

December 3, 2020

Shela Shanks

Director, Committee on Admissions and the Unauthorized Practice of Law

District of Columbia Courts

Historic Courthouse

430 E St NW #115

Washington, DC 20001

(via email: sshanks@dcapeals.gov, coa@dcapeals.gov)

Dear Director Shanks,

We write in the hopes that you might reconsider this year's rule prohibiting those who sat for and passed the California Bar Exam in October 2020 from obtaining licensure in the District of Columbia without sitting for the D.C. exam. We understand that the California Bar Examiners have not pursued reciprocity with the District, and that this may have influenced your decision. We also understand that this year's online exam format in many states, without a normal full MBE, may have factored into the recent rule change.

Given the unprecedented effects that the ongoing global pandemic is having on the careers of recent law graduates, we urge you to consider the burden this new rule places on individuals who took the most recent California Bar Exam. Many students sat for the California bar expecting that, as in previous years, they would be able to waive into the District of Columbia using their MBE scores, and did not learn of the rule change until after registration deadlines had passed. Compared to their peers who either passed the exam in another jurisdiction with which DC practices reciprocity, or who did not take an exam at all and are allowed to practice under supervision, those who are awaiting results from the October California exam must now devote additional time and money preparing for the next D.C. exam after just beginning jobs delayed by the pandemic. While under normal circumstances we could appreciate your interest in allowing waivers only between D.C. and those states which practice reciprocity, or based on a normal transferable MBE score, these are not ordinary circumstances. It also seems puzzling to allow supervised practice for those who have not taken and passed any bar exam, but to prohibit it for those who passed the California bar, notably one of the hardest bars to pass. We would be very grateful were you to reconsider in order to avoid the inconsistencies and burdens that the current situation presents.

Sincerely,

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