

**Bill No.:** HB0214 **Effective:** 7/1/2015

**LSO No.:** 15LSO-0516

**Enrolled Act No.:** HEA 104

**Chapter No.:** 162

**Prime Sponsor:** Brown

**Catch Title:** Practice of law-amendments.

**Subject:** Updating the licensure of attorneys-at-law.

**Summary/Major Elements:**

- Current Wyoming Statutes contain provisions related to bar examinations, applicants' qualifications, admission of foreign attorneys, the oath of the attorney and annual license fees. This bill modernizes statutes by updating and repealing provisions relating to the practice of law.
- This bill:
  - Removes a requirement that the State Board of Law Examiners select a committee secretary.
  - Removes a provision requiring bar examinations to be in writing upon questions prepared or approved by the Board of Law Examiners and a provision requiring the Supreme Court of Wyoming to secure a system of uniform examination.
  - Repeals a provision requiring bar applicants to be citizens of the United States, codifying the holding of *State ex rel. Mansfield v. State Bd. of Law Examiners*, 601 P.2d 174 (Wyo. 1979), which found the requirement to be an unconstitutional violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.
  - Requires bar applicant candidates to have been awarded a juris doctor degree from an American Bar Association accredited law school and repeals language allowing an applicant who has not completed law school but has studied law in an attorney or judge's office to be admitted.
  - Requires that bar examinations shall be conducted pursuant to the Rules of the Supreme Court of Wyoming.
  - Provides the Rules of the Supreme Court of Wyoming may accommodate persons with disabilities when taking the bar examination by providing an exception to the requirement that no assistance or advice be allowed.

- Provides that foreign attorneys shall be admitted on motion to the bar pursuant to the Rules of the Supreme Court of Wyoming and repeals language specifying requirements for foreign attorneys admitted on motion to the bar.
- Provides the Rules of the Supreme Court of Wyoming shall govern attorneys admitted *pro hac vice*.
- Allows the oath of attorney to be administered in another state or territory of the United States.
- Repeals language specifying that no practicing attorney may be taken as surety on an official or judicial bond.
- Amends the method of establishing the annual bar license fee. Currently, fees are established by rule or regulation and, to the extent practicable, revenue generated from fees should not exceed the costs of administering the regulatory provision related to the attorney-at-law profession, and boards must maintain records sufficient to support the fees charged. This bill removes these requirements and provides that fees shall be established pursuant to the bylaws of the Wyoming Bar.
- Repeals language specifying an attorney guilty of deceit or collusion is liable to be disbarred.

Comments:

- Amends a major program: licensure of attorneys-at-law.

The above summary is not an official publication of the Wyoming Legislature and is not an official statement of legislative intent. While the Legislative Service Office endeavored to provide accurate information in this summary, it should not be relied upon as a comprehensive abstract of the bill.