

## ADMISSIONS POLICIES OF THE WASHINGTON STATE BAR ASSOCIATION

Under the authority of, and consistent with, the Admission and Practice Rules, the Board of Governors of the Washington State Bar Association (Bar) has adopted the following Admissions Policies in administering those rules. These policies apply to individuals seeking admission to the Bar as a lawyer, limited license legal technician (LLLT) or limited practice officer (LPO) and supplement APR 3-5 and 20-25. Adopted July 1, 2012. Amended July 28, 2017, amendments effective September 1, 2017.

### I. GENERAL PROVISIONS AND DEFINITIONS

#### A. Applications

Applications for admission to practice law in Washington must be completed online and submitted electronically or as prescribed by the Bar's admissions staff. Where electronic submission is required, permission to submit an application in a paper format may be requested and granted for good cause shown.

#### B. Definitions

"Approved Law School" means a law school approved by the Board of Governors. Only those law schools approved by the American Bar Association are approved by the Board of Governors. A list of ABA approved law schools is available on the ABA website.

"Attorney Applicant" means a person applying for admission as a lawyer who, at the time of filing the application, has ever been admitted to practice law as a lawyer (or the equivalent for that jurisdiction) in any U.S. jurisdiction other than Washington.

"General Applicant" means a person applying for admission as a lawyer who, at the time of filing the application, has never been admitted to practice law as a lawyer (or the equivalent for that jurisdiction) in any jurisdiction except Washington, and who does not meet the definition of a Foreign Applicant.

"Foreign Applicant" means a person applying for admission as a lawyer who 1) has ever been admitted to the practice of law as a lawyer (or the equivalent for that jurisdiction) in any foreign jurisdiction (designated herein as "Foreign Attorney Applicant" when relevant), or 2) has a law degree from a law school outside the U.S. that would qualify the applicant to practice law as a lawyer (or the equivalent for that jurisdiction) in that jurisdiction and that was received prior to a law degree received in the U.S.

"LLLT Applicant" means a person applying for admission as a limited license legal technician.

"LPO Applicant" means a person applying for admission as a limited practice officer.

## II. APPLICATION REQUIREMENTS

### A. Application Submission Policy

All Applicants must complete and file with the Bar, within the filing deadlines specified below, the following:

- a completed application in the form required by the Bar;
- Certificates of Good Moral Character, dated within 6 months of the application date and completed by two lawyers admitted to practice law in any U.S. jurisdiction or the foreign jurisdiction in which the applicant is admitted to practice law. For LLLT Applicants and LPO Applicants the certificates also may be completed by LLLTs or LPOs admitted to practice in Washington; and
- an Authorization and Release form. The form must be signed and notarized within 6 months of the application date.

In addition, Attorney Applicants, including Foreign Attorney Applicants, must file:

- a Certificate of Good Standing from each jurisdiction in which the applicant is admitted (excluding Federal Courts). Certificates of Good Standing for Attorney Applicants and Foreign Applicants admitted to practice law must be issued by the admitting authority (e.g., State Bar or highest state court) in each jurisdiction where the applicant has been admitted. The certificate must be signed and dated within 6 months of the application date.

All documents must be in English or accompanied by a certified English translation.

### B. Application Filing Deadlines

Applications for admission by exam, except those of Foreign Applicants, are accepted beginning February 1 for the summer exam and September 1 for the winter exam. Applications for Foreign Applicants are accepted beginning September 1 for the summer exam and February 1 of the year prior to the exam for the winter exam. Filing deadlines for applications to take an examination are as follows:

All Exam Applicants EXCEPT Foreign Applicants:

| <b>Examination</b> | <b>Applications Accepted</b> | <b>First Deadline</b> | <b>Late Filing Deadline</b> | <b>Failed Previous WA Exam Deadline With No Late Fee</b> |
|--------------------|------------------------------|-----------------------|-----------------------------|--|
| Summer Exam        | February 1                   | March 5               | April 5                     | May 5  |
| Winter Exam        | September 1                  | October 5             | November 5                  | October 5  |

Foreign Applicants:

| <b>Examination</b> | <b>Applications Accepted</b> | <b>First Deadline</b> | <b>Late Filing Deadline</b> | <b>Failed Previous WA Exam Deadline With No Late Fee</b> |
|--------------------|------------------------------|-----------------------|-----------------------------|--|
| Summer Exam        | September 1<br>(year prior)  | October 5             | November 5                  | October 5  |
| Winter Exam        | February 1<br>(year prior)   | March 5               | April 5                     | May 5  |

The deadline will be the next business day when a deadline falls on a Saturday, Sunday or holiday.

Late filing requires payment of a late filing fee as provided in the fee schedule. No applications will be accepted after the late filing deadline except for applicants who failed the most recent past winter Washington exam and are applying for the following summer Washington exam; those applicants are not required to pay the late filing fee and the deadline will be May 5.

Electronic applications, including payment, Authorization and Release form, and Certificates of Good Moral Character, must be filed online by 11:59 P.M. (PST/PDT) the day of the application deadline. Applications in other formats and any payments by check must be filed, received or postmarked by the application deadline.

Payments received or postmarked after the first deadline will incur a late filing fee. Applications will not be accepted if payment is received or postmarked after the final deadline.

### C. Other Deadlines

File all requested and/or additional items .....18 days prior to first day of exam.  
ExamSoft (laptop) Registration.....18 days prior to first day of exam.  
Change of exam method.....18 days prior to first day of exam.  
Change of exam location .....18 days prior to first day of exam.  
Request special needs for exam room .....18 days prior to first day of exam.  
Withdraw from exam with refund.....60 days prior to first day of exam.  
Request ADA accommodations .....80 days prior to first day of exam.  
UBE Score Transfer Applications .....No deadline, may apply at any time.  
Admission by Motion Applications.....No deadline, may apply at any time.

## III. FEES

### A. Fee Schedule

|   |       |
|---|-------|
| (1) General Applicants, including Foreign Applicants not previously admitted to the practice of law in any jurisdiction ..... | \$585 |
| Late Filing Fee .....   | \$300 |
| (2) Attorney Applicants, including Foreign Attorney Applicants.....   | \$620 |
| Late Filing Fee .....   | \$300 |
| (3) LLLT Applicants.....  | \$300 |
| Practice Area Exam Only .....   | \$250 |
| Professional Responsibility Exam Only .....   | \$80  |
| Late Filing Fee .....   | \$150 |
| (4) LPO Applicants .....  | \$200 |

Late Filing Fee .....\$100

All bank card transactions are subject to a separate non-refundable transaction fee of 2.5%. There is no transaction fee for payments by check. Payments by check must be received or postmarked by the application deadline. Payments received or postmarked after the first deadline will incur a late filing fee as outlined in section II (B).

**B. NCBE Investigation Fee**

Applications for all Attorney Applicants and Foreign Applicants are referred to the National Conference of Bar Examiners for verification and investigation of the information in the application. NCBE fees are set by the NCBE and are nonrefundable. Attorney Applicants and Foreign Applicants must make a separate payment and submit two (2) **original** Authorization and Release forms to the NCBE with the NCBE payment form.

<http://www.ncbex.org/character-and-fitness/jurisdiction/wa>

**C. Withdrawals and Refunds**

For all applicants, the application fee includes a non-refundable administrative processing fee as set forth below. An applicant must request to withdraw an application at least 60 days prior to the date of the examination for a partial refund. The Bar will issue a refund of the fee less the administrative fee. Any late filing fees paid, and any investigation costs are nonrefundable. No refunds will be issued for withdrawals requested, or disqualifications made, less than 60 days prior to the date of the exam. Applicants forfeit all fees if they do not show up for the exam.

Applicants with an admission by motion or UBE score transfer application who withdraw their application will receive a refund less the administrative fee provided the application is withdrawn less than 12 months after filing it.

Administrative Fee (nonrefundable portion of application fee):

|  |       |
|--|-------|
| General, Attorney and Foreign Applicants ..... | \$300 |
| LLLT Applicants .....                          | \$150 |
| LPO Applicants.....                            | \$100 |

If there are extraordinary circumstances that prevent an applicant from taking the examination (e.g., a serious medical emergency, death in the immediate family, significant health problems, house fire), a written request must be delivered to the WSBA within 18 days after the exam in order to receive a partial refund as set forth above.

**IV. CHARACTER & FITNESS REVIEW**

All applicants are subject to a character and fitness review prior to being admitted to practice law in Washington State. The responsibility for full disclosure rests entirely upon the applicant. Permission to sit for the examination or admission to practice law may be withheld pending a hearing before the

Character and Fitness Board and final determination regarding whether the applicants have met their burden of proving that they are of good moral character, fit to practice law and have met the Essential Eligibility Requirements. See APR 20-24.3. Factors considered by Admissions staff and Bar Counsel when determining whether an applicant should be referred to the Character and Fitness Board are set forth in APR 21(a).

Washington requires resolution of all character and fitness issues at least 60 days prior to sitting for the exam. Applicants with unresolved character and fitness issues will not be permitted to sit for the exam. Therefore, applicants who disclose any information that may raise an issue of character or fitness are advised to file their applications early in the registration period. Early filing does not guarantee all issues will be resolved 60 days prior to the exam.

The WSBA Character and Fitness Board will not consider applications from attorney applicants including foreign attorney applicants who are currently under disciplinary suspension from another jurisdiction in which they are admitted to practice law.

#### **V. NCBE REPORT REQUIREMENT FOR ATTORNEY AND FOREIGN APPLICANTS**

All attorney and foreign applicants will have their applications investigated and verified by the National Conference of Bar Examiners (NCBE). Attorney applicants will not be allowed to sit for the exam if the WSBA does not receive a report back from the NCBE at least 18 days prior to the first day of the exam. Foreign applicants must apply during the application period for the exam prior to the one they want to take (see Application Filing Deadlines in section II B).

All applicants will be given the option to transfer their registration fees and application to the next exam if the character and fitness review is not complete or the NCBE report is not received by the appropriate deadline. Applicants may also choose to withdraw from the exam and receive a partial refund if the request is made at least 60 days prior to the first day of the exam. Applications with a completed NCBE report may be used for two consecutive exam cycles after which a new investigation will be required.

#### **VI. REASONABLE ACCOMMODATIONS UNDER THE ADA**

Any applicant with a disability for which reasonable accommodation is needed must request such accommodation in writing at least 80 days prior to the examination date. Any reasonable accommodation may not compromise the integrity or security of the examination or affect the standards set for the examination. WSBA and any applicant granted accommodations must agree to and accept the terms and conditions of the accommodations no less than 60 days prior to the first day of the examination.

#### **VII. SPECIAL REQUESTS FOR THE EXAM ROOM**

For good cause shown, applicants may be permitted to bring otherwise prohibited items into the exam room. Examples of items are: pillows/lumbar supports, ergonomic chairs, book stand, wrist rest,

medication, external keyboard or mouse, and religious headgear. In addition, applicants may request a specific seating location in the exam room due to a medical condition.

The WSBA will provide a room for nursing mothers upon request. Nursing mothers may use the nursing room before and after the exam, during breaks and during the exam. An applicant must be accompanied by a proctor if the nursing room is used during the exam.

All special requests for the lawyer bar exam must be made on the online admissions site using the special request tool at least 18 days prior to the first day of the exam. All requests from LLLT and LPO applicants must be in writing. All requests must be supported (if applicable) by a doctor's note.

## **VIII. LAPTOP USE AND EXAMSOFT**

Applicants for the lawyer bar exam requesting to use a laptop computer for the MEE and MPT must register, pay for, and download software from ExamSoft. Lawyer bar exam applicants using a laptop are required to purchase and download the Examsoft software for each administration of the bar exam, even if they have used it in the past. Fees paid to ExamSoft are nonrefundable and nontransferable. Lawyer bar exam applicants who will be using a laptop to take the exam must sign a waiver of liability on exam day. Lawyer bar exam applicants who do not purchase and download the software by 18 days prior to the exam will handwrite the exam.

## **IX. EXAMINATION PROVISIONS**

### **A. Grading and Results for All Examinations**

(1) All applicants for all exams are to abide by the Exam Security Policy as established by the Bar.

(2) Grading of examinations shall be anonymous. Graders shall be provided exam answers with only the applicant ID number to identify to whom the answer belongs. Names or other personal information that would identify an applicant is not provided to the graders. All information matching names and numbers of the applicants shall be kept in the custody of the Bar until all examinations have been graded and each examination has been given either a pass or fail grade by applicant number only.

(3) There is no review or appeal of final examination results.

(4) The names of successful applicants shall be posted at the headquarters of the Bar and on the Bar's website.

(5) Unsuccessful exam applicants may reapply and retake the exam in the same manner as any other applicant.

### **B. Lawyer Bar Examination**

(1) All lawyer bar exam applicants must pass the Uniform Bar Exam prepared and coordinated by the National Conference of Bar Examiners. The UBE consists of Multistate Bar Exam (MBE), Multistate Essay Exam (MEE) and Multistate Performance Test (MPT) questions. The UBE is administered over two days in accordance with the procedures established by the NCBE.

(2) The Board of Bar Examiners is responsible for the grading of the MEE and MPT questions on the UBE. In order to assure fairness and uniformity in grading, the Board of Bar Examiners shall follow NCBE-prescribed standards for grading to be used by all graders. The Board of Bar Examiners shall, as soon as practicable and within any guidelines prepared by the NCBE, certify the scores on the MEE and MPT portions for all applicants who have taken the UBE.

(3) Upon completion of the grading and certification, the Bar shall cause each lawyer bar exam applicant to be notified of the result of the examination. All results shall be reported to the NCBE in accordance with procedures established by the NCBE. All scaled scores and the applicant's national percentile rank for the MBE will also be reported to a lawyer bar exam applicant's law school.

(4) All lawyer bar exam applicants will be provided with the scaled written (MEE+MPT) score, scaled MBE score, total scaled UBE score and their national percentile rank for the MBE. Unsuccessful lawyer bar exam applicants will receive copies of their written essay and performance test questions and answers and written raw scores. No other raw scores, results information or examination materials will be provided to the applicants.

#### C. Washington Law Component

All applicants for admission as a lawyer must pass the Washington Law Component (WLC). The WLC is comprised of online materials and an online multiple choice test based on areas or subjects of law that are specific to Washington State. The Board of Bar Examiners is responsible for the content of the WLC and shall publish the Washington state specific materials for applicants.

The WLC is self-administered by applicants and is available to applicants after filing the application for the bar exam. There is no fee to take the WLC. The WLC is an open-book test. Applicants may take the WLC as many times as necessary to achieve the minimum pass score. There is a mandatory waiting period of 24 hours after failing to pass the WLC the first time. Subsequent fails of the WLC require a 72 hour waiting period before retaking the test. The WLC minimum pass score is 80% correct. If an applicant fails the UBE or withdraws from the UBE after taking the WLC, that applicant must retake the WLC after applying for the next UBE administration.

#### **X. UBE SCORE TRANSFER APPLICANT PROVISIONS**

UBE score transfer applicants must meet the qualifications for lawyer bar examination applicants as set forth in APR 3(b).