

WASHINGTON STATE
B A R A S S O C I A T I O N

Board of Governors Meeting
Late Late Materials

April 17, 2020
Webcast and Teleconference

WASHINGTON STATE
BAR ASSOCIATION

Board of Governors

BOARD OF GOVERNORS MEETING Late Late Materials April 17,2020 Webcast and Teleconference	
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**RESOLUTION ADOPTING AMENDED SCHEDULE OF REGULAR MEETINGS OF THE
 WASHINGTON STATE BAR ASSOCIATION BOARD OF GOVERNORS**

Whereas, RCW 2.48.050 authorizes the Board of Governors to adopt rules concerning annual and special meetings; and

Whereas, WSBA Bylaws Article VII.B.8 provides that each bar entity will set regular and special meetings as needed;

NOW, BE IT RESOLVED THAT on April 17, 2020, the Washington State Bar Association Board of Governors adopts this Amended 2020 Meeting Schedule and directs the Executive Director to file this Resolution with the Code Reviser.

DAY(S)	DATE(S)	START TIME	LOCATION	DESCRIPTION
Tuesday	January 7	1:00 PM	WSBA Offices Seattle, WA	Pro Bono and Public Service Committee
Saturday	January 11	10:00 AM	WSBA Offices Seattle, WA	Washington Young Lawyers Committee
Monday	January 13	9:30 AM	WSBA Offices Seattle, WA	Court Rules and Procedures Committee
Monday	January 13	10:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee
Wednesday	January 15	12:00 PM	WSBA Offices Seattle, WA	Diversity Committee
Wednesday	January 15	1:00 PM	WSBA Offices Seattle, WA	Budget and Audit Committee
Thursday - Friday	January 16- 17	9:00 AM	WSBA Offices Seattle, WA	Board of Governors Meeting
Tuesday	January 21	12:00 PM	WSBA Offices Seattle, WA	Editorial Advisory Committee



Friday	January 24	12:00 PM	WSBA Offices Seattle, WA	Council on Public Defense
Monday	January 27	12:00 PM	WSBA Offices Seattle, WA	Member Engagement Workgroup
Monday	January 27	1:00 PM	WSBA Offices Seattle, WA	Budget and Audit Committee
Tuesday	February 4	1:00 PM	WSBA Offices Seattle, WA	Pro Bono and Public Service Committee
Friday	February 7	10:00 AM	WSBA Offices Seattle, WA	Committee on Professional Ethics
Friday	February 7	12:00 PM	WSBA Offices Seattle, WA	Council on Public Defense
Saturday	February 8	10:00 AM	WSBA Offices Seattle, WA	Diversity Committee
Monday	February 10	9:30 AM	WSBA Offices Seattle, WA	Court Rules and Procedures Committee
Monday	February 10	11:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee
Monday	February 24	9:00 AM	WSBA Offices Seattle, WA	BOG Executive Committee
Monday	February 24	12:00 PM	WSBA Offices Seattle, WA	Member Engagement Workgroup
Monday	February 24	1:00 PM	WSBA Offices Seattle, WA	Budget and Audit Committee
Tuesday	March 3	1:00 PM	WSBA Offices Seattle, WA	Pro Bono and Public Service Committee
Monday	March 9	9:30 AM	WSBA Offices Seattle, WA	Court Rules and Procedures Committee

Saturday	March 14	10:00 AM	WSBA Offices Seattle, WA or Pierce County	Washington Young Lawyers Committee
Monday	March 16	11:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee
Wednesday	March 18	12:00 PM	WSBA Offices Seattle, WA	Diversity Committee
Thursday - Friday	March 19 – 20	9:00 AM	Hotel RL Olympia, WA	Board of Governors Meeting
Friday	March 20	9:00 AM	Temple of Justice Olympia, WA	Board of Governors Meeting with Supreme Court
Friday	March 27	12:00 PM	WSBA Offices Seattle, WA	Council on Public Defense
Monday	March 30	9:00 AM	WSBA Offices Seattle, WA	BOG Executive Committee
Monday	March 30	12:00 PM	WSBA Offices Seattle, WA	Member Engagement Workgroup
Monday	March 30	1:00 PM	WSBA Offices Seattle, WA	Budget and Audit Committee
Tuesday	April 7	1:00 PM	WSBA Offices Seattle, WA	Pro Bono and Public Service Committee
Monday	April 13	9:30 AM	WSBA Offices Seattle, WA	Court Rules and Procedures Committee
Monday	April 13	11:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee
Wednesday	April 15	12:00 PM	WSBA Offices Seattle, WA	Diversity Committee
Friday	April 17	10:00 AM	WSBA Offices Seattle, WA	Committee on Professional Ethics

Friday - Saturday	April 17-18	9:00 AM	WSBA Offices Seattle, WA	Board of Governors Meeting
Monday	April 20	9:00 AM	WSBA Offices Seattle, WA	Budget and Audit Committee
Monday	April 20	9:00 AM	WSBA Offices Seattle, WA	BOG Executive Committee
Monday	April 20	12:00 PM	WSBA Offices Seattle, WA	Member Engagement Workgroup
Tuesday	May 5	1:00 PM	WSBA Offices Seattle, WA	Pro Bono and Public Service Committee
Saturday	May 9	10:00 AM	Northwest Region	Washington Young Lawyers Committee
Monday	May 11	9:30 AM	WSBA Offices Seattle, WA	Court Rules and Procedures Committee
Monday	May 11	11:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee
Thursday - Friday	May 14-15	9:00 AM	Hotel Bellwether Bellingham, WA	Board of Governors Meeting
Saturday	May 16	1:00 PM	WSBA Offices Seattle, WA	Budget and Audit Committee
Thursday	May 21	12:00 PM	WSBA Offices Seattle, WA	Member Engagement Workgroup
Friday	May 22	12:00 PM	WSBA Offices Seattle, WA	Council on Public Defense
Saturday	May 23	10:00 AM	WSBA Offices Seattle, WA	Diversity Committee
Tuesday	June 2	1:00 PM	WSBA Offices Seattle, WA	Pro Bono and Public Service Committee

Monday	June 8	9:30 AM	WSBA Offices Seattle, WA	Court Rules and Procedures Committee
Thursday – Friday	June 11-12	9:00 AM	Hotel Bellwether Bellingham, WA	Board of Governors Meeting
Monday	June 15	11:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee
Wednesday	June 17	12:00 PM	WSBA Offices Seattle, WA	Diversity Committee
Friday	June 19	10:00 AM	WSBA Offices Seattle, WA	Committee on Professional Ethics
Monday	June 22	9:00 AM	WSBA Offices Seattle, WA	BOG Executive Committee
Monday	June 22	12:00 PM	WSBA Offices Seattle, WA	Member Engagement Workgroup
Monday	June 22	1:00 PM	WSBA Offices Seattle, WA	Budget and Audit Committee
Tuesday	July 7	1:00 PM	WSBA Offices Seattle, WA	Pro Bono and Public Service Committee
Friday	July 10	12:00 PM	WSBA Offices Seattle, WA	Member Engagement Workgroup
Friday	July 10	1:00 PM	WSBA Offices Seattle, WA	Budget and Audit Committee
Monday	July 13	9:30 AM	WSBA Offices Seattle, WA	Court Rules and Procedures Committee
Wednesday	July 15	12:00 PM	WSBA Offices Seattle, WA	Diversity Committee
Friday	July 17	12:00 PM	WSBA Offices Seattle, WA	Council on Public Defense

Monday	July 20	11:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee Meeting
Thursday	July 23	9:00 AM	Skamania Lodge Stevenson, WA	Board of Governors Retreat
Friday – Saturday	July 24-25	9:00 AM	Skamania Lodge Stevenson, WA	Board of Governors Meeting
Saturday	July 25	10:00 AM	Skamania Lodge Stevenson, WA	Washington Young Lawyers Committee
Monday	August 3	9:00 AM	WSBA Offices Seattle, WA	BOG Executive Committee
Monday	August 3	12:00 PM	WSBA Offices Seattle, WA	Member Engagement Workgroup
Monday	August 3	1:00 PM	WSBA Offices Seattle, WA	Budget and Audit Committee
Tuesday	August 4	1:00 PM	WSBA Offices Seattle, WA	Pro Bono and Public Service Committee
Friday	August 7	12:00 PM	WSBA Offices Seattle, WA	Council on Public Defense
Monday	August 10	9:30 AM	WSBA Offices Seattle, WA	Court Rules and Procedures Committee
Friday	August 21	10:00 AM	WSBA Offices Seattle, WA	Committee on Professional Ethics
Monday	August 24	11:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee
Friday – Saturday	August 28-29	9:00 AM	Davenport Hotel Spokane, WA	Board of Governors Meeting
Monday	August 31	9:00 AM	WSBA Offices Seattle, WA	BOG Executive Committee

Monday	August 31	12:00 PM	WSBA Offices Seattle, WA	Member Engagement Workgroup
Monday	August 31	1:00 PM	WSBA Offices Seattle, WA	Budget and Audit Committee
Tuesday	September 1	1:00 PM	WSBA Offices Seattle, WA	Pro Bono and Public Service Committee
Friday	September 11	12:00 PM	WSBA Offices Seattle, WA	Council on Public Defense
Saturday	September 12	10:00 AM	Large Financial Center Room Seattle, WA	Diversity Committee
Saturday	September 12	10:00 AM	WSBA Offices Seattle, WA	Washington Young Lawyers Committee
Monday	September 14	9:30 AM	WSBA Offices Seattle, WA	Court Rules and Procedures Committee
Monday	September 14	11:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee
Thursday - Friday	September 17-18	9:00 AM	WSBA Offices Seattle, WA	Board of Governors Meeting
Friday	October 2	10:00 AM	WSBA Offices Seattle, WA	Committee on Professional Ethics
Monday	October 19	10:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee
Monday	October 26	9:00 AM	WSBA Offices Seattle, WA	BOG Executive Committee
Thursday – Friday	November 12-13	9:00 AM	WSBA Offices Seattle, WA	Board of Governors Meeting
Monday	November 16	10:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee

Friday	December 4	10:00 AM	WSBA Offices Seattle, WA	Committee on Professional Ethics
Monday	December 14	10:00 AM	WSBA Offices Seattle, WA	BOG Personnel Committee

Adopted by the Board of Governors on April 17, 2020.

Rajeev Majumdar, President
Washington State Bar Association

TO: WSBA Board of Governors
FROM: Jean McElroy, Chief Regulatory Counsel
DATE: April 15, 2020
RE: July 2020 Bar and Licensing Exams Administration – Additional Information

Information and Discussion: Additional information about plans and options for the July 2020 Bar exam and relevant admissions and licensing rules is presented for the Board’s review and discussion.

I have been monitoring information as it becomes available through various listserves and email exchanges. From this information, I have compiled the two attached documents. These documents are summaries of information available until 5:00 p.m. on April 15, 2020, only, and the information could change at any time.

I make no representation that these documents are 100% accurate or that they fully represent the decisions or (particularly) the rules of every individual jurisdiction; for instance, I did not perform a separate scan of jurisdictions’ rules to determine whether they have a “graduate practice” rule, but simply used the information provided in response to a survey. And some jurisdictions may have adopted some modifications to their rules to provide for longer post-graduation periods of practice before taking a Bar examination.

Despite these limitations, the Board might find the attached information of interest in its discussion.

ATTACHMENTS:

1. Table of individual jurisdiction decisions regarding administration of July bar exam
2. Spreadsheet reflecting graduate practice rules by jurisdiction.

Summary of July Bar Examination Plans by jurisdictions that have provided information, prepared 4/15/2020. This information could change at any time before the Board of Governors meeting.

To: Board of Governors for consideration at April 17, 2020, Board of Governors meeting

From: Jean McElroy, Chief Regulatory Counsel

	JULY EXAM CONTINUED?	NEW DATE FOR RESCHEDULED JULY EXAM
Alaska	Yes	9/9-10/2020
Arizona	No; continuing to monitor	If rescheduled, to Sept. or Oct.
Connecticut	Yes	Fall, TBD
Florida	?	?
Guam	Yes	9/9-10/2020
Hawaii	Yes	Fall TBD
Idaho	No; continuing to monitor	
Illinois	No; continuing to monitor	
Indiana	No; continuing to monitor; no decision before May 8	
Iowa	No; continuing to monitor	
Maine	Yes	9/30-10/1/2020
Maryland	No; continuing to monitor; decision by May 22	If yes, 9/9-10/2020
Massachusetts	Yes	9/30-10/1/2020
Missouri	No; continuing to monitor	
Nebraska	No; continuing to monitor	
Nevada	No; continuing to monitor; decision by May 22	
New Hampshire	Yes	9/9-10/2020
New Jersey	Yes	Fall TBD
New Mexico	No; continuing to monitor	
New York	Yes	9/9-9/10/2020 (may use a staggered schedule, limited applications, & smaller administration sites)
N Dakota	No; continuing to monitor	If yes, 9/9-9/10
Oregon	No; continuing to monitor; may limit # of applicants permitted to sit	
Rhode Island	Yes	Indefinitely; Court considering whether other actions will be taken
Tennessee	No; continuing to monitor	
Utah	Yes	As soon as possible in fall
Vermont	Yes	9/9-9/10/2020
Wyoming	No; continuing to monitor	
Washington	No; continuing to monitor	
Washington, D.C.	Yes	Decision to be made by 5/4/2020

PRACTICE PENDING ADMISSION RULES

Attachment 2

ST	Jurisdiction permits graduate practice before licensing as a lawyer		If yes, must the graduate practice be supervised?		How long may the recent law school graduate engage in practice prior to admission?	Permitted practice
	YES	NO	YES	NO	YES	
AL						
AK						
AZ	Yes - newly revised		Yes		Must take 1st available UBE; must not have failed a UBE; 12 months unless extended	Similar to WA Rule 9
AR						
CA						
CO		No				
CT						
DE						
DC						
FL						
GA						
GU						
HI						
ID						
IL	Yes.		Yes		Law School graduate if they have not yet had the opportunity to take the exam, have taken & are awaiting results, have passed but not yet sworn in; not if fail exam. Good for 24 months or when the receive exam results, whichever is first. http://www.illinoiscourts.gov/SupremeCourt/Rules/Art_VII/artVII.htm#711	Only Legal Aid, PD, State Law Offices. Permitted practice similar to Rule 9.
IN						
IA	Yes.		Yes		Limited to 25 hrs per week until exam is administered; can practice until withdrawal or denial of application to take the exam, failure of next bar exam administration or upon date of admissions ceremony	For work limited to AG's office, County Atty offices, or approved legal aid organizations.
KS						
KY						
LA						
ME						

PRACTICE PENDING ADMISSION RULES

ST	Jurisdiction permits graduate practice before licensing as a lawyer		If yes, must the graduate practice be supervised?		How long may the recent law school graduate engage in practice prior to admission?	Permitted practice
	YES	NO	YES	NO	YES	
MD						
MA	Yes, qualified graduates of accredited law schools or a law school authorized by Massachusetts statute are eligible		Yes - under supervision of a government attorney or a legal aid attorney without compensation.		The supervised practice is valid until the date of the first bar examination after the student's graduation, or for six months after the date of examination or until the date of admission to the Massachusetts bar.	Commonwealth of Massachusetts, indigent criminal defendants, and indigent parties in civil proceedings (Supreme Judicial Court ("SJC") Rule 3:03).
MI						
MN						
MS		No				
MO	Yes - for public practice only		Yes		Until results from 1st exam and if successful, until admission	Public practice only
MT						
NE						
NV	Yes		Yes		50 days after announcement of exam results or until fail the exam	
NH						
NJ						
NM						
NY						
NC	Yes		Yes		The certification starts when they are law students and is effective for 18 months or until the announcement of the results of the first bar examination following the legal intern's graduation, whichever is earlier	
ND	Yes		Yes		Until the next admission ceremony or 10 months following graduation, whichever occurs first.	
MP						
OH						
OK						
OR	I think you would classify this as a yes.		Yes		12 months	
PW						
PA						
PR						
RI						
SC						

PRACTICE PENDING ADMISSION RULES

ST	Jurisdiction permits graduate practice before licensing as a lawyer		If yes, must the graduate practice be supervised?		How long may the recent law school graduate engage in practice prior to admission?	Permitted practice
	YES	NO	YES	NO	YES	
SD						
TN						
TX						
UT	Yes. Rule 14-807 allows law school graduates to practice under attorney supervision. Also just adopted a new diploma privilege rule - many conditions; must have 360 hours of supervised practice before can be fully licensed and must have graduated from a law school w/ 86% July 2019 Bar passage rate.		Yes.		For <u>standard graduate practice</u> , up to one year from graduation unless fail a bar exam. For <u>diploma privilege</u> : Must have graduated between May 2019 and June 2020 and not have taken a Bar exam before, must have already applied for July 2020 July Bar exam, and must not have failed a bar exam. If meet these requirements by no later than December 31, 2020, will be granted a regular bar license without taking the Utah Bar exam.	Permitted activities during supervised practice period for diploma privilege are similar to WA Rule 9 permitted activities.
VT	Yes		Yes.		After failing UBE 2x in VT or other UBE jurisdiction	
VI						
VA		No				
WA	Yes - APR 9		Yes - Limitations on # of interns can supervise, from 1 (private lawyer), 4 (legal aid, P.D. or similar program providing legal assistance to indigents, or state, county or municipality legal dept); 10 per clinical supervisor in a law school clinic.		30 months consecutive is max total, 18 months max can be as a law school graduate. No requirements related to bar exam application, taking exam, or not failing bar exam.	See APR 9(e). Private or public law office, or legal clinic
WA DC	Not at this time; considering adoption of a rule					
WV						
WI	Grants diploma privilege to graduates of instate law schools only. No other graduate practice provision.		Graduates of in-state law schools.			Fully licensed to practice as a lawyer.
WY						