

A Grassroots Approach to Becoming an Attorney

by Kim A. Hann

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In 1991, I began doing freelance work for personal injury attorneys in Tacoma summarizing depositions and medical records, and preparing demand packages. I also worked part-time as a legal secretary while finishing college during the evenings. Having first obtained an associate's degree at Tacoma Community College, I transferred to University of Washington Tacoma when it was located in the old Perkins building near the 11th Street Bridge. In December 1995, I obtained a bachelor's degree in liberal arts with a dual concentration in U.S. and international studies. I focused studies, where I could, in law related areas, such as environmental law, the constitution, and the Indian Child Welfare Act (inter-racial Indian adoption). I planned on going to law school, but I never did.

When I started as a part-time legal secretary, I needed help filling out a legal messenger slip and process service instructions. With much patience and guidance from J. Alece Cox, I began learning things like what time family law motions are not heard, the benefit of confirming a motion, and what ex parte means. She also taught me over the next five years the basics in the areas of family law, probate and estate planning. This was the first job I never became bored with because I learned something new virtually every day from someone I admire and respect.

Not long after finishing college, I put law school plans on hold and decided to work as a full-time paralegal for a while. In responding to an advertisement in the newspaper for a full-time paralegal position, I discovered who placed the ad. His bar number was 700! I was apprehensive in applying because with a bar number that low I had concerns he may retire soon after I started. I did start that job in 1996 and continued learning about torts, real estate, probate and estate planning. I also converted all the pleadings to merge forms and developed a database for the different practice areas to streamline the process. I began looking up rules and statutes and drafting more than just fill in the blank forms. In 2000, I was registered under PCLR 0.7 as a legal assistant and went to court for ex parte matters. Eventually, I learned how to research and cite cases, draft memorandums, and all about trust accounting. I also presented an unlawful detainer case law update at the 2007 Year End Potpourri for the local bar. Fifteen years after starting that job, I am honored to still be working with Everett Holum.

After spending 45 minutes on the phone with an attorney from eastern Washington about a case he had, which was similar to one of Everett's he suggested I go to law school or do myself a favor and at least read about the WSBA's Admission to Practice Rule 6 Law Clerk Program. Of course, I was curious and decided to ask Everett. There was only one condition when I asked this monumental task of Everett – he could not use his personality as an excuse to say no. He was gracious in accepting my proposal to be my tutor after mulling it over. This meant no retiring anytime soon, not that I was concerned. My employment with Everett changed from paralegal and office manager to law clerk to associate with a bar number nowhere near 700.

There are only seven states allowing admission to practice without law school. New York requires at least one year of law school and Maine requires two with the third being an apprenticeship in lieu of completion of law school. California, Vermont, Virginia, Wyoming, and Washington provide a program where the applicant may take the bar exam after studying under a judge or practicing attorney for an extended period of time (reading the law). Virginia and Washington require the applicant to possess a bachelor's degree. Washington has been the only state with law clerks passing at a higher rate than law school graduates. Reading the law without law school is the old fashioned method of becoming an attorney, which pre-dates the bar exam. Some well-known American attorneys who did not go to law school or did not finish include Abraham Lincoln

(president), John Jay (first chief justice of the Supreme Court), John Marshall (chief justice of the Supreme Court), and Benjamin N. Cardozo (justice of the Supreme Court).

Washington's APR 6 Law Clerk Program is a four-year study program and requires the applicant to be employed a minimum of 30 hours per week and study 30 hours per week. There can be some overlap of those hours depending on the caseload and subject of the month. The tutor is required to spend a minimum of three hours per week discussing each subject with the clerk. Despite having enough to read and learn, there is also a requirement of writing three book reports per year from an approved list of books. The first year includes basic legal skills, civil procedure, contracts, property, torts, and agency and partnership. There are six courses per year, most of which are two months each and are the typical law school subjects. The fourth year consists of pre-determined elective courses. I chose to focus on the subjects tested on the bar exam, including Indian law. Having worked as a paralegal for so many years, I could have applied for advanced standing and skipped the requirement of taking some courses. However, I wanted the full benefit the program provided and elected to complete it in its entirety.

The rules provide a brief description of each subject to be studied. In determining what material to use, I looked up the curriculum and obtained the same casebooks used at the local law schools. During my first year as a law clerk, a 3L at Seattle University School of Law generously loaned me her some of her books. I also purchased material from Tesdahl's Bar Review, which kept me from getting too lost in the sea of cases I was drowning in. Each month, the tutor administers and grades a test on the material studied that month. The form and content of the test is at the tutor's discretion. I typically had two or three essay questions or short Q&A and/or multiple choice and fill-in-the-blank questions. In addition, the primary tutor completes a certificate of the clerk's progress each month. The originals are sent to the WSBA and a copy to the clerk's assigned liaison to review as well as the book reports. When an envelope arrives in the mail from the bar association addressed to you and marked personal, it gets your attention. I quickly learned not hearing from the bar association is a good thing.

The Law Clerk Program is a daunting undertaking not only for the clerk, but the tutor as well. It is a major commitment for both. It requires discipline, time management, and confidence. Although there is a beneficial practical aspect to the program, it is not the best method of becoming an attorney for most. To lessen the burden on Everett, I asked many Pierce County attorneys I have the pleasure of knowing if they would act as an assistant tutor and take on a course or two. I remain incredibly impressed with the positive response, the gift of their time, and the wealth of their knowledge. I spent many commutes, lunch hours, evenings, and weekends reading, listening to lectures on CDs, memorizing rules, googling what I could not quite grasp, typing my own flash cards and outlines, and asking question after question (at times the same questions) all while working full-time. I also converted my outlines and summaries of my outlines to speech files and listened to them many times prior to those monthly exams and many times while multi-tasking. Several tutors warned me, "I can't make this stuff up." and they tested me with fact patterns from actual cases they had.

Additionally, nine days into the program, I was the victim of a high-speed collision while riding as a passenger in my own vehicle. The already daunting task of completing the Law Clerk Program became outright riddled with multiple doctors' appointments (initially six days a week for many months), numerous sleepless nights, studying and working in relentless pain with one eye open, several leaves of absence from the program, eventual surgery, and endless litigation. Undoubtedly, no law school would be as accommodating as the WSBA. If I was able to finish the program and pass the bar exam on sheer determination alone, it was done.

It took me a little more than five years, but I did it...I passed the bar exam the first time! Choosing experts as tutors undeniably contributed to my success. I am eternally grateful first and foremost to my primary

tutor Everett Holum and also to my APR 6 liaison Laurene E. Somerville; assistant tutors (beginning with the most courses taught): Donald W. Winskill, David A. Malone, Steven C. Causseaux, Charles K. Counsell, Robert K. Ricketts, John E. Combs, The Honorable Beverly J. Grant, Judge, The Honorable Waldo F. Stone, Judge, J. Alece Cox, Ben F. Barcus, and Michael P. Salazar; unofficial assistant tutors: Jill Guernsey and Kelly Kunsch; and bar review tutors: The Honorable Jack F. Nevin, Judge, and D. Benson Tesdahl; L. Kathleen Hammer Casper for the books; all the support staff who typed those exams; and the health care providers, family, and friends who kept me going.