



WSBA LICENSURE PATHWAYS IMPLEMENTATION STEERING COMMITTEE AGENDA

August 4, 2025, 2:30pm – 4:30pm

REMOTE

To Join by Video Conference:

<https://wsba.zoom.us/j/84409758845?pwd=RHxr5ba04HRSMJm2klnI2lZthJONSP.1>

For audio only: (253) 215-8782 || Meeting ID: 844 0975 8845 || Passcode: 924436

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|---------|--|--|
| 2:30 pm | Call to Order and Welcome | <i>Zaida Rivera, Steering Committee Chair</i> |
| 2:35 pm | Approve July 8, 2025 Meeting Minutes | |
| 2:40 pm | Member and Public Comment | <i>Speakers are limited to 3 minutes, however, the Chair may modify the time for comments if necessary</i> |
| 2:45 pm | Continue Discussion of Proposed Core Competencies | <i>Assistant Dean Jeff Minneti and Professor Sandra Simpson</i> |
| | <i>Approve proposed core competencies</i> | |
| 4:30 pm | Adjourn | |

WASHINGTON STATE BAR ASSOCIATION

LICENSURE PATHWAYS IMPLEMENTATION STEERING COMMITTEE MEETING MINUTES

Virtual Meeting
July 8, 2025

Call to Order and Welcome

The meeting of the Licensure Pathways Implementation Steering Committee of the Washington State Bar Association (WSBA) was called to order by Chair Zaida Rivera on Monday, July 8 at 1:02 p.m. Committee members in attendance were:

Zaida Rivera
Jordan Couch
Greg Crowder
Alfredo González Benítez
Judge Cathy Helman
Vivian Hernandez
Dusty Weber LaMay
Dean Tamara Lawson
Julia McGann
Justice Raquel Montoya-Lewis
Terra Nevitt
Judge Leone Reinbold
Dean Jacob Rooksby
Yuriko Hannali Styles
Dean Anthony Varona

Also in attendance were WSBA Chief Regulatory Counsel Renata Garcia; WSBA Associate Director Bobby Henry; Logan Cornett, IAALS Director of Research and Courtney Petersen-Rhead, IAALS Program Associate; Professor Gillian Dutton; Assistant Dean Jeff Minneti; Professor Sandra Simpson; Core Competencies Subcommittee member Caesar Kalinowski; and Supervised Practice Subcommittee member Nat Jacob.

Approve Feb. 3, 2025 Meeting Minutes

Alfredo moved to approve the February 3, 2025 Steering Committee meeting minutes. Jordan seconded. Minutes unanimously approved.

Member and Public Comment

None

Presentation on Washington Lawyer Preparedness Survey from IAALS

Logan Cornett, IAALS Director of Research and Courtney Petersen-Rhead, IAALS Program Associate provided background information and shared the results of the research which was focused on assessing how prepared new lawyers (licensed between 2019 and 2022) feel when they first enter practice and whether the level of preparedness was meaningfully different between those licensed through diploma privilege or through the bar exam. Logan and Courtney answered questions from the committee including questions about the sample size and response rate. Committee members commented on the importance and relevance of the results despite the response rate.

Update from Core Competencies Subcommittee

Assistant Dean Jeff Minneti and Professor Sandra Simpson provided a report on the Core Competency Subcommittee's work. They described the process for generating the draft which included reviewing existing research and soliciting feedback and walked through the draft competencies. Several committee members asked questions and provided input on the "understanding of threshold concepts in many subjects" competency including potentially refining the language or providing examples. The discussion will be continued at the next meeting as there was not enough time to cover every competency.

Update from Supervised Practice Subcommittee

Professor Gillian Dutton provided a report on the Supervised Practice Subcommittee's work including the intent to develop resources to support participants and supervisors and incentives to encourage lawyers to become supervisors.

ADJOURNMENT

There being no further business, Chair Rivera adjourned the meeting at 2:57 p.m. on July 8, 2025.

Respectfully submitted,

Renata de Carvalho Garcia
Chief Regulatory Counsel

**Pathways Implementation
Core Competencies Subcommittee
Draft Core Competencies
June 30, 2025**

I. Introduction

Core lawyering competencies are baseline-level demonstratable skills, professional behaviors, and areas of knowledge that a candidate for licensure must possess to protect the public from harm in the provision of legal services. Given the interrelationship between lawyering skills, behaviors, and knowledge, there is a necessary degree of overlap between core competencies. The core competencies apply to each licensure pathway.

The competencies are based primarily on research conducted by the Institute for the Advancement of the American Legal System (IAALS), as reported in [*Building a Better Bar: The Twelve Building Blocks of Minimum Competence*](#). The competencies also supplement with findings from IAALS' [*Foundations for Practice*](#) project, the NCBE's Testing Task Force's 2021 [*Final Report*](#), other jurisdictions efforts to frame core competencies,¹ and interviews with experts in lawyer competencies and licensing² and Washington practitioners. Academic deans from all three Washington law schools and legal practitioners with experience in mentorship, APR 6 clerkships, and foreign legal education also provided feedback on these competencies.³ Parentheticals below indicate the principal source from which each competency and explanation was derived.

Below the description of each competency are examples of how the competency has been assessed in other novel licensing programs used or proposed in Nevada, Oregon, and Utah. Oregon's Supervised Practice Portfolio Examination is a non-exam method of licensure in which candidates demonstrate competence to practice law through activities performed during supervised practice. Bar examiners assess candidate competence primarily through review of work product and supervisor-completed rubrics that are submitted as part of the candidate's portfolio. Nevada and Utah's programs involve exams to some degree but also include supervised practice components. While Washington may ultimately elect to use a

¹ The committee reviewed the work of similar committees in Minnesota, Nevada, and Utah.

² The committee consulted with Joan Howarth, Emerita Professor of Law at UNLV's William S. Boyd School of Law and author of *Shaping the Bar, The Future of Attorney Licensing*; Logan Cornett, Director of Research Legal Education and Licensure at IAALS and co-author of *Building a Better Bar*; and Gina Alexandris, Lawyer Consultant and Coach and former Senior Director of the Law Practice Program at Toronto Metropolitan University.

³ Thank you to the following individuals for providing their insights on these competencies: Agnieszka McPeak, Gonzaga Law Associate Dean for Academic Affairs and Program Innovation; John Eason, Seattle U Incoming Associate Dean for Academic Affairs; Brooke Coleman, Seattle U Vice Dean for Academic Affairs; Elizabeth Pendo, UW Academic Dean; Helen Boyer, attorney and mentor; Eduardo Krueel, attorney licensed in Brazil and UW LL.M. graduate; Chris Maund, Seattle U Director of International Graduate Studies; Dana Raigrodski, UW Associate Teaching Professor and Director, General Law; Anita Ramasastry, UW Associate Dean for Global and Graduate Affairs; Kelly Ruhlig, UW Law Interim Director of Graduate Programs.

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different methods of assessment than those used in these states, they provide a helpful illustration of program requirements that provide an opportunity for candidates to demonstrate their competence and for examiners to assess those abilities.

II. Core Lawyering Competencies

A licensure candidate must demonstrate an understanding of legal processes and sources of law (IAALS 12 Building Blocks). Understanding legal processes and sources of law includes understanding the appropriate application of state and local law, federal law, administrative rules, and local court rules and understanding the channels of legal practice, including alternative dispute resolution processes, negotiation skills, legislative processes, administrative and regulatory processes, and court processes (IAALS 12 Building Blocks).

Assessment illustrations: As part of Nevada’s supervised practice component of their admissions requirements, candidates must complete self-directed learning tasks and journal entries addressing “the legal system, community organizations, and agencies in Nevada.” Oregon requires candidates to submit a portfolio of eight written pieces of work product addressing substantive aspects of legal matters. In creating these written pieces, candidates must assess the appropriate source of law for the legal matter. In addition, Oregon requires candidates to lead two negotiations. Lastly, Utah’s proposed alternative pathway requires completion of coursework that addresses legal processes, such as civil procedure; administrative law; and legislative regulation, statutory interpretation, or legislative process.

A licensure candidate must demonstrate an understanding of threshold concepts in many subjects (IAALS 12 Building Blocks). A threshold concept is an “insight that transforms understanding of a subject.” (IAALS 12 Building Blocks at 37.) Threshold concepts “distinguish individuals who have begun to master a subject from all others” and “allow new learners to understand the ‘how’ and ‘why’ of their field rather than simply the ‘what.’” (IAALS 12 Building Blocks at 37.) This competency “focuses on understanding principles and policies that govern the law, rather than memorizing specific black-letter rules” and “allow lawyers to identify issues, search for the appropriate rule, and see nuances in the rule.” (IAALS 12 Building Blocks at 37.)

Examples of threshold concepts include constitutional law topics, such as federal/state powers and individual rights; common law topics such as negligence, contract formation and enforcement, and rights in real property; statutory topics, such as commercial and

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criminal law codes; and administrative law topics, including agency powers and limits, rulemaking, and adjudication. Precisely identifying an exhaustive set of threshold concepts a candidate for licensure must understand to be competent to practice law, however, has proven challenging even to experts in attorney licensure and would likely pose significant administrative costs for licensing authorities. Nonetheless, consensus among experts holds that such threshold concepts are widely incorporated into law school curricula and, in Washington, APR 6 law clerk coursework. Therefore, rather than attempt to create a list of required threshold concepts, the Core Competencies Subcommittee anticipates that this competency will be satisfied by candidate's completion of a course of legal study in the APR 6 law clerk program or an approved⁴ law school.

Assessment Illustrations: Looking first to methods other non-exam based state licensure pathways use to assess this competency, Oregon requires candidates to complete 15 hours of MCLE providing an overview of doctrinal principles commonly encountered in entry-level law practice and to complete certain law school coursework. Utah, similarly, requires completion of certain law school coursework. In addition, Oregon requires that each piece of work product included in the portfolio address at least one legal issue that differs from the legal issues addressed in other pieces of work product.

With respect to Washington, the Subcommittee anticipates that the Law Clerk Board or a law school's registrar's office would certify a law licensure candidate's completion of the applicable program of legal education and submit that certification to the Washington State Bar Association to be considered as part of the candidate's licensure portfolio.

Currently, the APR 6 Program is a four-year course of study. Each year consists of 12 months during which the law clerk is required to study 6 subjects, pass 12 exams and submit 3 book reports. Collectively the subjects include a four-year reading program in jurisprudence (focused on legal history, philosophy, theory and biography); four months of study in constitutional law, three months of study in the uniform commercial code; three months of study in wills, estates, trusts, and probate; two-months of study in the following courses: basic legal skills, civil procedure, tort, contracts, agency and partnerships, property, criminal law, constitutional law, corporations, evidence, domestic relations, conflict of laws, and criminal procedure, and one month of study in community property and professional responsibility. The remaining months of the fourth year of study are composed of electives selected by the law clerk in consultation with the tutor and

⁴ See the list of approved law schools generated by the Board of Governors of the Washington State Bar pursuant to APR 2(a)(5).

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approved by the Law Clerk Board. In general, a law clerk studies one subject each month and must pass an exam on the topic before proceeding to the next. The courses designated for each year of the program must be completed before proceeding to the next year's courses.

Law clerks completing the APR 6 Program of Education would satisfy the threshold knowledge competency.

Gonzaga University School of Law currently requires its students to complete 85 credits to graduate. Required courses include six credits of constitutional law; eight credits of legal writing across four semesters; four credits of civil procedure; four credits of contracts; three credits of each of the following courses: torts, criminal law, property, evidence, lawyering skills, business associations, professional responsibility; one credit of professional and academic foundations, and six credits of experiential learning. Students may enroll in an array of electives to fulfill their remaining credits. Students must maintain a cumulative GPA of 2.2.

Students completing Gonzaga University School of Law's program of legal education would satisfy the threshold knowledge competency.

Seattle University School of Law requires students to complete 90 credits to graduate. Students must take nine credits of legal writing; six credits of constitutional law; six credits of experiential learning course work; four credits of each of the following courses civil procedure, contracts, criminal law, property, tort, and evidence; three credits of professional responsibility; two credits of law and systemic inequity coursework; and one credit of foundations of law study. Students may select from an array of electives to complete the remaining forty-three credits. Students must maintain a cumulative grade point average of at least 2.4 to remain in good standing.

Students completing Seattle University School of Law's curriculum would satisfy the threshold knowledge competency.

The University of Washington School of Law, which is on the quarter system, requires its students to complete 135 credit hours, which includes the following required courses: introduction to perspectives on the law, contracts, civil procedure, property, torts, criminal law, legal analysis, research and writing, constitutional law, professional responsibility, administrative law, business organizations, evidence, global law distributional perspectives distributional, experiential course work, and an advanced writing requirement. The credits assigned to most subjects varies across a range of 2-8 credits. Some courses have a

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prescribed credit value. In addition to the required courses, UW students may select from an array of electives to complete their 135 credits. Students must maintain a cumulative GPA of 2.0 to make satisfactory academic progress. Students must have a cumulative GPA of 2.33 to graduate.

Students completing the University of Washington's program of legal education would satisfy the threshold knowledge competency.

A licensure candidate must demonstrate the ability to act professionally and in accordance with the rules of professional conduct (IAALS 12 Building Blocks). This competency includes the demonstrated ability to conduct oneself with respect for and in accordance with the law, including compliance with the requirements of applicable state, local, and federal constitutions, laws, rules and regulations, and any applicable court order. A candidate for licensure may satisfy this competency by managing a law related workload (IAALS 12 Building Blocks, NCBE's Final Report, IAALS Foundations for Practice); coping with the stress of legal practice (IAALS 12 Building Blocks, IAALS Foundations for Practice); pursuing self-directed learning (IAALS 12 Building Blocks, IAALS Foundations for Practice); understanding the business of maintaining a legal practice (IAALS Foundations for Practice, Ontario Lawyer Licensing Pathways); and appropriately using technology in legal practice.

Assessment Illustrations: In Nevada, candidates for licensure must pass the Multistate Professional Responsibility Exam (MPRE) and complete self-directed learning tasks and journal entries on professional development, civility, and ethics; law office and time management; and wellness programs for attorneys. Oregon's SPPE provides two options for demonstrating competence in professional responsibility. Candidates may either pass the MPRE or pass a law school professional responsibility course and submit 10 journal entries discussing professional responsibility issues following Bar guidelines on the content of entries. These journal entries are assessed by Oregon's bar examiners. Utah requires candidates to complete a law school professional responsibility course and complete a six-hour well-being training and two-hour self-directed learning module.

A licensure candidate must demonstrate the ability to interpret legal materials (IAALS 12 Building Blocks, NCBE's Final Report). This competency emphasizes the ability to understand and interpret constitutional provisions, statutes, judicial opinions, and regulations and the ability to evaluate how legal documents, such as contracts, should be construed.

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Assessment Illustrations: This competency aligns most closely with Oregon's SPPE program requirements. As noted above, that program requires candidates to submit a portfolio of eight pieces of work product addressing some substantive aspect of a legal matter, as well as a prediction, conclusion, or recommendation related to that issue. These submissions are an opportunity for candidates to demonstrate the ability to interpret legal materials and for bar examiners to assess their competence in this skill.

A licensure candidate must demonstrate the ability to identify issues (IAALS 12 Building Blocks, NCBE's Final Report). This competency emphasizes the ability to understand the "big picture" of client matters (IAALS 12 Building Blocks, IAALS Foundations); identify legal principles and legally significant facts relevant to a client matter; identify goals and objectives in client matters (IAALS 12 Building Blocks); identify legal claims and remedies that might address a client's needs (IAALS 12 Building Blocks); identify legal and practical obstacles to achieving any proposed resolution (IAALS 12 Building Blocks); and develop strategies to guide client matters (IAALS 12 Building Blocks).

Assessment Illustrations: Nevada requires candidates to complete four out of a list of eight specific activities during the supervised practice portion of their licensing process. Those activities include discussing the "big picture" of client needs and preparing a strategic approach to achieve client needs by analyzing applicable law and facts. Here again, Oregon's portfolio requirements provide an opportunity to assess candidate's ability to identify issues. Oregon also requires candidates to lead two client interviews or counselling sessions, and their supervisors assess their performance using a rubric that is later submitted to the bar association. These interviews are a further opportunity for candidates to demonstrate their ability to identify and pursue issues during fact-gathering from clients or when counselling clients on legal options.

A licensure candidate must demonstrate the ability to conduct research (IAALS 12 Building Blocks, NCBE's Final Report). This competency includes the ability to: research answers to specific legal questions (IAALS 12 Building Blocks); recognize relevant and/or dispositive legal sources applicable to a client matter; appreciate the authoritative weight of sources of law relevant to a client matter; utilize strategies to update sources of law and/or find additional sources of law that are relevant to a client matter (IAALS 12 Building Blocks); acquire facts and non-legal information for client matters; develop the factual record (IAALS 12 Building Blocks, NCBE's Final Report); and locate information about local rules or practices (IAALS 12 Building Blocks).

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Assessment Illustrations: With respect to this competency, conducting legal research and preparing documents for the client's matter or for filing are among the eight activities candidates may choose to complete in Nevada. Oregon candidates will also very likely conduct legal research to create their eight submissions for their portfolio. Lastly, Utah requires completion of one credit of legal research coursework during law school and 40 hours of legal research time during supervised practice.

A licensure candidate must demonstrate the ability to apply legal authority to the relevant facts in a client matter. This competency emphasizes the ability to make logically sound arguments based on precedent, analogy, and policy; assess the strengths and weaknesses in a client's position and an opposing party's position; and forecast potential outcomes of a client matter.

Assessment Illustrations: Here, the activities candidates are required to complete as part of Nevada's supervised practice component include preparing a strategic approach to achieve client needs by analyzing applicable law and facts, preparing documents for the client's matter to be filed or submitted on the client's behalf, and appearing in court or before an administrative tribunal or other body. These activities will typically require candidates to apply legal authority to relevant facts in a client matter. Similarly, in creating work product for Oregon's portfolio that addresses substantive legal issues and draws conclusions, candidates will be provided an opportunity to demonstrate this competency. Through review of these submissions, bar examiners may assess candidates' fulfillment of this competence.

A licensure candidate must demonstrate the ability to communicate as a lawyer (IAALS 12 Building Blocks, NCBE's Final Report). This competency includes the ability to choose a method of communication appropriate to the circumstances and audience (IAALS 12 Building Blocks); communicate the application of legal authority to the facts in a written or oral form that is appropriate for the audience, including the client, opposing counsel, the courts, and other stakeholders; draft and edit legal documents and legal correspondence (IAALS Foundations); work collaboratively with others, including opposing counsel, to address a client matter (IAALS 12 Building Blocks); and apply negotiation skills to advocate on behalf of a client.

Assessment Illustrations: The activities Nevada candidates must select to perform that address this competence include: Drafting correspondence to the client, adjudicators, or opposing counsel; preparing documents for the client's matter or to be filed or submitted on the client's behalf; negotiating, arbitrating, or mediating on behalf of a client; and

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appearing in court or before an administrative tribunal or other body. In addition to its portfolio requirement, Oregon specifically requires candidates to lead two client interviews or counselling sessions and two negotiations, which are assessed using rubrics completed by supervisors. Utah requires completion of two legal writing courses during law school and that candidates spend 20 hours during their supervised practice time on client-facing activities.

A licensure candidate must demonstrate the ability to interact effectively with clients (IAALS 12 Building Blocks). This competency emphasizes the ability to gain a client’s trust; recognize the importance of cross-cultural competence and seek available resources to understand the needs of their clients; gather relevant facts and identify client goals (IAALS 12 Building Blocks); communicate regularly with clients, convey information and options in terms that a client can understand, and help the client choose a strategy (IAALS 12 Building Blocks); manage client expectations, convey bad news, and cope with difficult clients (IAALS 12 Building Blocks).

Assessment Illustrations: Here, again, some of the activities Nevada requires students to complete address the ability to interact with clients, such as interviewing or counselling a client, discussing the “big picture” of client needs. As noted above, Oregon specifically requires candidates to lead two client interviews or counselling sessions, and Utah asks that candidates devote 20 hours to client-facing activities during supervised practice.