

WSBA BYLAWS

ARTICLE III. MEMBERSHIP

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D. CHANGE OF MEMBERSHIP STATUS TO ACTIVE

1. Members may change membership status as provided below.
 - a. **Transfer from Inactive to Active.**
 - 1) An Inactive member or Honorary member may transfer to Active by:
 - (a) paying an application and/or investigation fee and completing and submitting an application form, all required licensing forms, and any other required information. The fee in this paragraph is not required from an LPO or LLLT who has been inactive for 90 days or less;
 - (b) paying any MCLE late fees owed;
 - (c) demonstrating active legal experience as defined in APR 1(e) for at least one year of the three years preceding the filing of the application or completing MCLE requirements as outlined in subsection (d) below. Regardless of demonstrating active legal experience, if the member has been Inactive or a combination of Inactive, Pro Bono, Suspended, or Judicial for one year or less as of the date the application was submitted, and the member was required to report during that time period, then the member must establish MCLE compliance for that reporting period.
 - (d) completing MCLE requirements as outlined below when a member cannot demonstrate active legal experience as described in subsection (c) above. A member may use MCLE comity to meet the MCLE requirements of this section as provided for in APR 11(c)(6).
 - i. If the member has been Inactive or a combination of Inactive, Pro Bono, Suspended, or Judicial for one year or less as of the date the application was submitted and the member was not required to report during that time period, or if the member is changing status during their first MCLE reporting period, then the member has no additional MCLE requirements.
 - ii. If the member has been Inactive or a combination of Inactive, Pro Bono, Suspended, or Judicial for one year or less as of the date the application was submitted, and the member was required to report during that time period, then the member must establish MCLE compliance for that reporting period.
 - iii. If the member has been Inactive or a combination of Inactive, Pro Bono, Suspended, or Judicial for more than one year or up to six consecutive years as of the date the application was submitted, then the member must earning and report approved MCLE credits in a number and manner consistent with the requirements for one MCLE reporting period under APR 11 except that ~~within the six years preceding the return to Active status, and~~

~~reporting the total number of approved MCLE credits required for one reporting period for an Active member with the same license type, and paying any outstanding MCLE late fees that are owed the credits required in this section must be earned no earlier than six years prior to the date the application is submitted. If the member has been Inactive or a combination of Suspended and Inactive for less than one year, and the member would have been required to report during the time the member was Inactive and/or Suspended, the member must establish that the member is compliant with the MCLE reporting requirements for that reporting period before the member can change to Active. This paragraph does not apply to members transferring back to Active during their first MCLE reporting period;~~

- (e) passing a character and fitness review essentially equivalent to that required of all applicants for admission to the Bar, pursuant to APR 20-24.3; and
 - (f) paying the current Active license fee, including any mandatory assessments, less any license fee (not including late fees) and assessments paid as an Inactive member for the same year.
- 2) If a member ~~was has been~~ Inactive or any combination of ~~Suspended and~~ Inactive, Pro Bono, or Suspended in Washington for more than six consecutive years as of the date the application was submitted, the member must ~~earn MCLE credits in a manner consistent with the requirement for one reporting period for an Active member of the same license type, and these credits must be earned and reported within the three years preceding the return to Active status.~~ In addition to complying with subsection 1)(c) or (d) above, the member must complete a reinstatement/readmission course sponsored by the Bar, which must consist of education on law office management and professional responsibility (including the applicable RPC for the member's license type, proper handling of client funds and trust accounts, and client communications), legal research and writing, and changes in the law that apply to the member's license type, as follows:
- (a) For lawyer members, a minimum of 15 ~~live~~ MCLE credits, consisting of at least four credit hours on law office management and professional responsibility, at least three credit hours on legal research and writing, and the remaining credit hours on recent significant changes in the law;
 - (b) For LLLT members, a minimum of seven ~~live~~ MCLE credits, consisting of at least two credit hours on law office management and professional responsibility, at least one credit hour on legal research and writing, and the remaining credit hours on recent significant changes in the law in approved LLLT practice or core education areas;
 - (c) For LPO members, a minimum of seven ~~live~~ MCLE credits, consisting of at least two credit hours on professional responsibility, and the remaining credit hours on recent significant changes in the law covered by the approved LPO Study Topics.

~~The MCLE credits earned for the course will apply to the total credits required in subsection 1)(d) above. The member is required to pay the cost of the course. Any member completing such course will be entitled to credit towards mandatory continuing legal education requirements for all CLE credits for which such reinstatement/readmission course is accredited. The member must comply with all registration, payment, attendance, and other requirements for such the course, and will be responsible for obtaining proof of attendance at the entire course and submitting or having such proof of completion submitted to the Bar.~~

~~Periods of administrative and/or disciplinary suspension occurring immediately before or after a change to Inactive will be included when determining whether a member is required to take the readmission course. For purposes of determining whether a member has been Inactive and/or Suspended for more than six consecutive years, the period continues to run until the change to Active membership is completed, regardless of when the application is submitted to the Bar.~~

- 3) Any member seeking to change to Active who was Inactive or any combination of Suspended and Inactive in Washington and does not have active legal experience as defined in APR 1(e) in any jurisdiction for more than ten consecutive years as of the date the application is submitted, must, in addition to ~~is required to complete~~ the requirements in Art. III. Sec.D.1.a.(1)(a), ~~(b), (c) and (d),~~ (e) and (f) above, ~~and is also required to take and pass the examinations required for admission to the Bar for the member's license type.~~
- 4) A Disability Inactive status member may be reinstated to Active pursuant to the disciplinary rules applicable to their license type. Before being transferred to Active, after establishing compliance with the disciplinary rules, the member also must comply with the requirements in these Bylaws for Inactive members transferring to Active status.
- 5) A member of any type who has transferred to Inactive status during the pendency of a grievance or disciplinary proceedings may not be transferred to Active except as provided herein and may be subject to such discipline by reason of any grievance or complaint as may be imposed under the ELC, ELPOC, or ELLLTC.

b. Transfer from Judicial to Active.

A Judicial member may request to transfer to any other status, including Active. Upon a Judicial member's resignation, retirement, or completion of such member's term of judicial office, such member must notify the Bar within 10 days, and any Judicial member desiring to continue ~~his or her~~ an affiliation with the Bar must change to another membership status within the Bar.

- 1) A Judicial member who has complied with all requirements for maintaining eligibility to return to another membership status may transfer to Active by submitting an application for change to Active membership status, paying any MCLE late fees owed, and paying the then current Active license fee for the member's license type, including

any mandatory assessments, less any license fee (not including late fees) and assessments paid as a Judicial member for the same licensing year.

- ~~(a) paying the then current Active license fee for the member's license type, including any mandatory assessments, less any license fee (not including late fees) and assessments paid as a Judicial member for the same licensing year; and~~
- ~~(b) complying with the MCLE requirements for members returning from Inactive to Active. Either judicial continuing education credits or lawyer continuing education credits may be applied to the credit requirement for Judicial members transferring to Active. If judicial continuing education credits are applied, the standards for determining accreditation for judicial continuing education courses will be accepted as establishing compliance.~~

- 2) A Judicial member wishing to transfer to Active upon leaving service as a judicial officer who has failed in any year to provide the annual member registry information or pay the annual license fee required of Judicial members to maintain eligibility to transfer to another membership status shall, prior to transfer to Active, be required to pay the Active license fee for the member's license type for any years the registry information was not provided or the Judicial fee was not paid, in addition to complying with the requirements of ~~(a)~~ 1 above.

c. Transfer from Pro Bono to Active

A Pro Bono member may transfer to Active by complying with the requirements for members returning from Inactive to Active. There is no limit on how long a member may be Pro Bono before returning to Active status.

d. Referral to Character and Fitness Board

All applications for readmission, reinstatement or transfer to Active status will be reviewed by Bar staff and handled consistent with the provisions of APR 20-24.3. In all cases reviewed by it, the Character and Fitness Board has broad authority to recommend withholding a transfer to Active status or imposing conditions on readmission to Active status, which may include retaking and passing the licensing examination applicable to the member's license type. The member will be responsible for the costs of any investigation, examination, or proceeding before the Character and Fitness Board and the Washington Supreme Court.

[...]

K. CHANGING STATUS AFTER SUSPENSION

1. Upon the completion of an ordered disciplinary or interim suspension, or at any time after entry of an order for an administrative suspension, a suspended member may seek to change status from suspended to any other membership status for which the member qualifies at the time the change in status would occur.

2. Before changing from suspended status, a member who is suspended pursuant to an interim or disciplinary suspension must comply with all requirements imposed by the Washington Supreme Court and/or the applicable disciplinary rules in connection with the disciplinary or interim suspension. Additionally, such member must comply with all other requirements as stated in these Bylaws and in the applicable APR.
3. ~~If a member was suspended from practice for more than one reason, all~~ All requirements associated with each ~~type of~~ reason for suspension must be met before the change from suspended status can occur.
4. Unless otherwise provided in the applicable APR, a suspended member may seek to change status by:
 - a. paying the required license fee and any assessments for the licensing year in which the status change is sought, for the membership status to which the member is seeking to change. For members seeking to change to Active or any other status from suspension for nonpayment of license fees, the required license fee will be the current year's license fee and assessments, the assessments for the year of suspension, and double the amount of the delinquent license fee and late fees for the license year that resulted in the member's suspension;
 - b. completing and submitting to the Bar an application for change of status, any required or requested additional documentation, and any required application or investigation fee, and cooperating with any additional character and fitness investigation or hearing that may be required pursuant to APR 20-24.3; ~~and~~
 - c. completing and submitting all licensing forms required for the license year for the membership status to which the member is seeking to change-;
 - d. paying any MCLE late fees owed; and
 - e. demonstrating active legal experience as defined in APR 1(e) for at least one year of the three years preceding the filing of the application, or, complying with the MCLE requirements for members returning from Inactive to Active as set forth in Art. III Sec. D.1.a.(1)(d) and D.1.a.2). ~~In addition to the above requirements:~~
 - 1) ~~Any member seeking to change to Active who was Suspended, or any combination of Suspended and Inactive, for less than six consecutive years must establish that within the six years prior to the return to active status, the member has earned and reported approved MCLE in a manner consistent with the requirements for one reporting period for an Active member with the same license type. However, if the member has been Suspended and/or Inactive for one year or less and the member was required to report MCLE compliance during the time the member was Suspended and/or Inactive, the member must establish that the member is compliant with the MCLE credits the member would have been required to report that period.~~
 - 2) ~~Any member seeking to change to Active who was Suspended, or any combination of Suspended and Inactive, for six or more consecutive years must establish that within the three years prior to the return to Active status, the member has earned and reported approved MCLE credits in a manner consistent with the requirement for one reporting period for an Active member with the same license type. In addition, the member must~~

~~have completed the applicable readmission/reinstatement course as set forth in Art. III, Sec.D.1.a)(2).~~

~~Any member completing such course will be entitled to credit towards mandatory continuing legal education requirement for all CLE credits for which such reinstatement/readmission course is accredited. It is the member's responsibility to pay the cost of attending the course. The member must comply with all registration, payment, attendance, and other requirements for such course, and will be responsible for obtaining proof of attendance at the entire course and submitting or having such proof submitted to the Bar.~~

5. Any member seeking to change to Active who was Suspended or any combination of Suspended and Inactive in Washington and does not have active legal experience as defined in APR 1(e) in any jurisdiction for more than ten consecutive years at the time the application is submitted, must, in addition to the requirements of Art. III, Sec. K.4.(a)-(d), above, take and pass the examinations required for admission to the Bar for the member's license type.

[...]

N. READMISSION AFTER VOLUNTARY RESIGNATION

Any former lawyer or LPO member who has voluntarily resigned and who seeks readmission to membership must apply for admission under APR 3 unless the member has been voluntarily resigned for less than four years at the time the application is submitted, in which case the member may choose to apply as follows. do so in one of two ways: by filing an application for readmission in the form and manner prescribed by the Bar, including a statement detailing the reasons the member resigned and the reasons the member is seeking readmission, or by seeking admission by motion pursuant to APR 3(c) (if the former member is licensed as a lawyer in another U.S. jurisdiction and would otherwise qualify for admission under that rule).

1. A former member choosing to file filing an application for readmission less than four years after voluntary resignation in lieu of filing an application for admission under APR 3 must:
 - a. submit an application for readmission in the form and manner prescribed by the Bar, including a statement detailing the reasons for voluntarily resigning and the reasons for seeking readmission;
 - b. pay the an application fee equal to that of a general bar exam applicant, together with such amount as the BOG may establish to defray the cost of processing the application and the cost of investigation; and
 - c. establish that such person is morally, ethically, and professionally qualified to be licensed as the applicable member type and is of good moral character and has the requisite fitness to practice law consistent with the requirements for other applicants for admission to practice law as the applicable member type. An application for readmission will be subject to character and fitness investigation and review as described in APR 20-24.3, consistent with other applications for admission;

- d. demonstrate active legal experience as defined in APR 1(e) for at least one year of the three years preceding the filing of the application, or, earn and report approved MCLE credits in a number and manner consistent with the requirements for one MCLE reporting period under APR 11 within the six years preceding the return to Active status, and reporting the total number of approved MCLE credits required for one reporting period for an Active member with the same license type, and paying any outstanding MCLE late fees that are owed. except the credits required in this section must have been earned no earlier than six years prior to the date the application was submitted; In addition to the above requirements, if an application for readmission is granted and:
 - e. pay any MCLE late fees owed;
 - f. complete the reinstatement/readmission course as required in Art. III Sec. D.1.a.(2); and
 - 1) ~~it has been less than four consecutive years since the voluntary resignation, the applicant must establish:~~
 - (a) ~~that within the three years prior to readmission the former member has earned and reported approved MCLE credits in a manner consistent with the requirement for one reporting period for an Active member of the same license type, without including the credits that might otherwise be available from the reinstatement/readmission course; and~~
 - (b) ~~attend and complete the applicable Bar sponsored reinstatement/readmission course as set forth in Art. III.Sec.D.1.a.)(2).~~
 - 2) ~~it has been four or more consecutive years since the voluntary resignation, the applicant must take and pass the applicable examination required for admission.~~
 - g. upon successful completion of the above requirements, the former member must satisfy the preadmission requirements and be admitted by Supreme Court order as set forth in APR 5, except that a lawyer who has been resigned for less than four years need not take and pass the Washington Law Component;.
 - 1) ~~A lawyer who has been resigned for less than four years need not take and pass the Washington Law Component; and~~
 - 2) ~~A LLLT applicant who has been resigned less than four consecutive years need not demonstrate completion of substantive law-related work experience.~~
2. ~~A voluntarily resigned former member seeking readmission through admission by motion pursuant to APR 3(c) must comply with all requirements for filing such application and for admission upon approval of such application.~~

WSBA BYLAWS

ARTICLE III. MEMBERSHIP

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D. CHANGE OF MEMBERSHIP STATUS TO ACTIVE

1. Members may change membership status as provided below.
 - a. **Transfer from Inactive to Active.**
 - 1) An Inactive member or Honorary member may transfer to Active by:
 - (a) paying an application and/or investigation fee and completing and submitting an application form, all required licensing forms, and any other required information. The fee in this paragraph is not required from an LPO or LLLT who has been inactive for 90 days or less;
 - (b) paying any MCLE late fees owed;
 - (c) demonstrating active legal experience as defined in APR 1(e) for at least one year of the three years preceding the filing of the application or completing MCLE requirements as outlined in subsection (d) below. Regardless of demonstrating active legal experience, if the member has been Inactive or a combination of Inactive, Pro Bono, Suspended, or Judicial for one year or less as of the date the application was submitted, and the member was required to report during that time period, then the member must establish MCLE compliance for that reporting period.
 - (d) completing MCLE requirements as outlined below when a member cannot demonstrate active legal experience as described in subsection (c) above. A member may use MCLE comity to meet the MCLE requirements of this section as provided for in APR 11(c)(6).
 - i. If the member has been Inactive or a combination of Inactive, Pro Bono, Suspended, or Judicial for one year or less as of the date the application was submitted and the member was not required to report during that time period, or if the member is changing status during their first MCLE reporting period, then the member has no additional MCLE requirements.
 - ii. If the member has been Inactive or a combination of Inactive, Pro Bono, Suspended, or Judicial for one year or less as of the date the application was submitted, and the member was required to report during that time period, then the member must establish MCLE compliance for that reporting period.
 - iii. If the member has been Inactive or a combination of Inactive, Pro Bono, Suspended, or Judicial for more than one year or up to six consecutive years as of the date the application was submitted, then the member must earn and report approved MCLE credits in a number and manner consistent with the requirements for one MCLE reporting period under APR 11 except that

the credits required in this section must be earned no earlier than six years prior to the date the application is submitted.

- (e) passing a character and fitness review essentially equivalent to that required of all applicants for admission to the Bar, pursuant to APR 20-24.3; and
 - (f) paying the current Active license fee, including any mandatory assessments, less any license fee (not including late fees) and assessments paid as an Inactive member for the same year.
- 2) If a member has been Inactive or any combination of Inactive, Pro Bono, or Suspended in Washington for more than six consecutive years as of the date the application was submitted, the member must, in addition to complying with subsection 1)(c) or (d) above, complete a reinstatement/readmission course sponsored by the Bar, which must consist of education on law office management and professional responsibility (including the applicable RPC for the member's license type, proper handling of client funds and trust accounts, and client communications), legal research and writing, and changes in the law that apply to the member's license type, as follows:
- (a) For lawyer members, a minimum of 15 MCLE credits, consisting of at least four credit hours on law office management and professional responsibility, at least three credit hours on legal research and writing, and the remaining credit hours on recent significant changes in the law;
 - (b) For LLLT members, a minimum of seven MCLE credits, consisting of at least two credit hours on law office management and professional responsibility, at least one credit hour on legal research and writing, and the remaining credit hours on recent significant changes in the law in approved LLLT practice or core education areas;
 - (c) For LPO members, a minimum of seven MCLE credits, consisting of at least two credit hours on professional responsibility, and the remaining credit hours on recent significant changes in the law covered by the approved LPO Study Topics.

The MCLE credits earned for the course will apply to the total credits required in subsection 1)(d) above. The member must comply with all registration, payment, attendance, and other requirements for the course, and will be responsible for submitting proof of completion to the Bar.

- 3) Any member seeking to change to Active who was Inactive or any combination of Suspended and Inactive in Washington and does not have active legal experience as defined in APR 1(e) in any jurisdiction for more than ten consecutive years as of the date the application is submitted, must, in addition to the requirements in Art. III. Sec.D.1.a.(1)(a), (b), (e) and (f) above, take and pass the examinations required for admission to the Bar for the member's license type.
- 4) A Disability Inactive status member may be reinstated to Active pursuant to the disciplinary rules applicable to their license type. Before being transferred to Active, after establishing compliance with the disciplinary rules, the member also must comply with the requirements in these Bylaws for Inactive members transferring to Active status.

- 5) A member of any type who has transferred to Inactive status during the pendency of a grievance or disciplinary proceedings may not be transferred to Active except as provided herein and may be subject to such discipline by reason of any grievance or complaint as may be imposed under the ELC, ELPOC, or ELLLTC.

b. Transfer from Judicial to Active.

A Judicial member may request to transfer to any other status, including Active. Upon a Judicial member's resignation, retirement, or completion of such member's term of judicial office, such member must notify the Bar within 10 days, and any Judicial member desiring to continue an affiliation with the Bar must change to another membership status within the Bar.

- 1) A Judicial member who has complied with all requirements for maintaining eligibility to return to another membership status may transfer to Active by submitting an application for change to Active membership status, paying any MCLE late fees owed, and paying the then current Active license fee for the member's license type, including any mandatory assessments, less any license fee (not including late fees) and assessments paid as a Judicial member for the same licensing year.
- 2) A Judicial member wishing to transfer to Active upon leaving service as a judicial officer who has failed in any year to provide the annual member registry information or pay the annual license fee required of Judicial members to maintain eligibility to transfer to another membership status shall, prior to transfer to Active, be required to pay the Active license fee for the member's license type for any years the registry information was not provided or the Judicial fee was not paid, in addition to complying with the requirements of (1) above.

c. Transfer from Pro Bono to Active

A Pro Bono member may transfer to Active by complying with the requirements for members returning from Inactive to Active. There is no limit on how long a member may be Pro Bono before returning to Active status.

d. Referral to Character and Fitness Board

All applications for readmission, reinstatement or transfer to Active status will be reviewed by Bar staff and handled consistent with the provisions of APR 20-24.3. In all cases reviewed by it, the Character and Fitness Board has broad authority to recommend withholding a transfer to Active status or imposing conditions on readmission to Active status, which may include retaking and passing the licensing examination applicable to the member's license type. The member will be responsible for the costs of any investigation, examination, or proceeding before the Character and Fitness Board and the Washington Supreme Court.

[...]

K. CHANGING STATUS AFTER SUSPENSION

1. Upon the completion of an ordered disciplinary or interim suspension, or at any time after entry of an order for an administrative suspension, a suspended member may seek to change status from suspended to any other membership status for which the member qualifies at the time the change in status would occur.
2. Before changing from suspended status, a member who is suspended pursuant to an interim or disciplinary suspension must comply with all requirements imposed by the Washington Supreme Court and/or the applicable disciplinary rules in connection with the disciplinary or interim suspension. Additionally, such member must comply with all other requirements as stated in these Bylaws and in the applicable APR.
3. All requirements associated with each reason for suspension must be met before the change from suspended status can occur.
4. Unless otherwise provided in the applicable APR, a suspended member may seek to change status by:
 - a. paying the required license fee and any assessments for the licensing year in which the status change is sought, for the membership status to which the member is seeking to change. For members seeking to change to Active or any other status from suspension for nonpayment of license fees, the required license fee will be the current year's license fee and assessments, the assessments for the year of suspension, and double the amount of the delinquent license fee and late fees for the license year that resulted in the member's suspension;
 - b. completing and submitting to the Bar an application for change of status, any required or requested additional documentation, and any required application or investigation fee, and cooperating with any additional character and fitness investigation or hearing that may be required pursuant to APR 20-24.3;
 - c. completing and submitting all licensing forms required for the license year for the membership status to which the member is seeking to change;
 - d. paying any MCLE late fees owed; and
 - e. demonstrating active legal experience as defined in APR 1(e) for at least one year of the three years preceding the filing of the application, or, complying with the MCLE requirements for members returning from Inactive to Active as set forth in Art. III Sec. D.1.a.(1)(d) and D.1.a.2).
5. Any member seeking to change to Active who was Suspended or any combination of Suspended and Inactive in Washington and does not have active legal experience as defined in APR 1(e) in any jurisdiction for more than ten consecutive years at the time the application is submitted, must, in addition to the requirements of Art. III, Sec. K.4.(a)-(d), above, take and pass the examinations required for admission to the Bar for the member's license type.

[...]

N. READMISSION AFTER VOLUNTARY RESIGNATION

Any former lawyer or LPO member who has voluntarily resigned and who seeks readmission to membership must apply for admission under APR 3 unless the member has been voluntarily resigned for less than four years at the time the application is submitted, in which case the member may choose to apply as follows.

1. A former member choosing to file an application for readmission less than four years after voluntary resignation in lieu of filing an application for admission under APR 3 must:
 - a. submit an application for readmission in the form and manner prescribed by the Bar, including a statement detailing the reasons for voluntarily resigning and the reasons for seeking readmission;
 - b. pay an application fee equal to that of a general bar exam applicant;
 - c. establish that such person is morally, ethically, and professionally qualified to be licensed as the applicable member type and is of good moral character and has the requisite fitness to practice law consistent with the requirements for other applicants for admission to practice law as the applicable member type. An application for readmission will be subject to character and fitness investigation and review as described in APR 20-24.3, consistent with other applications for admission;
 - d. demonstrate active legal experience as defined in APR 1(e) for at least one year of the three years preceding the filing of the application, or, earn and report approved MCLE credits in a number and manner consistent with the requirements for one MCLE reporting period under APR 11 except the credits required in this section must have been earned no earlier than six years prior to the date the application was submitted;
 - e. pay any MCLE late fees owed;
 - f. complete the reinstatement/readmission course as required in Art. III Sec. D.1.a.(2); and
 - g. upon successful completion of the above requirements, the former member must satisfy the preadmission requirements and be admitted by Supreme Court order as set forth in APR 5, except that a lawyer who has been resigned for less than four years need not take and pass the Washington Law Component.