

THE SUPREME COURT OF WASHINGTON

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

ORDER

NO. 25700-A-1604

The Washington State Bar Association, 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 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.

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

DATED at Olympia, Washington this 10th day of October, 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

B. Spokesperson:

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C. Purpose:

The primary purpose of the suggested amendments to APR 3(c)(2) is to reduce barriers to admission to the practice of law for lawyer spouses of active United States military servicemembers. At its July 19, 2024 meeting, the WSBA Board of Governors voted (8 to 1) to recommend these suggested amendments to the Washington Supreme Court.

Lawyers who are spouses of active servicemembers in the United States military often need to relocate because their servicemember spouse is transferred to a new military station. Because of the relocation, the lawyer spouse or “military spouse” often

needs to seek admission to practice law in multiple jurisdictions. Applying for admission to practice law is expensive both in terms of direct costs and in terms of lost income while awaiting admission. In 2019, to reduce the time and expense associated with applying for admission, the Washington Supreme Court adopted the “Military Spouse Admission by Motion” pathway for admission as a lawyer under APR 3(c)(2).

The military spouse admission by motion is similar to general admission by motion. However, unlike admission by motion, the WSBA Admissions Policies do not require the investigation and verification of the information to be done by the National Conference of Bar Examiners (NCBE); instead, it is done in-house by WSBA staff resulting in a faster and less expensive process for military spouse applicants. The NCBE investigation takes approximately four to six months to complete and the NCBE collects an additional fee from the applicant which is currently \$550. Therefore, military spouse applicants become licensed relatively quickly while at the same time saving the cost of the NCBE investigation fee.

In addition, to qualify for military spouse admission by motion, the applicant cannot qualify for general admission by motion nor admission by UBE score transfer. Essentially, that means the only people who can qualify for military spouse admission by motion are people who do not have a transferrable UBE score and who have less than three years of practice experience. With 41 jurisdictions administering the UBE, this significantly reduces the population who could qualify for military spouse admission. It could also apply to a small pool of people who have an old UBE score and have not been practicing recently.

Finally, the Washington Supreme Court is considering suggested amendments to

APR 3(c)(1) that would reduce the active legal experience for general admission by motion to one year. That will further reduce the pool of applicants who could qualify for military spouse admission by motion because that will eliminate the military spouse option for anyone with more than one year of practice in the preceding three years.

The suggested amendments would remove the criteria that the military spouse applicant not qualify for admission by motion and not qualify for admission by UBE score transfer (APR 3(c)(2)(B) & (C)). Removal of these barriers will result in more equitable access for military spouses to the practice of law by allowing all military spouses who would otherwise qualify under the rule to take advantage of this more affordable and faster pathway to admission.

- D. **Hearing:** A hearing is not requested.
- E. **Expedited Consideration:** Expedited consideration is not requested.
- F. **Supporting Material:** None.

SUGGESTED AMENDMENTS TO ADMISSION AND PRACTICE RULES

1 **TITLE**

2 **ADMISSION AND PRACTICE RULES**

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

4 **(a) – (b)** [Unchanged.]

5 **(c) Lawyer Admission by Motion.**

6 (1) [Unchanged.]

7 (2) *Military Spouse Admission by Motion.* A lawyer admitted to practice law in another
8 state or territory of the United States or the District of Columbia who is the spouse of an active
9 duty service member of the United States Uniformed Services, as defined by the United States
10 Department of Defense, is not required to sit for the lawyer bar examination if the applicant meets
11 the following requirements:

12 (A) the applicant’s spouse is stationed in Washington or will be stationed in
13 Washington within six months of filing the application, and the applicant resides or will
14 reside in Washington as the spouse of that member of the United States Uniformed
15 Services within six months of filing the application;

16 ~~(B) the applicant does not qualify for admission by motion under APR 3(c)(1);~~

17 ~~(C) the applicant does not qualify for admission by UBE score transfer under APR~~
18 ~~3(d);~~

19 ~~(B)~~ the applicant files a certificate from each jurisdiction in which the applicant
20 is admitted certifying the applicant’s admission to practice and the date thereof, and
21 current good standing or the equivalent; and

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SUGGESTED AMENDMENTS TO ADMISSION AND PRACTICE RULES

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(~~C~~E) the applicant has no lawyer disciplinary sanctions or pending lawyer disciplinary or incapacity matters in any jurisdiction in which the applicant has been admitted.

(d) – (i) [Unchanged.]