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June 24, 2020

The Honorable Chief Justice Debra L. Stephens  
**WASHINGTON SUPREME COURT**  
415 12<sup>th</sup> Ave SW  
Olympia, WA 98501

Dear Justice Stephens,

On behalf of the Mason County Bar Association, I am communicating to you and the court our concerns regarding the order by the court of June 12, 2020, which temporarily modified APR 3 and 4.

While we understand the concerns of the court relating to the events of the past few months, we wish to disagree with the order. While some of our members have concerns with the entirety of the order, at a minimum the Court could have taken a less extreme approach and the Order as written should be limited.

The Washington Supreme Court, in a number of opinions, has expressed its authority - and its responsibility - to regulate the practice of law and to be the ultimate determiner of who is entitled to practice law in the State of Washington. This is a critical responsibility that the Court is abrogating, and in effect delegating to any and all ABA-accredited law schools.

It is also a concern that two days after Dean Clark's letter, without any notice or opportunity to be heard from the bar as a whole, the court issued its order.

The letter from Dean Clark (and to some degree the order of the court) suggests that someone who graduates from Seattle University is, per se, qualified to practice law. The results of past par exams tell us that is not so. It is a particular concern that the Court's order will allow persons who have failed the bar exam multiple times, to be admitted to the bar. The rebuttable presumption is those persons are not qualified to practice law.

While we can debate the extent to which Dean Clark's concerns might outweigh the need for a considered process for admittance to the bar, even if we were to give her concerns the utmost weight, the Court has the option of providing for provisional licenses, subject to passing the bar exam at the next available opportunity. This would address her concerns and maintain the integrity of decades of established processes. We believe this approach would address the concerns that many members of the WSBA have raised over the past week, uniting the legal community rather than dividing it.

Thank you for considering our concerns.

Sincerely,

TIRSA BUTLER  
President, Mason County Bar Association

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*PC: Board of Governors, Washington Bar State Association*