

CHARTER

Oath Review and Drafting Task Force

Adopted: July 18, 2025.

Background

Oaths of legal practitioners in the state of Washington are found in Admission and Practice Rule (APR) 5. There is an Oath of Attorney, as well as corresponding Oaths for Limited Practice Officers (LPO) and Limited License Legal Technicians (LLLT).¹ Taking the oath is a preadmission requirement for each license type, and the oath, in most cases, must be taken in person, by telephone, or by videoconference before an elected or appointed judge sitting in the state of Washington.² The Oath of Attorney has been a component of the Admission and Practice Rules (formerly known as the Rules for Admission to Practice) since 1938. The oath adopted by the Supreme Court was based on the statutorily prescribed oath first adopted by the Washington Legislature in 1917, though language used in the oath appears to date back to Territorial laws enacted in 1863. The Oath of Attorney has been amended from time to time,³ but much of the language that remains is derived from the statute. The Oath for LPOs was added to the APR in 2017, formerly appearing in the Regulations of the APR 12 Limited Practice Board; it was initially adopted in 1987 as part of the former Rules for Admission and Certification to Limited Practice. The Oath for LLLTs was adopted in 2012.

Task Force Purpose and Responsibilities

The Oath Review and Drafting Task Force is established to evaluate whether WSBA should suggest the Supreme Court amend Washington State's APR 5 oaths in ways that would update and reinvigorate them. Should the Task Force recommend amendment of the oath, it shall prepare draft amendments for the Board of Governors' consideration. In performing these responsibilities, the Task Force shall proceed according to the following objectives and guidelines.

- The Task Force shall communicate about its process with members and the public and seek input. The Task Force shall, in particular, obtain advisory perspectives from stakeholder groups with an interest in the content of the oath, including new and young lawyers; senior lawyers; the access-to-justice community; the judiciary; law schools and law students; Inns of Court; WSBA Sections; and county, affinity, and specialty bar associations.
- The Task Force shall gather and review historical materials about the development of Washington State's oaths, as well as perform a comparative analysis of the oaths in use by other jurisdictions.
- The Task Force shall consider whether it is advisable to consolidate the three existing oaths into one oath.
- The Task Force shall, in considering the content of the oath, recognize that violation of the oath can be a basis for discipline in Washington. See RPC 8.4(k); LPORPC 1.10(e); LLLT RPC 8.4(k).

¹ See APR 5(g), (h), (j).

² APR 5(f). Note that in June 2025, the Supreme Court adopted changes to the oath requirements in order to permit oaths to be taken by telephone or videoconference.

³ For example, in the 1950s, the Oath included the following language: "I am not now and never have been a member of any organization or party having for its purpose and objective the overthrow of the United States government by force or violence." See Ralph S. Brown & John D. Fassett, *Loyalty Tests for Admission to the Bar*, 20 U. CHI. L. REV. 480, 485 (1952-1953).

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- The Task Force shall provide periodic updates to the Board of Governors about its progress.
- The Task Force shall ensure that its recommendations are consistent with WSBA's organizational parameters as defined in General Rule 12.2.
- The Task Force shall submit a final report to the Board of Governors, including, as appropriate, draft amendments to the oaths and related rules.

Timeline

The work of the Task Force shall be accomplished according to the following schedule:

- Begin meeting no more than six weeks after member and chair appointments are completed;
- Complete work and submit a final report not later than one year after the first Task Force meeting, unless the timeline for completion is extended by the Board;
- If the Board of Governors approves a recommendation to submit suggested amendments to the Supreme Court, prepare a set of suggested rule amendments and GR 9 materials for submission to the Supreme Court before the first GR 9 deadline after the draft amendments are approved.

Task Force Membership

The Task Force shall consist of the following voting members:

- An active WSBA member, not currently serving on the Board of Governors, who shall serve as Chair;
- Two current or former members the Board of Governors or WSBA officers;
- Six members of the WSBA, including at least one Limited Practice Officer or Limited License Legal Technician and a judicial member.

In recruiting and appointing voting members, consideration shall be given to diversity in a range of areas, including gender, ethnicity, disability status, sexual orientation, geography, areas of practice, and practice experience.

In accordance with WSBA Bylaws Art. IX(B)(2), selection of the chair and persons to be appointed to the Task Force will be made by the President with confirmation by the Board of Governors.

The Executive Director shall designate a WSBA staff liaison.

Meetings

The presence of a majority of Task Force members at a meeting constitutes a quorum. A quorum must be present at the time any vote is taken. Decisions of the Task Force shall be made by majority vote of members present at the time of the vote.