

Introduced by

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

Senators Barta, Cleary, Dwyer, Meyer

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

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

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

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

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

19 **WHEREAS**, it is in the best interest of North Dakota to evaluate available alternative
20 methods for assessing the competency of applicants for licensure as attorneys in the state and
21 determine whether alternative assessments would provide an incentive for more University of
22 North Dakota School of Law graduates to practice in North Dakota while not compromising the
23 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 consider studying admission to the bar of this state by
9 diploma privilege, including an examination of the barriers to retaining University of North
10 Dakota law graduates in the state; an evaluation of the functionality of Wisconsin's diploma
11 privilege, including any problems caused by diploma privilege; a risk assessment of the
12 potential for decreased quality in the practice of law and increased client complaints against
13 attorneys; an evaluation of alternative models, including apprenticeships, that may be used to
14 determine attorney competence; and an examination of the University of North Dakota internal
15 models of assessment that may be used to demonstrate attorney competence; and

16 **BE IT FURTHER RESOLVED**, that the Legislative Management report its findings and
17 recommendations, together with any legislation required to implement the recommendations, to
18 the Sixty-ninth Legislative Assembly.