

**Minutes of the Apprentice/Practice Alternatives Subcommittee to the
Alternatives to the Exam Task Force
April 15, 2021
Zoom Videoconference**

Note: This meeting was recorded by Oregon State Bar staff.

Attendees

Sub-Committee Members: Akriti Bhargava, Madeleine Campbell, Maya Crawford Peacock, Stanton Gallegos, Ekua Hackman, and Kendra Matthews

Advisory Sub-Committee Members: Joanna Perini-Abbott and Jason Specht

Bar Staff: Sergio Hernandez, Helen Hirschbiel, J.B. Kim, and Troy Wood

1. Call to Order

- The meeting was called to order at approximately 3:33 p.m.
- The meeting was recorded.
- Sergio Hernandez noted the attendance.

2. April 2, 2021 Subcommittee Minutes Approved

- Kendra Matthews moved to approve the minutes; Maya Crawford seconded; the motion passed unanimously.

3. Discussion of Teams Collaboration Document

- The “apprentice” subcommittee members who were able to do so submitted individual notes on their thoughts numerous topics relating to how a model apprentice program would work in Oregon. There were several topics for consideration listed:
 - Who is eligible?
 - What are the requirements?
 - How does it incorporate with other law school practice?
 - Is there a coursework or written submission portion to the bar (some sort of portfolio or curriculum connection?)
 - Other regulatory requirements?
 - Equity?

Maya Crawford Peacock led a discussion of the subcommittee on the subjects and topics often overlapped.

- Who is eligible?
 - After extensive discussion, the sub-committee came to the consensus that because the purpose of adopting an apprentice model (AM) is to

create an *alternative* to admission via sitting for and passing the bar exam, the people who are eligible to pursue this avenue for admission should mirror (but not expand or contract) the people who are able to sit for the bar examination. This, it appears, can be accomplished by simply applying Rule of Admission for sitting for the bar exam (specifically, the provisions relating to sitting for the bar exam found in Rule of Admission 3.05) to people who seek to be admitted via alternative practice. Thus, graduation from an ABA accredited law school will follow that rule.

- Consensus point: No limitation on who could apply in a particular year who could apply via this avenue. (Recognizing that the committee is proffering an ideal; there may be resources issues depending on how a supervisor is selected or other aspects of an AM program that draw on limited resources.)
- Consensus point: No timing limitation. If someone is eligible to sit for the bar, they should be able to pursue this avenue. (However, it would later be noted that there may be timing limitations on accomplishment of supervision hours.)
- Consensus points: No tying the ability to pursue this avenue to one's law school's bar passage rate. A prior failure on a bar exam should not prohibit pursuing this course. Both of these bars tie this avenue back to ability to pass a bar exam; this avenue recognizes a *different* way to establish minimum competency.
- What are the requirements?
 - The committee did not reach consensus on most of these points.
 - There was extensive discussion of creating an "hours" of supervised practice requirement that envisioned 6 to 9 months of full-time supervised practice and discussion of what types of work done in law school might qualify as supervised practice.
 - In terms of work during law school, it was noted that it would need to be the kind of work that would likewise qualify *after* graduation, so substantive work on legal projects, accompanied by time records and supervised by an attorney. There was discussion on putting a limit on how much of the supervised practice period would be required to take place after graduation, but no consensus was reached. Except, notably, it was generally agreed that the supervised practice needs to be relatively close in time to when the person is seeking admission. (As a clear example, a person who graduated from law school 10-years ago would not be able to use any hours of supervised practice that occurred in law school towards their minimum requirements for this program.)

- It was also discussed that this avenue for admission will need to be available to people who attend law school inside and outside of Oregon; it was not resolved how much supervised practice (if any) could be accomplished outside of Oregon either before or after one graduated from law school. It was also noted that the question of whether a supervising lawyer must be admitted in Oregon also must be resolved.
- In terms of details it was noted that once a consensus is reached on structure there are logistical details that can be addressed either by references to other jurisdictions and/or by an implementation committee.
- The committee discussed the degree to which resources throughout the state (law school, lawyers, bar sections, non-profits) could be called upon to implement aspects of this alternative avenue. No final resolution was reached. It was noted that non-profits have limited bandwidth to train numerous practitioners and that while law schools have incentives to facilitate admission, for a clinic or other practical training program to survive in law school it at least has to be revenue neutral for the school.
- These issues and the balance of “requirements” for this avenue will all need to be addressed in future meetings.
- The balance of the issues will need to be addressed in future meetings.

4. Appointment of Drafting Committee.

This subject was tabled for the next meeting.

5. Next Meeting: April 21, 2021 at X p.m.

The meeting adjourned at around 5:25 p.m.

Prepared by:

Kendra M. Matthews

April 19, 2021