by the Washington State Bar Association

A. Name of Proponent:

Washington State Bar Association

University of Washington School of Law

B. Spokesperson:

Sunitha Anjilvel, Acting WSBA President
Terra Nevitt, Executive Director

Terry J. Price, Interim Associate Dean of Students, UW School of Law
Carrie Sanford, Director of Academic Success, UW School of Law

WSBA Staff Contact:

Renata de Carvalho Garcia, Chief Regulatory Counsel
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539
renatag@wsba.org • (206) 733-5912

C. Purpose:

The primary purpose of the suggested amendments to APR 3(b) is to add a provision to subsection (4) that would allow an individual with an LL.M. degree in any subject (as opposed to the specific “LL.M. degree for the practice of law”) to supplement their LL.M. degree with additional instruction needed to meet the minimum instruction in principles of domestic United States Law. At its May 2, 2024, meeting, the WSBA Board of Governors voted unanimously to recommend these suggested amendments to the Washington Supreme Court. The University of Washington School of Law joins the

WSBA as a co-proponent of these suggested amendments.

APR 3(b)(4) applies to persons who have acquired a law degree from a non-ABA approved law school, from either within the United States or another country. Such persons qualify to apply for the bar exam if they earn an “LL.M. degree for the practice of law.” In order to earn the “LL.M. degree for the practice of law” the student must complete minimum required instruction on principles of domestic United States law. The minimum instruction is set forth in APR 3(b)(4).

At issue here is the scenario where an individual earns an LL.M. degree without the minimum instruction on principles of domestic United States law and later, due to changes in the individual’s life circumstances, needs or wants to apply for admission in Washington. The suggested amendments seek to resolve this barrier to admission by permitting an individual who has a deficient LL.M. degree to supplement the LL.M. degree by completing additional instruction on principles of domestic United States law outside the LL.M. degree program. Both the LL.M. degree and the supplemental instruction must be completed at an ABA-approved law school but not need be the same law school.

In addition, the suggested amendments would add “as a lawyer or the equivalent” in APR 3(b)(4)(B). This phrase clarifies that the law degree earned in the foreign jurisdiction must qualify them to practice law as a lawyer, or the equivalent, rather than a law degree that would qualify them for a limited license to practice law in that jurisdiction.

Finally, there is a technical correction to the numbering in the final part of APR 3(b)(4).

D. Hearing: A hearing is not requested.

E. Expedited Consideration: Expedited consideration is requested. The

proponents seek expedited consideration because the purpose of these suggested amendments is to reduce an unreasonable barrier to the admission to the practice of law and the UW School of Law reports there are people currently in need of this relief.

SUGGESTED AMENDMENTS TO ADMISION AND PRACTICE RULES

1 **TITLE**

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

3 **RULE 3. APPLICANTS FOR ADMISSION TO PRACTICE LAW**

4 **(a)** [Unchanged.]

5 **(b) Qualification for Lawyer Bar Examination.** To qualify to sit for the lawyer bar examination,
6 a person must not be eligible for admission by motion or UBE score transfer and must present
7 satisfactory proof of:

8 (1) graduation with a Juris Doctor (JD) degree from a law school approved by the Board
9 of Governors; or

10 (2) completion of the law clerk program prescribed by these rules; or

11 (3) graduation from a university or law school in any jurisdiction where the common law
12 of England is the basis of its jurisprudence with a degree in law that would qualify the applicant
13 to practice law in that jurisdiction and admission to the practice of law in that same or other
14 jurisdiction where the common law of England is the basis of its jurisprudence, together with
15 current good standing and active legal experience for at least three of the five years immediately
16 preceding the filing of the application; or

17 (4) graduation with a Master of Laws (LL.M.) degree for the practice of law as defined
18 below and either:

19 (A) graduation with a JD degree from a United States law school not approved by the
20 Board of Governors, or

21 (B) graduation from a university or law school in a jurisdiction outside the United States,
22 with a degree in law that would qualify the applicant to practice law as a lawyer or the
23 equivalent in that jurisdiction.

SUGGESTED AMENDMENTS TO ADMISION AND PRACTICE RULES

1 “LL.M. degree for the practice of law” means an LL.M. program at a law school approved by the
2 Board of Governors that consists of a minimum of 18,200 minutes of total instruction to include
3 at least 12,000 minutes of instruction on principles of domestic United States law, which must
4 include:

5 (A~~i~~) a minimum of 2080 minutes in United States Constitutional Law, including principles
6 of separation of powers and federalism:

7 (B~~ii~~) a minimum of 2080 minutes in the civil procedure of state and federal courts in the
8 United States;

9 (C~~iii~~) a minimum of 1400 minutes in the history, goals, structure, values, rules and
10 responsibilities of the United States legal profession and its members; and

11 (D~~iv~~) a minimum of 1400 minutes in legal analysis and reasoning, legal research, problem
12 solving, and oral and written communication.

13 Applicants who graduated with a Master of Laws (LL.M.) degree from a law school approved by
14 the Board of Governors but whose degree program did not include completion of the total
15 instruction required for the LL.M. degree for the practice of law as set forth in this subsection,
16 may qualify to sit for the lawyer bar examination by providing satisfactory proof that they have
17 completed supplemental coursework at one or more law schools approved by the Board of
18 Governors sufficient to satisfy the total required instruction as set forth above.

19 (c) – (i) [Unchanged.]