



Issue 261 | July 21

State Bar of Texas Litigation Update

State Bar of Texas Waives Rehearing of 5th Circuit Panel Opinion That Most, But Not All of Its Activities Are Germane

Earlier this month, a panel of the 5th Circuit Court of Appeals ruled that while some State Bar of Texas activities called into question by a First Amendment lawsuit are not germane to regulating the profession or improving access to justice, most of them are. On July 19, the bar announced that it is pleased with this decision and will not file a petition for panel rehearing or for rehearing en banc. The panel opinion, the latest development in the *McDonald v. Sorrels* lawsuit, said some legislative efforts by the mandatory bar and the Texas Access to Justice Commission are not germane and that the bar's procedures to allow members to challenge certain activities are not sufficient. What other programs and activities did the panel find to be constitutional, and what will happen next? Find out at [Texas Bar Blog](#).

Washington State Takes Steps Toward Regulatory Sandbox Proposal

At the start of this month, the chair of the Washington Supreme Court Practice of Law Board met with the court's justices to present a blueprint for that state's version of the legal regulatory sandbox that was launched last year in Utah. Like the Utah model, if approved, Washington state's Legal Regulatory Sandbox would provide a way to test innovations such as online legal services and alternative business structures. One way this sandbox would differ from Utah's is that participants would be required to show how what they offer will help increase access to justice. The Washington State Bar Association's [NWSidebar](#) has more details, including how soon the board will meet again with the court to seek its approval.

Law Schools See Huge Jump in Number of Applications for the Coming Academic Year

Last summer, after the George Floyd murder and other high-profile cases of inequity, many legal education experts predicted that there would be an uptick in law school applications. For the 2021 cycle, that predicted uptick has now become a surge. The Law School Admission Council reports that the number of applications to U.S. law schools has increased by 28 percent from last year and is now at its highest level since 2011. According to [Bloomberg Law](#), other factors behind this increase may include the presidential election and the pandemic and its economic fallout. What does this sudden spike mean for prospective law students, law schools, and law firms?

California Legislators Seek Audit of State Bar of California Disciplinary System

Last week, California lawmakers said they will pursue an audit of the State Bar of California's discipline system, after the bar's announcement last month that an internal review found serious mistakes in how it handled complaints against trial lawyer Thomas Girardi. According to an article at [The Recorder](#), this audit would be due by April 2022, in time for the Legislature's consideration of the 2023 lawyer licensing fee bill. Also, the [Los](#)

[Angeles Times](#) delves into emails between Girardi and one bar investigator, Tom Layton, which it says expose a close relationship between the two and a pattern of special favors.



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