

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

(a) Supreme Court. The Supreme Court of Washington has the exclusive responsibility and the inherent power to establish the qualifications for admission to practice law, and to admit and license persons to practice law in this state. Any person carrying out the functions set forth in these rules is acting under the authority and at the direction of the Supreme Court.

(b) Prerequisites to the Practice of Law. Except as may be otherwise provided in these rules, a person shall not appear as an attorney or counsel in any of the courts of the State of Washington, or practice law in this state, unless that person has passed an examination for admission, has complied with the other requirements of these rules, and is an active member of the Washington State Bar Association (referred to in these rules as the Bar). A person shall be admitted to the practice of law and become an active member of the Bar only by order of the Supreme Court.

(c) Communications to the Association. Communications to the Bar, the Board of Governors, or any individual person, board, committee or other entity administered by the Bar or acting under authority of these rules, are absolutely privileged, and no lawsuit may be predicated thereon.

(d) Confidentiality.

(1) Unless expressly authorized by the Supreme Court or by the applicant, all application records, including related investigation files, documents, and proceedings for admission or for a license to practice law or for enrollment in the law clerk program are confidential and shall be privileged against disclosure, except as necessary to conduct an investigation, hearing, and appeal or review pursuant to these rules.

(2) Unless expressly authorized by the Supreme Court, all examination questions, scoring keys, and other examination data used by the Bar to administer any examinations for admission or licensing are not subject to public disclosure.

(3) Unless expressly authorized by the Supreme Court, the following records of the Board of Bar Examiners, Mandatory Continuing Legal Education Board, Limited Practice Board, Limited License Legal Technician Board, Law Clerk Board, Character and Fitness Board, and the Client Protection Fund Board are confidential and shall not be disclosed:

(A) Preliminary drafts, notes, recommendations, and intra-Board memorandums in which opinions are expressed or policies formulated or recommended;

(B) Records that are relevant to a controversy to which the Board is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(4) Motions for permission to practice law under APR 8(b) are not confidential and may be disclosed pursuant to a proper request.

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

(1) “Active legal experience.”

(A) When used to describe a requirement for admission or licensure as, or otherwise regarding, a lawyer means experience in the active practice of law as a lawyer, including practice

as a pro bono status lawyer licensed under APR 3(g), or as a teacher at an approved law school, or as a judge of a court of general or appellate jurisdiction or any combination thereof, in a state or territory of the United States or in the District of Columbia or in any jurisdiction where the common law of England is the basis of its jurisprudence;

(B) when used to describe a requirement for licensing as, or otherwise regarding, an LLLT, means active experience practicing law as an LLLT, including practice as a pro bono status LLLT licensed under APR 3(g);

(C) when used to describe a requirement for licensing as, or otherwise regarding, an LPO means active experience practicing law as an LPO, including as a pro bono status LPO licensed under APR 3(g).

(2) “Bar” means the Washington State Bar, including Bar staff.

(3) “Bar counsel” means a staff lawyer employed by the Bar.

(4) “Board of Governors” means the Board of Governors of the Washington State Bar.

(5) “LLLT” means limited license legal technician.

(6) “LPO” means limited practice officer.

(7) “Member” means a person who is identified as belonging to a group identified as members by the Bar’s Bylaws.

(8) “Qualified legal services provider” means a not for profit legal services organization in Washington State whose primary purpose is to provide legal services to low income clients.

(9) “Supreme Court” means the Supreme Court of Washington.

[Adopted effective February 12, 1965; Amended effective September 1, 1984; September 1, 1999; September 1, 2005; September 1, 2006; January 2, 2008; January 13, 2009; January 1, 2014; September 1, 2017; October 7, 2020.]