

House Judiciary  
February 12, 2025

Testimony of the State Board of Law Examiners  
HOUSE BILL NO. 1609

Chair Klemin and members of the Committee, I am Petra Hulm, Secretary-Treasurer of the State Board of Law Examiners, appearing on behalf of the State Board of Law Examiners in opposition to HB 1609.

The proposed legislation requires the Supreme Court to establish an apprenticeship program which would replace attending law school and allow legislators who have served two terms to be eligible to sit for the bar examination.

The Board understands an apprenticeship program is an option for increasing the availability of legal services and to allow alternatives to law school for some applicants. The Board believes that if apprenticeship is allowed, a formal program should be established and funded through the Judicial Branch. The State Board of Law Examiners was established in 1919. The practice of law and the Board of Law Examiners has been managed and governed by the Judicial Branch since the State's inception.

The Board is concerned with subdivision (c), which appears to provide that the State Board of Law Examiners may not require an application or paperwork except an affidavit from the supervising attorney regarding completion of hours. The four states that permit an apprenticeship-like program have applications and progress reports throughout the apprenticeship. They have detailed programs with benchmarks, and in some cases, exams during the program. The supervising attorneys are required to be licensed and have many years of experience. Finally, all applicants are subject to a character and fitness background investigation – even in the four states I mentioned. This legislation does not appear to contemplate apprentices participating in that background investigation. The Board is concerned that the fitness and competency of attorneys will be compromised and the public subject to harm under the proposed legislation.

The Board is concerned that the proposed apprenticeship hours amount to less than 40 hours per week for one year. Passing the bar examination is not the only requirement to becoming a practicing attorney. Education is also required. The Board appreciates the complex and important work the legislature does, but questions whether a legislator with two sessions of experience has the competency that law school provides. The programs in all four current states are multi-year and full-time

programs with specified curriculum per week or month. Law school, and even an extensive apprenticeship program, provides education of lawyers distinct from the bar exam. Law students learn ethics to guide them in their work and take a Multistate Professional Responsibility Exam to demonstrate that knowledge. They learn client counseling and client advocacy. They learn practical skills around research and writing. They learn how to formulate persuasive arguments and conduct critical legal analysis. They spend years obtaining this education, not months.

The Supreme Court led a task force during the interim session which examined access to legal services. It considered in detail alternatives to licensure. If alternatives to legal services is the desired outcome, I urge you to support the budget request by the Supreme Court for allied legal professionals and a navigator. Both were determined to currently be the best avenues to give greater access to legal services.

The Board requests you to vote do not pass.