

August 7, 2020

Chief Judge Anna Blackburne-Rigsby
D.C. Court of Appeals
430 E Street, N.W.
Washington, D.C. 20001
rules@dcappeals.gov

Dear Chief Judge Blackburne-Rigsby and Associate Judges of the District of Columbia Court of Appeals,

We write as deans of law schools that will be having students taking your bar exam. We are writing to urge you to create diploma privilege for recent law graduates in light of the unprecedented circumstances facing the country.

The COVID-19 pandemic continues unabated and has dramatically affected the lives of many who are planning to take the bar exam. Some are or have been ill. Many have had family members and loved ones who have been sick. Family care responsibilities have increased for many. All are dealing with the enormous anxiety created by the pandemic.

At the same time, our graduates are dealing with our nation's long-overdue reckoning with issues of anti-blackness and racism. Importantly, both of these issues -- COVID 19 and racial unrest -- are having a disproportionate impact on our graduates of color.

The uncertainty surrounding the bar exam, including when and how it will be administered, has been tremendously disruptive to our graduates and also is unprecedented.

We therefore urge that the District of Columbia follow the lead of states such as Oregon, Utah, and Washington in creating a diploma privilege, allowing recent graduates admitted to the bar to practice law without passing the bar exam. This, of course, would apply only to those who would meet the moral character requirements and qualify for admission to the bar. Also, those accorded diploma privilege would need to practice under the supervision of a licensed attorney for a specified period of time. Utah, for example, is requiring that those accorded diploma privilege to complete 360 hours of legal work under the supervision of an experienced attorney licensed in the state.

We very much appreciate your considering our views.

Sincerely,

Kerry Abrams
James B. Duke and Benjamin N. Duke Dean
Professor of Law
Duke University School of Law

Mario Barnes
Toni Rembe Dean and Professor of Law
University of Washington School of Law

Craig M. Boise
Dean and Professor
Syracuse University College of Law

Erwin Chemerinsky
Dean and Jesse H. Choper Distinguished Professor of Law
University of California, Berkeley School of Law

Danielle M. Conway
Dean and Donald J. Farage Professor of Law
Dickinson Law
The Pennsylvania State University

Heather K. Gerken
Dean and Sol & Lillian Goldman Professor of Law
Yale University School of Law

Jenny S. Martinez
Richard E. Lang Professor of Law and
Dean of Stanford Law School

Trevor Morrison
Dean and Eric M. and Laurie B. Roth Professor of Law
New York University Law School

Angela Onwuachi-Willig
Dean and Professor of Law
Boston University School of Law

John Pierre, Chancellor
Southern University Law Center

L. Song Richardson
Dean and Chancellor's Professor of Law
University of California, Irvine School of Law

Elizabeth Kronk Warner
Dean, S.J. Quinney College of Law
University of Utah