

House Bill 2208

Sponsored by Representative WILDE (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Oregon State Bar to report to Supreme Court with recommendations of alternative means of admission to bar.

Provides for alternative means of admission to bar if Supreme Court does not adopt recommendations before January 1, 2025.

A BILL FOR AN ACT

1
2 Relating to admission as an attorney; amending ORS 9.220.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Oregon State Bar shall report to the Supreme Court no later than**
5 **July 1, 2022, with recommendations for two alternative means of admission as an attorney,**
6 **as follows:**

7 (a) **Admission by an examination that replaces the Multistate Bar Examination with ad-**
8 **ditional performance or essay sections; and**

9 (b) **Admission without an examination, other than an ethics examination, after a period**
10 **of supervised practice not to exceed three years and supported by other evidence indicating**
11 **professional competency.**

12 (2) **Each alternative recommended by the bar must include an ethics examination.**

13 (3) **The bar may not recommend an alternative that would require a larger fee for ad-**
14 **mission than is charged on the effective date of this 2021 Act.**

15 (4) **The Supreme Court may adopt the alternatives submitted under this section.**

16 **SECTION 2. Section 3 of this 2021 Act is added to and made a part of ORS 9.005 to 9.757.**

17 **SECTION 3. The board of bar examiners appointed under ORS 9.210 shall recommend to**
18 **the Supreme Court for admission to practice law those who:**

19 (1) **Meet one of the alternative requirements for admission recommended by the board**
20 **of bar examiners and adopted by the Supreme Court under section 1 of this 2021 Act; or**

21 (2) **If the Supreme Court has not adopted requirements for admission under section 1 of**
22 **this 2021 Act before January 1, 2025:**

23 (a) **Pass an examination consisting of three half-day performance examinations and one**
24 **half-day essay examination; or**

25 (b) **Meet the following requirements:**

26 (A) **Graduate from a law school accredited by the American Bar Association;**

27 (B) **Pass an ethics examination;**

28 (C) **Complete a three-year internship with an attorney who has been admitted to the**
29 **Oregon State Bar for at least five years; and**

30 (D) **Submit the statements of three attorneys who have been admitted to the Oregon**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **State Bar for at least five years certifying that the attorneys have observed the applicant's**
2 **practice for at least one year and that the applicant is competent to practice law.**

3 **SECTION 4.** ORS 9.220 is amended to read:

4 9.220. (1) An applicant for admission as attorney must apply to the Supreme Court and show
5 that the applicant:

6 [(1)] (a) Is at least 18 years old, which proof may be made by the applicant's affidavit.

7 [(2)(a)] (b) Is a person of good moral character and fit to practice law.

8 [(b) *For purposes of this section and ORS 9.025, 9.070, 9.110, 9.210, 9.250 and 9.527, the lack of*
9 *"good moral character" may be established by reference to acts or conduct that reflect moral turpitude*
10 *or to acts or conduct which would cause a reasonable person to have substantial doubts about the*
11 *individual's honesty, fairness and respect for the rights of others and for the laws of the state and the*
12 *nation. The conduct or acts in question should be rationally connected to the applicant's fitness to*
13 *practice law.*]

14 [(3)] (c) Has the requisite learning and ability, which must be shown by the examination of the
15 applicant, by the judges or under their direction. However, no rule shall establish any maximum on
16 the number of times an applicant may apply for and take the bar examination whenever presented
17 if the reason for refusing admission to practice law is failure to pass the bar examination.

18 **(2) For purposes of this section and ORS 9.025, 9.070, 9.110, 9.210, 9.250 and 9.527, a lack**
19 **of good moral character may be established by reference to acts or conduct that reflect**
20 **moral turpitude or to acts or conduct that would cause a reasonable person to have sub-**
21 **stantial doubts about the applicant's honesty, fairness and respect for the rights of others**
22 **and for the laws of the state and the nation. The conduct or acts in question should be ra-**
23 **tionally connected to the applicant's fitness to practice law. The method by which the appli-**
24 **cant seeks admission as an attorney may not be considered for purposes of establishing lack**
25 **of good moral character.**

26 **SECTION 5.** Section 3 of this 2021 Act and the amendments to ORS 9.220 by section 4 of
27 **this 2021 Act become operative on July 1, 2025.**

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