

# WASHINGTON STATE BAR ASSOCIATION

## ADMISSIONS POLICIES OF THE WASHINGTON STATE BAR ASSOCIATION

Under the authority of, and consistent with, the Washington Supreme Court's Admission and Practice Rules (APR), 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 reinstatement under APR 25 or admission to the Bar as a lawyer, limited practice officer (LPO), house counsel or foreign law consultant. These policies supplement APR 3-5, 8(f), 14 and 20-25. Any discrepancy or conflict between these policies and the APR is unintentional and will be resolved in favor of strict compliance with the APR.

Adopted July 1, 2012. Amended July 28, 2017, amendments effective September 1, 2017.

Amended November 14, 2020, amendments effective December 1, 2020.

Amended January 13, 2022, amendments effective February 1, 2022.

Amended June 9, 2023, amendments effective September 1, 2023.

Amended July 15, 2024, by Court order, amendments effective September 1, 2024.



## **I. GENERAL PROVISIONS AND DEFINITIONS**

### **A. Applications**

Applications for admission to practice law in Washington must be completed and submitted online or as prescribed by the Bar's admissions staff.

### **B. Definitions**

"Approved Law School" means a law school approved by the Board of Governors. Only those law schools approved, or provisionally approved, by the American Bar Association at the time the J.D. was conferred 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 under APR 3 or a person petitioning for reinstatement under APR 25 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 jurisdiction other than Washington.

"Foreign Law Consultant Applicant" means a person applying for licensure as a foreign law consultant under APR 14.

"General Applicant" means a person applying for admission as a lawyer under APR 3 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 other than Washington, or a person petitioning for reinstatement under APR 25 who has been admitted to practice law in Washington only.

"House Counsel Applicant" means a person applying for licensure as house counsel under APR 8(f).

"LPO Applicant" means a person applying for admission, or petitioning for reinstatement under APR 25, as a limited practice officer.

## **II. APPLICATION REQUIREMENTS**

### **A. Application Submission Policy**

All applicants must submit electronically, within the filing deadlines specified below, the following:

- a completed application in the form required by the Bar including any required supplemental documentation;
- two Certificates of Good Moral Character, dated within 6 months prior to 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 LPO Applicants the certificates 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 prior to the application date.

In addition, Attorney Applicants must submit:

- a Certificate of Good Standing from each jurisdiction in which the applicant has ever been admitted (including federal courts and tribal courts). Certificates of Good Standing (or similar document) for Attorney 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. If the applicant is no longer admitted in the jurisdiction, the applicant must submit a letter from the jurisdiction that includes the dates of admission and status history. The certificate or letter must be signed and dated within 6 months prior to the application date.

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

**B. Exam Application Filing Deadlines**

Only applications for an exam (excluding petitions for reinstatement under APR 25 have a filing deadline. Applications for admission by exam are accepted beginning February 1 for the summer exam and September 1 for the winter exam. Filing deadlines for applications to take an examination are as follows:

<b>Examination</b>	<b>Applications Accepted</b>	<b>First Deadline</b>	<b>Late Filing Deadline</b>	<b>Failed the Immediately Preceding Winter 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	N/A

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 immediately preceding 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.

Applications, including payment, must be submitted online by 11:59 P.M. (PST/PDT) the day of the deadline. Applications, or payments, submitted after the first deadline will incur a late filing fee.

Exam applications not submitted by the late filing deadline will be deleted.

**C. Non-Exam Application Deadlines**

Applications without a filing deadline (non-exam applications) that are incomplete or missing payments, authorization and release forms, or certificates of good moral character will be disqualified within 60 days from the submission date. When an application is disqualified for this reason, the applicant will receive a partial refund as set forth in Section III.C.

Applications that are not submitted within six months of starting the application online will be deleted.

C. Other Deadlines

Request testing accommodations .....	80 days prior to first day of exam.
File all requested and/or additional items.....	18 days prior to first day of exam.
Character and fitness resolution.....	18 days prior to first day of exam.
Exam360 (laptop) registration .....	18 days prior to first day of exam.
Change of exam method.....	18 days prior to first day of exam.
Special requests for exam room .....	18 days prior to first day of exam.
Withdraw from exam with partial refund.....	18 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.
House Counsel Applications.....	No deadline, may apply at any time.
Foreign Law Consultant Applications.....	No deadline, may apply at any time.
Petitions for Reinstatement (after disbarment) under APR 25 .....	No deadline; see APR 25 et. seq.
Withdraw a non-exam application with partial refund .....	One year from date of application.

**III. FEES**

A. Fee Schedule

(1) General Applicants (Bar Exam and UBE Score Transfer).....	\$595
Late Filing Fee (exam applicants only).....	\$300
(2) Attorney Applicants (Bar Exam and UBE Score Transfer) .....	\$645
Late Filing Fee (exam applicants only).....	\$300
(3) LPO Applicants .....	\$200
Late Filing Fee.....	\$100
(4) Admission by Motion Applicants .....	\$970
(5) House Counsel Applicants.....	\$970
(6) Foreign Law Consultant Applicants.....	\$970

All bank card transactions are subject to a separate non-refundable transaction fee of 2.5%. There is no transaction fee for payments by electronic funds transfer (EFT) or check.

For exam applicants, 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. Applications will not be accepted if payment is received or postmarked after the late filing deadline.

For exam applicants, if an application fee paid by EFT or check is declined, then applicants will have one additional opportunity to resubmit payment within five business days from notification of the declined payment. If payment is not resubmitted within the five business days, a late fee will be assessed for applications submitted by the first deadline. If the late filing deadline has passed and payment is not resubmitted within five business days from the notification of the declined payment, then the application will not be accepted.

B. NCBE Investigation Fee

Applications for General Applicants applying under APR 3(b)(4)(B), House Counsel Applicants, Foreign Law Consultant Applicants, and all Attorney Applicants, except for applicants eligible for military spouse admission by motion under APR 3(c)(2), are referred to the National Conference of Bar Examiners (NCBE) for verification and investigation of the information in the application. Applicants are required to pay a nonrefundable investigation fee to the NCBE. See section V of these policies for all NCBE requirements.

C. Withdrawals and Refunds

For all applicants, the application fee includes a non-refundable administrative processing fee as set forth below. An exam applicant must withdraw an application at least 18 days prior to the date of the examination for a partial refund. Petitioners under APR 25 and all other applicants must withdraw their applications no later than one year after filing the application to receive a partial refund. The Bar will issue a refund of the application fee less the administrative fee. The partial refund policy applies to applications that are disqualified. Any late filing fees paid, and any investigation costs are nonrefundable. For exam applications, no refunds will be issued for withdrawals or disqualifications made less than 18 days prior to the date of the exam. For all other applications, no refunds will be issued for withdrawals or disqualifications made later than one year after filing the application. Exam applicants forfeit all fees if they do not show up for the exam. Exam applicants cannot transfer their applications or application fees to a different exam.

Administrative Fee (nonrefundable portion of application fee):

General, Attorney, House Counsel and Foreign Law Consultant Applicants .....	\$400
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 Bar within 18 days after the exam in order to receive a partial refund as set forth above. The Bar may require the applicant to submit supporting documentation for the request.

D. Change of Application Type

For good cause shown, Bar staff has discretion to change the application type upon request of the applicant and apply any application fee already paid to the new application type. An example situation would be changing a House Counsel application to an Admission by Motion application.

**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 a final determination by the Washington Supreme Court 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 18 days prior to sitting for the exam. Exam applicants with unresolved character and fitness issues after this deadline will not be permitted to sit for the exam and will have their application transferred to the next exam. Applicants may choose to withdraw from the exam and receive a partial refund if the request is made at least 18 days prior to the first day of the exam in lieu of transferring to the next 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 or providing information prior to the 18-day deadline does not guarantee all issues will be resolved 18 days prior to the exam.

All petitions for reinstatement under APR 25 are referred to the Character and Fitness Board for hearing, per APR 25.3(b). Petitioners will be assigned to the next available licensing exam only after receiving Washington Supreme Court approval of their petition.

## **V. NCBE REPORT REQUIREMENT**

Applications for General Applicants applying under APR 3(b)(4)(B), House Counsel Applicants, Foreign Law Consultant Applicants, and all Attorney Applicants, except for applicants eligible for military spouse admission by motion under APR 3(c)(2), are referred to the National Conference of Bar Examiners (NCBE) for verification and investigation of the information in the application. Applicants who have an application that is referred to the NCBE will be contacted by the NCBE and required to pay an investigation fee and submit authorization and release forms directly to the NCBE. The Bar cannot finish processing applications until the report is received from the NCBE.

Applicants applying for an exam will not be allowed to sit for the exam if the Bar does not receive a report back from the NCBE at least 18 days prior to the first day of the exam; in that case, the application will be transferred to the next exam.

Applicants may choose to withdraw from the exam and receive a partial refund if the request is made at least 18 days prior to the first day of the exam in lieu of transferring to the next exam.

NCBE reports are valid for one calendar year from the date the Bar receives the completed report from the NCBE, after which a supplemental or new NCBE report will be required. See the NCBE website for additional information: <http://www.ncbex.org/character-and-fitness/jurisdiction/wa>.

## **VI. REQUESTS FOR TESTING ACCOMMODATIONS**

Any applicant requesting testing accommodation for a claimed disability must ask for such accommodation through the online admissions site at least 80 days prior to the examination date. Applicants requesting testing accommodations must provide appropriate documentation of the disability and specify the extent to which they are requesting that the standard testing procedures need to be modified. The applicant is responsible for demonstrating their need for any requested accommodations. The Bar reserves the right to make final judgment concerning testing accommodations and may have any

submitted documentation reviewed by a specialist. See the online admissions site for additional information regarding accommodation requests and required documentation.

Any testing accommodation may not compromise the integrity or security of the examination or affect the standards set for the examination. After the Bar provides notice to an applicant of the testing accommodations granted to that applicant, the applicant must acknowledge that they read and understand the accommodations granted no less than 18 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 attire. In addition, applicants may request a specific seating location in the exam room due to a medical condition.

The Bar will provide a room for nursing people upon request. Nursing people 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 session.

All special requests for an exam must be made on the online admissions site no less than 18 days prior to the first day of the exam. All requests must be supported (if applicable) by a doctor's note.

## **VIII. LAPTOP USE AND EXAM360 SOFTWARE**

Applicants for an exam requesting to use a laptop computer for the written portions of the exam must register, pay for, and download software from ILG Exam360. Exam360 must be purchased and downloaded for each administration of the exam, even if used in the past. Fees paid to ILG Exam360 are nonrefundable and nontransferable. Laptop users must sign a waiver of liability on exam day. Applicants who do not purchase and download the software by 18 days prior to the exam will be required to handwrite the exam.

If an exam applicant's laptop fails prior to the exam, the applicant must contact ILG Exam360 to download Exam360 again.

## **IX. EXAMINATION PROVISIONS**

### **A. Exam Security Policies & Exam Site**

All applicants for all exams are to abide by the Exam Security Policy and any other exam policies or procedures established by the Bar or the Washington Supreme Court.

Only applicants, WSBA staff, WSBA volunteers with permission from staff, proctors, WSBA vendors, and exam site staff and vendors are permitted at the exam site. The only exception is for law school representatives who may be present in designated areas at the end of the second day of the bar exam. Law school representatives should notify WSBA in advance and follow instructions from the WSBA. No pets are allowed at the exam site. Certified service animals may be approved as part of a testing accommodations request.

B. Grading and Results for All Examinations

(1) 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.

(2) There is no review or appeal of final examination results. APR 4(b).

(3) The names of successful applicants will be posted on the Bar's website.

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

C. 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 the 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.

D. Washington Law Component

All applicants qualifying for admission as a lawyer under APR 3 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 online after submitting the application. 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 after passing the WLC, an applicant fails the UBE, withdraws their application, or their application is disqualified that applicant must retake and pass the WLC after submitting a new application.

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

UBE score transfer applicants must have a qualifying UBE score and must meet one of the qualifications for lawyer bar examination applicants as set forth in APR 3(b).

UBE score transfer applicants may apply in Washington as a UBE score transfer applicant while applying in a different UBE jurisdiction to take the UBE, with the intent of transferring a qualifying score from that jurisdiction to Washington. The applicant must notify the Bar of the jurisdiction where the applicant will take the UBE.

Applicants are not permitted to apply at the same time for admission in Washington as both an applicant to take the UBE in Washington and an applicant seeking to transfer a UBE score to Washington.