

**CONFERENCE OF CHIEF JUSTICES
CONFERENCE OF STATE COURT ADMINISTRATORS**

Resolution 1

**In Support of Establishing the Working Committee on Legal Education
and Admissions Reform (CLEAR)**

WHEREAS, the state courts of the United States handle some 97% of our citizens' court cases involving almost every conceivable legal problem they may face in their lifetimes; and

WHEREAS, many people across the United States have difficulty accessing our justice institutions, particularly courts, due to many factors, including geography and the high costs of securing competent legal representation; and

WHEREAS, the difficulty in securing access to justice and competent legal representation has a direct and palpable impact on the public's perception of justice and its trust and confidence in state courts; and

WHEREAS, the rule of law is indispensable to democracy, which requires both a competent legal profession and independent courts; and

WHEREAS, it is the responsibility of state supreme courts to regulate admission to and the practice of law in their states to ensure a competent legal profession and protect the public; and

WHEREAS, given the many challenges facing the legal profession, it is necessary that the Conference of Chief Justices and the Conference of State Court Administrators examine legal education and bar admissions to understand the impact of these challenges on the profession and the public and to undertake appropriate reforms; and

WHEREAS, state supreme courts cannot relinquish responsibility over the profession to others but must be active participants in the regulation of the profession; and

WHEREAS, an ethical judiciary and legal profession promote public confidence and support for the rule of law;

NOW, THEREFORE, BE IT RESOLVED, that the Conferences shall establish a working Committee on Legal Education and Admissions Reform (CLEAR) to undertake the following tasks:

- Examine the current state of legal education in the United States to ascertain how changes to it are impacting the professionalism and competence of law school graduates;
- Consider the role of state supreme courts as the profession's primary regulators and their responsibility for new lawyer preparation;

- Determine what reforms should be considered to legal education to produce “practice-ready” and ethical lawyers who clearly understand their roles as both advocates *and* officers of the court;
- Consider admissions testing requirements on legal ethics, promote and create ethics standards for new attorneys, and review the role of state supreme courts in training on those subjects as well as the procedural and substantive methods to enforce ethical standards;
- Assess what types of legal education programs might encourage law school graduates to pursue careers in public service or to represent those currently underserved by the profession; and
- Examine the bar admissions process and recommend reforms that appropriately assess bar applicants’ doctrinal, ethical, and practice-ready competence at a time when the legal profession is experiencing profound change, which reforms may include alternative paths to bar admission programs and alternative testing approaches; and

BE IT FURTHER RESOLVED, that in discharging these tasks, the Committee should engage with critical stakeholders from legal education, bar admissions, the courts, and the practicing bar to ensure broad consideration of the issues. The Committee should affirmatively engage with the Council and the Accreditation Committee of the American Bar Association Section of Legal Education and Admissions to the Bar; and

BE IT FURTHER RESOLVED, that the Conferences request that the National Center for State Courts assign one or more staff to provide support to the Committee. Upon the conclusion of its work, the Committee shall issue a report on its work including recommendations for any changes or reform that it considers necessary to improve preparation to practice law, increase the professionalism of the bar, and expand access to justice.

Adopted as proposed by the CCJ Professionalism & Competence of the Bar Committee and the Executive Board of the Conference of State Court Administrators at the CCJ/COSCA Annual Meeting on August 2, 2023.