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PA Bar Applicants File King’s Bench Petition with the Supreme Court of Pennsylvania Seeking Humane Licensing Response to COVID-19

PHILADELPHIA – August 17, 2020 – Attorneys for the group known as Law Students for Equitable Responses to COVID-19 (LSERC) filed a King’s Bench Petition with the Supreme Court of Pennsylvania today. This filing is the group’s latest step in a months-long advocacy campaign to ensure that qualified law graduates facing hardship due to the pandemic are not unjustly excluded from the legal profession.

LSERC, a group of Pennsylvania bar applicants, is the Pennsylvania contingent of a national movement for fair and reasonable responses to the bar exam during COVID-19. The petition asserts a constitutional challenge to the twice-postponed, October 2020 remote Pennsylvania bar exam. LSERC is represented in this matter by Professor emeritus Louis Natali, Jr. of Temple University Law School and Michael J. Engle, a shareholder in the law firm Buchanan Ingersoll & Rooney.

"We are requesting an emergency diploma privilege, paired with additional competency requirements in lieu of an untested, on-line bar exam format," said Engle. “The hardships faced by recent law school graduates during the pandemic have created a unique set of circumstances that warrant a different licensing scheme for new attorneys in need of employment upon graduation in 2020.”

On July 8, 2020, the Pennsylvania Board of Law Examiners announced that this year’s July bar exam would be postponed a second time, and administered remotely over three days (instead of the typical two) from October 5-7, 2020. LSERC board member, Pretty Martinez, explained that, "for many applicants, a remote exam will mean taking it in their bedrooms, while caring for children and other loved ones, with loud construction and frequent Wifi or power outages, without proper disability accommodations, and with invasive and unreliable technology."

LSERC has surveyed over 300 law graduates throughout the last month, and “people are really suffering.” Martinez said. “Applicants have been telling us about family members getting sick and passing away, losing jobs and income, studying in crowded apartments –COVID-19 is creating impossible conditions.”

All nine Pennsylvania law school deans have publicly supported diploma privilege in a recent letter to the Board of Law Examiners. LSERC is now asking the Supreme Court of Pennsylvania for relief. LSERC’s proposal would admit graduates of ABA-accredited law schools to the Pennsylvania Bar if they complete comprehensive competency requirements, including many hours of supervised practice, the standard character and fitness evaluation, and an increased number of continuing legal education credits.