

**HOUSE CONCURRENT RESOLUTION NO. 3023**

Introduced by

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

Senators Barta, Cleary, Dwyer, Meyer

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

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

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

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

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

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

18 **BE IT FURTHER RESOLVED, that the task force may include representatives from the:**

- 19 1. Judicial branch;
- 20 2. State Board of Law Examiners;
- 21 3. Legislative branch;
- 22 4. University of North Dakota School of Law; and
- 23 5. State Bar Association of North Dakota; and

24 **BE IT FURTHER RESOLVED**, that the ~~Legislative Management report its~~judicial branch is  
25 encouraged to report any findings and recommendations, together with any legislation required  
26 to implement the recommendations, to the Sixty-ninth Legislative Assembly; and

27 **BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution**  
28 to the Chief Justice of the North Dakota Supreme Court, the Clerk of Court for the North Dakota  
29 Supreme Court, the President of the State Board of Law Examiners, the Dean of the University  
30 of North Dakota School of Law, and the President of the State Bar Association of North Dakota.