

the sheriff's office, police department, constables and game wardens, except automobiles engaged in police duty, to cause to be painted upon such automobile or other motor vehicle, in letters of contrasting colors, not less than two by two and one-half inches in size, the name of such county, city, town or other public body, together with the name of the department or office upon the business of which said automobile or other motor vehicle is used.

SEC. 2. Any person failing to comply with the provisions of this act, or any person driving or using any automobile or other motor vehicle, required to be marked under the provisions of this act, which is not so marked, shall be guilty of a misdemeanor.

Violations.

Passed the House February 26, 1921.

Passed the Senate March 7, 1921.

Approved by the Governor March 19, 1921.

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## CHAPTER 126.

[H. B. 131.]

### RELATING TO PRACTICE OF LAW.

AN ACT relating to the practice of law, providing for a State Board of Law Examiners, defining its powers and duties, providing for the licensing of attorneys and counselors at law and for the suspension or revocation of licenses, providing penalties for the violation hereof, and repealing Chapter 115 Laws of 1917, Chapter 100 Laws of 1919 and Sections 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 139, 140, 141 and 142 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. There is hereby created a State Board of Law Examiners composed of three members of the bar, each of whom shall have been admitted to practice in this state for at least five years

State board  
of law ex-  
aminers.

next preceding his appointment. The members of the State Board of Law Examiners at the time of the taking effect of this act shall continue to be members of the Board of Law Examiners for the remainder of their respective terms, and upon the expiration of the term of office of a member, the supreme court shall make an appointment to fill the vacancy, which appointment shall be for a term of three years; and thereafter, at the expiration of any term of office of a member, a like appointment shall be made for a term of three years. Each member of the board shall, before entering upon the duties of his office, take and subscribe such oath as the supreme court shall prescribe, which shall be filed with the clerk of the supreme court. Each member of the board shall be allowed his traveling and incidental expenses and one thousand dollars per year for his services, payable in the same manner as state officers are paid.

SEC. 2. The board shall have its office with the clerk of the supreme court, who shall act as secretary, or one of the members of the board may act as secretary. The records of the board shall be kept in the office of the clerk, where all applications for admission to the bar and all complaints or other matters affecting the rights of persons to practice law in this state shall be filed. The board shall hold meetings at the Temple of Justice at the state capital on the fourth Tuesday of June and January of each year for the purpose of conducting examinations and passing upon applications for admission to practice law in this state, and at such other times and places as it may order, and may authorize any one or more of its members to conduct examinations and report thereon. Other meetings of the board may be held at such places as the board or the chairman may designate, and the board may authorize one or more of its

Secretary,  
records and  
meetings.

members to act for it in any matter or proceeding or to make any investigation deemed by it advisable.

SEC. 3. The board shall pass upon all applications for permission to practice law before the courts of this state, and when satisfied that an applicant has the requisite qualification to practice as an attorney and counselor, it shall so certify to the supreme court; and upon such certification, unless objection be raised thereto and found sufficient, the court may make an order admitting the applicant, and the clerk shall issue to him a certificate of admission. No person shall be denied admission to the bar on account of sex.

Applications  
to practice.

SEC. 4. No person shall be permitted to practice as an attorney or counselor at law or to do work of a legal nature for compensation, or to represent himself as an attorney or counselor at law or qualified to do work of a legal nature, unless he is a citizen of the United States and a bona fide resident of this state and has been admitted to practice law in this state: *Provided*, that any person may appear and conduct his own case in any action or proceeding brought by or against him, or may appear in his own behalf in the small claims department of the justice's court; and *Provided further*, That an attorney of another state may appear as counselor in a court of this state without admission, upon satisfying the court that his state grants the same right to attorneys of this state.

Qualifica-  
tions.

SEC. 5. No person shall practice law who holds a commission as judge in any court of record, or as sheriff, coroner, or deputy sheriff; nor shall the clerk of the supreme court or of the superior court or the deputy of either practice in the court of which he is clerk or deputy clerk: *Provided*, It shall be unlawful for a deputy prosecuting attorney, or for the em-

Restrictions.

ployee, partner, or agent of a prosecuting attorney, or for an attorney occupying offices with a prosecuting attorney, to appear for an adverse interest in any proceeding in which a prosecuting attorney is appearing, or to appear in any suit, action or proceeding in which a prosecuting attorney is prohibited by law from appearing, but nothing herein shall preclude a judge of a court of this state from finishing any business by him undertaken in a court of the United States prior to his becoming a judge.

Affidavit  
upon appli-  
cation.

SEC. 6. Every applicant for admission to the bar shall file his affidavit that he is a citizen of the United States. If a citizen by birth he shall state his birth-place and date of birth; if a citizen by naturalization, the time, place and court in which he or his ancestor made his first and final applications for citizenship and swear that he owes his allegiance to the United States. The applicant shall further state his vocation during the five years immediately preceding his application, and the specific place or places of his residence during that period.

Resident of  
another  
state.

SEC. 7. If the applicant has practiced law or been admitted to the bar elsewhere than in this state, he shall state such facts with respect thereto as the board may prescribe or require. In addition thereto if the applicant comes from a place where there is a local bar association, he shall present a recommendation from its president and secretary. His application shall be supported by recommendation of a judge of a court of general jurisdiction in which he has practiced; and if there is no bar association at the place whence the applicant came, he shall present recommendations from at least three members of the local bar where he last practiced. If for sufficient reason the applicant cannot obtain any of the recommendations required, the board may accept other satisfactory proof of his character and reputation.

SEC. 8. The board shall investigate the statements in the affidavits, and if any of them are found false in a material respect, or if the board finds the applicant is not a proper person to be admitted to practice law, it shall recommend to the supreme court that the application be denied. If the board finds that the statements in the affidavits are substantially true and that the applicant is a proper person to be admitted to the bar, it shall recommend to the supreme court that the application be granted, if the applicant has the educational qualifications hereinafter required.

Board to investigate and recommend.

SEC. 9. Applicants may be admitted on accredited certificates or upon examination. An accredited certificate shall be:

Accredited certificate defined.

(1) A certificate from the clerk or other officer of the highest court of record of another state, or from the clerk of the court by which attorneys are admitted, under the seal of the court, showing that the applicant was entitled to practice and was actively engaged in practice in such state for five years or more next preceding the date of the certificate, together with a certificate from the chief justice or other member of such court, under the seal of the court, certifying that the applicant is in good standing at the bar of the court and is an honorable and worthy member of the profession. If the certificate last mentioned cannot be procured on account of lack of acquaintance, the board may accept in lieu thereof a certificate from the judge of the highest court of record in the county wherein the applicant last resided: *Provided, however,* That the certificate was issued within one year prior to his application for admission in this state.

(2) A diploma of graduation from the law school of the University of Washington.

(3) A diploma of graduation from an approved law school within the state of equal standing as to entrance requirements and hours of study to that of the law school of the University of Washington.

Board to determine approved schools.

SEC. 10. The board shall examine the curricula of law schools and determine which ones shall be approved. No law schools shall be approved unless the board finds that its entrance requirements and hours of study are at least equal to those of the University of Washington school of law, or of the American Association of Law Schools. All applicants who have satisfactorily completed the course in an approved law school within this state, may, in the discretion of the board, be recommended for admission without further examination. The board shall prescribe the credits to be allowed for study in any other than an approved law school, and for less than a full course in an approved law school, and for office study.

Registration and course of study by students not attending approved school.

SEC. 11. Every person desiring to study law, except a student in an approved law school, shall, prior to the commencement of his studies, register with the clerk of the supreme court. He shall not be registered until he make proof satisfactory to the board that he has general education sufficient to entitle him to enter the freshman class of the University of Washington or of the State College of Washington except its elementary science departments. If a student in an approved law school leave the school and pursue his legal studies elsewhere, he must register as herein required. The board shall prescribe a course of legal study for students other than those in approved law schools. Such course shall not be less than three years and examination shall be held at the completion of the course: *Provided*, That all persons who have served in the army, navy or marines of the United States, in the late war,

may be admitted to examination at any regular examination meeting of the board of law examiners for a period of one year from the date of passage of this act: *Provided further*, That any person over the age of twenty-five years and of good moral character who is a citizen of the United States and a resident of the state of Washington and who has served for not less than five years as law clerk for a licensed and practicing attorney or attorneys in the state of Washington of good moral character and reputable standing, may be admitted at any time to examination as to his educational qualifications, both general and legal; and if the board be satisfied that he is qualified to practice law it shall so certify to the supreme court.

SEC. 12. Every person before being admitted to practice law in this state shall take and subscribe the following oath:

Oath before admission.

I do solemnly swear:

I am a citizen of the United States and owe my allegiance thereto;

I will support the constitution of the United States and the constitution of the state of Washington;

I will maintain the respect due to courts of justice and judicial officers;

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust, nor any defense except such as I believe to be honestly debatable under the law of the land, unless it be in defense of a person charged with a public offense; I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law;

I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no com-

pensation in connection with his business except from him or with his knowledge and approval;

I will abstain from all offensive personality, and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged;

I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay any man's cause for lucre or malice. So help me God.

Fees.

SEC. 13. Applicants for admission to the bar upon accredited certificates or upon examination, not having been admitted to the bar in another state or territory, shall pay a fee of twenty-five dollars and all other applicants a fee of fifty dollars to the clerk of the supreme court at the time of filing the application for admission. Such fees shall be accounted for as other fees of the clerk's office.

Disbarment  
or suspen-  
sion.

SEC. 14. An attorney or counselor may be disbarred or suspended for any of the following causes arising after his admission to practice: 1. His conviction of a felony or misdemeanor involving moral turpitude, in which case the record of conviction shall be conclusive evidence. 2. Wilful disobedience or violation of an order of the court requiring him to do or forbear an act connected with, or in the course of, his profession, which he ought in good faith to do or forbear. 3. Violation of his oath as an attorney, or of his duties as an attorney and counselor. 4. Corruptly or wilfully, and without authority, appearing as attorney for a party to an action or proceeding. 5. Lending his name to be used as attorney and counselor by another person who is not an attorney and counselor. 6. For the commission of any act involving moral turpitude, dishonesty or corruption, whether the same be committed in the course of his relations as an attorney or counselor at law, or



otherwise, and whether the same constitute a felony or misdemeanor or not; and if the act constitute a felony or misdemeanor, conviction thereof in a criminal proceeding shall not be a condition precedent to disbarment or suspension from practice therefor. 7. Misrepresentation or concealment of a material fact made in his application for admission or in support thereof. 8. Disbarment by a foreign court of competent jurisdiction. 9. Practicing law with or in cooperation with a disbarred or suspended attorney, or maintaining an office for the practice of law in a room or office occupied or used in whole or in part by a disbarred or suspended attorney, or permitting a disbarred or suspended attorney to use his name for the practice of law, or practicing law for or on behalf of a disbarred or suspended attorney, or practicing law under any arrangement or understanding for division of fees or compensation of any kind with a disbarred or suspended attorney or with any person not a licensed attorney. 10. Gross incompetency in the practice of the profession. 11. Violation of the ethics of the profession.

SEC. 15. The code of ethics of the American Bar Association shall be the standard of ethics for the members of the bar of this state.

Code of ethics.

SEC. 16. The board shall enforce the laws relating to attorneys. Complaints shall be filed with the secretary of the board and may be made by the board or a member thereof or by persons having information of unprofessional acts or conduct. Notice shall be given to the accused attorney of the time and place of hearing. The hearing shall be had in the county where the accused resides unless the board shall otherwise direct. The board may delegate the taking of testimony or the making of investigation to any one or more members of the board.

Complaints and hearings thereon.

Proceedings  
upon hear-  
ings.

SEC. 17. The board or a member thereof shall have power to issue subpoenas to compel the attendance of witnesses or the production of books or documents. The accused attorney shall have opportunity to make his defense and may have issued such subpoenas as he may desire and as the board or member conducting the hearing deems necessary. Subpoenas shall be served in the same manner as in civil cases in the superior court. Witnesses shall testify under oath administered by a member of the board. Testimony shall be taken in writing, and may be taken by deposition, under such rules as the board may prescribe. The prosecuting attorney of the county in which the hearing is held shall assist the board in the conduct of the hearing, and the attorney general shall assist when so requested by the board. Upon approval by the court or presiding judge of the county where the hearing is held, whether such hearing be one for disbarment or for any other purpose authorized by this act, the county shall pay the witnesses' and stenographer's fees and other disbursements incurred in the conduct of the hearing. The board shall make findings upon the evidence produced, and shall file with the clerk of the supreme court its findings and recommendations, together with a transcript of the evidence.

Supreme  
court, hear-  
ings and  
judgment.

SEC. 18. There shall be a hearing before the supreme court upon the record certified by the board under such rules of procedure as the court may prescribe. The supreme court shall render such judgment as the facts warrant or may remand the case to the board for further investigation and consideration. The attorney may be disbarred, or suspended, or subjected to such other discipline as the court may decree. If an attorney's license is suspended or annulled the clerk of the supreme court shall notify the clerks of the superior courts of the state.

SEC. 19. The board shall prescribe forms, rules and regulations to carry out the provisions of this act. Such forms, rules and regulations shall have the same force and effect as if made a part of this act.

Forms, rules and regulations.

SEC. 20. Every attorney and counselor at law of this state except judges, shall register annually with the clerk of the county in which he resides or has his place of practice, which registration may be done in person, by agent, or by mail, and shall state the name of the attorney, his address and the firm of attorneys with which he is connected, if any. The clerk shall provide a book for such registration and shall register the names therein alphabetically. In counties having a population of less than 125,000, the fee for each annual registration shall be One Dollar to be paid into the state treasury for the general fund; in counties having population of 125,000 or more, the fee for each annual registration shall be Two Dollars, one-half of which fee shall be paid into the county treasury for the county law library fund; and the other half shall be paid into the state treasury for the general fund. An attorney who shall have failed to register before the first day of February in any year shall be deemed suspended as an attorney and counselor at law until such registration shall have been made and the fee paid, but such suspension shall not be construed to affect the rights of litigants or others for whom the delinquent may act during suspension. If an attorney fail to register for two successive years and pay his registration fees, the county clerk shall notify the clerk of the Supreme Court, and the attorney; whereupon the attorney's name shall be stricken from the list of attorneys until all delinquent fees are paid.

Annual registration.

Fee.

Failure to register.

SEC. 21. The clerk of the Supreme Court shall certify to the clerks of the superior courts of the several counties a list of all attorneys admitted and

Record of attorneys.

in good standing in the state on the first day of September of each year, commencing with the year 1921, which list shall be filed and kept by said clerks as a public record.

Violations.

SEC. 22. Any violation of this act or of a rule prescribed under this act is a gross misdemeanor.

Repealing clause.

SEC. 23. Chapter 115, Laws of 1917, Chapter 100 Laws of 1919 and Sections 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 139, 140, 141 and 142 of Remington & Ballinger's Annotated Codes and Statutes of Washington, are hereby repealed. This act shall not affect existing rights. All former statutes and laws are excepted from the repealing clause of this act for the purpose of prosecuting any offenses committed thereunder. The provisions of this act, in so far as they are substantially the same as existing statutes, shall be construed as continuations thereof and not as new enactments.

Passed the House, February 9, 1921.

Passed the Senate, March 7, 1921.

Approved by the Governor March 19, 1921.

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## CHAPTER 127.

[H. B. 7.]

### FUNDS AND TAX LEVIES IN CERTAIN CITIES.

AN ACT relating to tax levies in certain municipalities, and amending Section 5131 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That Section 5131 of Rem. & Bal. Code be amended to read as follows:

Levies.

Section 5131. Such municipal corporation shall levy and collect annually a property tax for the payment of current expenses, not exceeding fifteen mills