

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3023

Page 1, line 1, replace "directing" with "encouraging"

Page 1, line 1, replace "Legislative Management" with "judicial branch"

Page 1, line 1, remove "studying admission to"

Page 1, replace line 2 with "forming a task force to study the retention of"

Page 1, line 3, remove "; an evaluation of the functionality of"

Page 1, remove lines 4 and 5

Page 1, line 6, replace "complaints against attorneys;" with ", including"

Page 1, line 6, remove "models, including apprenticeships,"

Page 1, line 7, replace "that may be used to determine" with "pathways to bar admission that ensure"

Page 1, line 7, remove "; and an examination of the University of"

Page 1, remove line 8

Page 1, line 9, remove "competence"

Page 2, line 8, replace "Legislative Management" with "judicial branch is encouraged to"

Page 2, line 8, remove "studying admission to the bar of this state by"

Page 2, line 9, replace "diploma privilege, including an examination of the barriers to retaining" with "forming a task force to study the retention of"

Page 2, line 10, remove "; an evaluation of the functionality of Wisconsin's diploma"

Page 2, remove lines 11 and 12

Page 2, line 13, replace "attorneys;" with ", including"

Page 2, line 13, remove "models, including apprenticeships, that may be used to"

Page 2, line 14, replace "determine" with "pathways to bar admission that ensure"

Page 2, line 14, remove "; and an examination of the University of North Dakota internal"

Page 2, line 15, remove "models of assessment that may be used to demonstrate attorney competence"

Page 2, after line 15, insert:

**"BE IT FURTHER RESOLVED**, that the task force may include representatives from the:

1. Judicial branch;
2. State Board of Law Examiners;

3. Legislative branch;
4. University of North Dakota School of Law; and
5. State Bar Association of North Dakota; and"

Page 2, line 16, replace "Legislative Management" with "judicial jranch"

Renumber accordingly

Introduced by

Representatives Ista, Klemin, O'Brien, Roers Jones, Schneider

Senators Barta, Cleary, Dwyer, Meyer

1 A concurrent resolution directing ~~encouraging~~ the Legislative Management ~~judicial branch~~ to  
2 consider studying admission to the bar of this state by diploma privilege, including an  
3 examination of the barriers to retaining forming a task force to study the retention of University of  
4 North Dakota law graduates in the state; ~~an evaluation of the functionality of Wisconsin's~~  
5 ~~diploma privilege, including any problems caused by diploma privilege; a risk assessment of the~~  
6 ~~potential for decreased quality in the practice of law and increased client complaints against~~  
7 ~~attorneys; including an evaluation of alternative models, including apprenticeships, that may be~~  
8 ~~used to determine~~ pathways to bar admission that ensure attorney competence; and an  
9 examination of the University of North Dakota internal models of assessment that may be used  
10 to demonstrate attorney competence.

11 **WHEREAS**, the state is experiencing a shortage of attorneys, particularly in rural areas,  
12 and solutions are being explored to alleviate the attorney shortage; and

13 **WHEREAS**, the University of North Dakota School of Law is the only institution in the state  
14 that grants the degree of juris doctor; and

15 **WHEREAS**, the majority of attorneys licensed to practice law in North Dakota are graduates  
16 of the University of North Dakota School of Law; and

17 **WHEREAS**, any requirements for admission to the bar as a licensed attorney in the state of  
18 North Dakota must ensure that all licensed attorneys are highly competent to practice law in this  
19 state; and

20 **WHEREAS**, it is in the best interest of North Dakota to evaluate available alternative  
21 methods for assessing the competency of applicants for licensure as attorneys in the state and  
22 determine whether alternative assessments would provide an incentive for more University of  
23 North Dakota School of Law graduates to practice in North Dakota while not compromising the  
24 quality of attorneys in the state; and

1       **WHEREAS**, admission to the bar by diploma privilege would allow graduates of the  
2 University of North Dakota School of Law to be admitted to the bar upon graduation as an  
3 alternative to admission by bar examination or admission by motion; and

4       **WHEREAS**, the availability of admission by diploma privilege may provide an incentive for  
5 students to live and work in the state following graduation;

6       **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**  
7 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

8       That the ~~Legislative Management~~judicial branch is encouraged to consider studying-  
9 admission to the bar of this state by diploma privilege, including an examination of the barriers-  
10 to retainingforming a task force to study the retention of University of North Dakota law  
11 graduates in the state; ~~an evaluation of the functionality of Wisconsin's diploma privilege,~~  
12 ~~including any problems caused by diploma privilege; a risk assessment of the potential for~~  
13 ~~decreased quality in the practice of law and increased client complaints against attorneys;~~  
14 including an evaluation of alternative models, including apprenticeships, that may be used to  
15 determine pathways to bar admission that ensure attorney competence; and an examination of  
16 ~~the University of North Dakota internal models of assessment that may be used to demonstrate~~  
17 ~~attorney competence; and~~

18       **BE IT FURTHER RESOLVED**, that the task force may include representatives from the:

19       1. Judicial branch;

20       2. State Board of Law Examiners;

21       3. Legislative branch;

22       4. University of North Dakota School of Law; and

23       5. State Bar Association of North Dakota; and

24       **BE IT FURTHER RESOLVED**, that the ~~Legislative Management~~judicial branch report its  
25 findings and recommendations, together with any legislation required to implement the  
26 recommendations, to the Sixty-ninth Legislative Assembly.