

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF AMENDMENTS TO)
THE WSBA BYLAWS ARTICLE III SEC.)
D.1.a.3) AND K.5 AMENDMENTS)
_____)

ORDER

NO. 25700-B-755

The Washington Supreme Court has plenary authority over the practice of law in Washington. The Washington State Bar Association (WSBA) serves under the delegated authority of the Court in regulating and administering licenses to practice law in Washington and effectuating other purposes and functions as set forth in General Rule (GR) 12 and 12.1 – 12.5. All amendments to the WSBA Bylaws are subject to Supreme Court approval.

In a letter dated August 18, 2026, the WSBA provided the Court with proposed amendments to Article III, Sec. D.1.a.3) and K.5 of the WSBA Bylaws that were approved by the WSBA Board of Governors at its July 25, 2026, meeting. The amendments will remove the requirement to pass the bar exam for current members returning to active status.

NOW, THEREFORE, IT IS HEREBY

ORDERED:

That the WSBA Bylaws Amendments to Article III, Sec. D.1.a.3) and K.5, as described above, and as provided in the attached copy of the amendments, are approved by this Court and shall be given full force and effect.

DATED at Olympia, Washington this 4th day of September, 2026.

For the Court


CHIEF JUSTICE

PROPOSED AMENDMENTS TO THE WSBA BYLAWS

I. – II. [Unchanged.]

III. MEMBERSHIP

A. – C. [Unchanged.]

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 Emeritus 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 a 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.~~

43) 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.

54) 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 ELLTC.

E. – J. [Unchanged.]

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.~~

L. – O. [Unchanged.]

IV. – XVII. [Unchanged.]