



**DISTRICT OF COLUMBIA COURT OF APPEALS**

430 E STREET, N.W.  
WASHINGTON, D.C. 20001

CHAMBERS OF  
ANNA BLACKBURNE-RIGSBY  
CHIEF JUDGE

(202) 879-2730

January 14, 2020

Susan Hoffman, Esquire  
President  
DC Bar  
901 4<sup>th</sup> Street, NW  
Washington, DC 20001

Dear Ms. Hoffman:

Since it was commissioned in 2014, the DC Bar's Global Legal Practice Task Force has performed a valuable service to the Bar and this court in studying a broad range of issues arising from the globalization of legal practice. The court particularly appreciates the comprehensive, 170-page report submitted to us in March 2018, in which the Task Force recommended changes to the provisions of D.C. Court of Appeals Rule 46 that govern the admission of foreign-educated individuals to the DC Bar.

Although the focus of the task force was to increase membership of foreign-educated individuals, the proposed amendments apply more broadly to all graduates from non-ABA-approved law schools who seek admission to the DC Bar by: (1) admission based on examination in this jurisdiction (Rule 46(c)(4)); (2) admission by transfer of a Uniform Bar Examination (UBE) Score attained in another jurisdiction (Rule 46(d)(3)(D)); or (3) admission without examination of members of the bar of other jurisdictions (Rule 46(e)(3)(B)(i)). Under existing Rule 46, graduates from non-ABA-approved law schools may qualify for admission to the D.C. Bar by first completing 26 credit hours of additional education in a law school that at the time of such study was approved by the ABA. All of the additional credit hours must be in subjects tested on the UBE, but no specific courses are required to be taken. The proposed amendments would (1) reduce the number of credit hours to satisfy the additional education requirement from twenty-six hours to twenty-four hours; (2) change the subject matter requirement from all credit hours in subjects tested on the UBE to six credit hours from a list of specific courses described in Rule 46, six credit hours of subjects tested on the UBE, and twelve hours in elective courses (a total of twenty-four hours); and (3) allow any amount of the additional

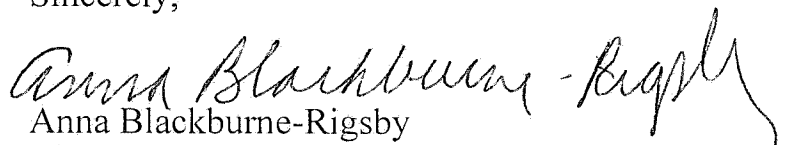
education to be completed by distance learning that the ABA-approved law school would certify as complying with ABA distance-education standards.

After carefully studying the Task Force's report, in May 2018, the court put out the proposed rule changes for public notice and comment (M-261-18) and also identified a number of questions it hoped commenters might address. After the notice and comment period ended, the court followed up with the DC Bar regarding several topics as to which the court had not received specific input and thought that the DC Bar might have helpful information. The court also met with members of the Task Force in January 2019 to discuss these topics and the proposed amendments. In April 2019, the court published for additional public notice and comment (M-263-19) proposed revisions to Rule 46 that largely tracked the DC Bar's proposed amendments, except that they revised the list of required courses and permitted only one-third of the required courses of study to be earned through distance learning. The court then reviewed the additional information received from the public.

After extensive deliberation, the court has decided not to make any changes to Rule 46 at this time. The court remains uncertain of the benefits of the particular proposed revisions to the D.C. legal community and the general public. At the same time, the court is concerned about the administrative burden likely to follow from encouraging applications from a potentially very large number of law graduates who do not plan to practice in the District of Columbia and/or who may have greater difficulty passing our bar.

The court greatly appreciates the innovative spirit and hard work of the DC Bar's Global Legal Practice Task Force, and we look forward to future efforts to collaborate with the Bar in strengthening its membership.

Sincerely,

  
Anna Blackburne-Rigsby  
Chief Judge  
District of Columbia Court of Appeals

cc: Darrell Mottley, Esquire  
Geoffrey Klineberg, Esquire  
Robert J. Spagnoletti, Esquire