

DEFINITIONS RELATING TO CHARACTER AND FITNESS DETERMINATIONS

(a) Applicant. “Applicant” as used in APR 20-25.6 means every applicant for admission to practice law, for limited admission or licensure to practice law, for enrollment in the APR 6 law clerk program, or for change of membership class or status under the Bar’s bylaws. In matters involving investigations or hearings pursuant to the filing of a petition for reinstatement by a disbarred or revoked lawyer, LLLT, or LPO, “applicant” shall also include a petitioner for reinstatement.

(b) Bar Counsel. “Bar Counsel” as used in APR 20-25.6 means one or more lawyers employed by the Bar who shall represent the Bar in reviewing applications for admission, readmission, and licensure or at hearings before the Character and Fitness Board and/or act as counsel to the Character and Fitness Board. Bar Counsel who represents the Bar at hearings before the Character and Fitness Board may make a recommendation in support of or in opposition to the admission, licensure, enrollment, or reinstatement of an applicant.

(c) Good Moral Character. Good moral character is a record of conduct manifesting the qualities of honesty, fairness, candor, trustworthiness, observance of fiduciary responsibilities, adherence to the law, and a respect for the rights of other persons and the judicial process.

(d) Fitness to Practice Law. Fitness to practice law is a record of conduct that establishes that the applicant meets the essential eligibility requirements for the practice of law.

(e) Essential Eligibility Requirements. The essential eligibility requirements for the practice of law are:

(1) The ability to exercise good judgment and to conduct oneself with a high degree of honesty, integrity, and trustworthiness in financial dealings, legal obligations, professional relationships, and in one’s professional business.

(2) The ability to conduct oneself in a manner that engenders respect for the law and adheres to the Washington Rules of Professional Conduct.

(3) The ability to diligently, reliably, and timely perform legal tasks and fulfill professional obligations to clients, lawyers, LLLTs, LPOs, courts, and others.

(4) The ability to competently undertake fundamental legal skills commensurate with the lawyer, LLLT, or LPO license applied for, such as legal reasoning and analysis, recollection of complex factual information and integration of such information with complex legal theories, problem solving, and recognition and resolution of ethical dilemmas; and

(5) The ability to communicate comprehensibly with clients, lawyers, LLLTs, LPOs, courts, and others, with or without the use of aids or devices.

(f) Health Diagnosis. “Health diagnosis” as used in APR 20-25.6 means a determination or conclusion regarding a sensory, mental, or physical condition that:

(1) Is medically cognizable or diagnosable; or

(2) Exists in a record or history; or

(3) Is perceived to exist whether or not it exists in fact.

(g) Disbarred or Disbarment. “Disbarred” or “disbarment” as used in APR 20-25.6 includes those terms as applied to lawyers or others and also includes the terms “revoked” or “revocation” when referring to LLLT or LPO licenses.

[Adopted effective October 1, 2002; Amended effective September 1, 2006; January 1, 2014; September 1, 2016; September 1, 2017.]