

WSR 26-02-020
RULES OF COURT
STATE SUPREME COURT
[December 4, 2025]

IN THE MATTER OF THE) ORDER
SUGGESTED AMENDMENTS TO) NO. 25700-A-1673
APR 6—LAW CLERK PROGRAM)

The Washington State Bar Association and the Law Clerk Board, having recommended the suggested amendments to APR 6—Law Clerk Program, and the Court having approved the suggested amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2026.

(b) The purpose statement as required by GR 9(e) is published solely for the information of the Bench, Bar, and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2026. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov.

Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 4th day of December, 2025.

For the Court

Stephens, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendments
ADMISSION AND PRACTICE RULES (APR)
Rule 6

Submitted by the Washington State Bar Association

A. Name of Co-Proponents: Washington State Bar Association
Law Clerk Board

B. Co-Spokespersons: Francis Adewale, WSBA President
Terra Nevitt, WSBA Executive Director
Christell Casey, Law Clerk Board Chair

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C. Purpose: The primary purposes of the suggested amendments to APR 6 are to increase participation in the Law Clerk Program (Program) and clarify Program requirements. During fiscal years 2024 and 2025, the program expansion committee of the Law Clerk Board (Board) considered ways to improve and expand the Program. The Board met with individuals who contacted the WSBA with suggested changes to the Program

with the goal to increase program participation by potential law clerks and/or tutors, especially by those in underserved communities. On June 6, 2025, the Board voted to approve several changes to the Program in concept and designated a rules committee to draft suggested amendments to APR 6. On August 1, 2025, the Board voted to approve and submit these suggested amendments to APR 6 to the Board of Governors for approval. At its September 26, 2025, meeting, the WSBA Board of Governors voted to recommend these suggested amendments to the Washington Supreme Court. The Board is proposing a new provision in APR 6 (c)(1) to allow a tutor to supervise up to two law clerks at a time. The Program currently allows for only one law clerk per tutor. This change also allows a primary tutor of a single law clerk to act as an assistant tutor for another law clerk at the same time and allows an assistant tutor to act as assistant tutor to two law clerks at a time. The suggested amendments to APR 6 (d)(2) would include the following requirements for a tutor overseeing two law clerks at a time:

- A tutor supervising two clerks in the same month for the same course may combine supervision time to meet the weekly average total of 3 hours.
- A tutor supervising two clerks in different courses or different months of the same course must supervise the clerks separately for a total average of 6 hours per week (3 hours per clerk).

The Board recommends allowing tutors to work with up to two law clerks at a time in order to increase law clerk enrollment and participation in the program. While this change may place a higher burden on tutors and law clerks (due to additional time and resource management), this change is still in line with the original intent of the Program, which is to provide small-scale, one-to-one instruction alongside workplace experience.

Additionally, the Board proposes decreasing the number of years of active legal experience required for a primary tutor to 8 years out of the last 12 years in order to increase the number of lawyers and judges who would qualify to be a primary tutor and, thereby, support increased participation in the Program.

The Board is responsive to the need for additional lawyers and legal professionals in underserved communities and believes these changes will be a step towards reducing barriers for legal aid organizations and law firms working with underserved communities while also retaining the integrity of law clerk instruction and the intent of the Program.

Lastly, additional amendments to APR 6 are intended to provide greater clarity of Program requirements. These changes include:

- Clearly stating that an individual may not apply to the Program if at the time of submitting the application the applicant qualifies for lawyer admission under APR 3.
- Clearly articulating the paid employment requirement for law clerks and that this paid employment requirement shall not be waived or satisfied by unpaid or contract positions.

D. Hearing: A hearing is not requested.

E. Expedited Consideration: Expedited consideration is not requested.

F. Supporting Material: None

SUGGESTED AMENDMENTS TO ADMISSION AND PRACTICE RULE 6

TITLE

ADMISSION AND PRACTICE RULES

RULE 6. LAW CLERK PROGRAM

(a) [Unchanged.]

(b) Application. Every applicant for enrollment in the law clerk program shall:

(1) [Unchanged.]

(2) [Unchanged.]

(3) Be engaged in regular, full-time, paid employment in Washington State for an average of 32 hours per week with the primary tutor or primary tutor's employer in a (i) law office, (ii) legal department, or (iii) court of general, limited, or appellate jurisdiction in Washington State. This paid employment requirement shall not be waived or satisfied by unpaid or contract positions. The employment must include tasks and duties which contribute to the practical aspects of engaging in the practice of law;

(4)-(8) [Unchanged.]

(9) Not be eligible to apply if, at the time of submitting the application, the applicant qualifies for admission as a lawyer under APR 3;

(c) Tutors. To be eligible to act as a tutor in the law clerk program, a lawyer or judicial member as defined in the Washington State Bar Association Bylaws, shall:

(1) Act as a tutor for ~~only one~~ no more than two law clerks ~~at a time concurrently;~~

(2) [Unchanged.]

(3) Have active legal experience in the practice of law as defined by APR 1 or have held the required judicial position for at least ~~10~~ 8 of the last 12 years immediately preceding the filing of the law clerks application for enrollment. The ~~10~~ 8 years of practice must include at least 2 years in Washington state and may be combination of active practice and judicial experience but may not include periods of suspension for any reason;

(4)-(5) [Unchanged.]

(d) Enrollment. When an application for enrollment has been approved by the Bar, an enrolled law clerk shall:

(1) [Unchanged.]

(2) Meet the minimum monthly requirements of an average of 32 hours per week of regular, full-time, paid employment with the tutor which may include in-office study time and must include an average of 3 hours per week for the tutor's personal supervision of the law clerk. A tutor supervising two clerks in the same month for the same course may combine supervision time to meet the weekly average total of 3 hours. A tutor supervising two clerks in different courses or different months of the same course must supervise the clerks separately for a total average of 6 hours per week (3 hours per clerk). "Personal supervision" is defined as time actually spent with the law clerk for the exposition and discussion of the law, the recitation of cases, and the critical analysis of the law clerk's written assignments.

(3)-(4) [Unchanged.]

(e) Course of study. The subject to be studied, the sequence in which they are to be studied, and any other requirement to successfully complete the program shall be as prescribed in the Law Clerk Program Regulations. Progress toward completion of the program shall be

evaluated by submission of examinations, certificates, reports and evaluations as follows:

(1) [Unchanged.]

(2) Certificates. Within 10 days following the month of study, the law clerk or tutor shall submit the examination, including the grade given for the examination and comments to the law clerk, and the tutor shall submit a monthly certificate, stating the law clerk's hours engaged in employment, study, and the tutor's personal supervision. If an examination is not given, the monthly certificate shall be submitted stating the reason.

(3)-(4) [Unchanged.]

(f)-(i) [Unchanged.]