



Helping Military Spouses Practice Wherever DoD Demands

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Military families sacrifice daily in service to our nation and often endure frequent moves and deployments at the behest of the Department of Defense. For families that include an attorney spouse, such moves make maintaining a legal career daunting and expensive. Attorney spouses might have to gain admission to a new state bar every two to three years with the added stress of finding a new job. The good news is the Military Spouse JD Network (MSJDN) was established in 2011 to tackle the complex task of securing what are called law licensing accommodations for military spouses across the country.

MSJDN requests expedited bar admission and the reduction or elimination of licensing costs for military spouse attorneys who have passed at least one bar exam and maintain the requisite character and fitness required of all attorneys. The request seems simple, but implementation of such an accommodation is often complicated. Every state differs slightly in how it sets rules for bar admission, and there is no universal, easy fix.

Several states have welcomed the rule change and implemented it rapidly. Colorado rule 204.4 took effect on September 1, 2014, and by September 30, two military spouses were admitted. New York took the unprecedented step of offering an admission waiver for military spouse attorneys on a case-by-case basis, without adopting a formal rule change.

However in other states, rule passage can take years. Over the past six years, Ohio MSJDN members have presented the rule change three times, most recently in the fall of 2014, to the Ohio Supreme Court. “The most difficult part of the process in Ohio is getting to the top of the Supreme Court agenda. We have great feedback from practitioners and supporters here in Ohio, but we need to get the attention and support of decision makers,

our high Court,” commented Elizabeth Hanning-Smith, MSJDN Ohio State Co-Director and attorney at Vorys, Sater, Seymour and Pease LLP in Columbus, Ohio.

Despite the challenges, MSJDN’s licensing accommodation efforts have been successful because members work at the local level to build support. The proposed rules maintain the highest standards for attorneys: requiring admission by exam, good standing in all jurisdictions admitted, possession of the same moral character and fitness required of all attorneys in the state, and compliance with CLE and educational requirements.

Since 2011, MSJDN has come a long way, securing rule changes in twelve states plus the US Virgin Islands and uniting more than 1,000 military spouse attorneys worldwide. The nationwide success proves rule accommodations can and do work. The ABA, FBA, Conference of Chief Justices, various state and local bar associations, US Chamber of Commerce, Military Officers Association, and the National Military Family Association have taken note and supported MSJDN’s efforts.

But, the ability to practice law is only part of the problem the military spouse attorney encounters. “One of the biggest challenges our members face is finding and keeping long-term, meaningful employment,” according to Rachel Winkler, president, “We’ve been working hard to help make these connections between employers and our members by educating employers about the benefits of hiring Milspouse employees, explaining why gaps in resumes exist, and sharing examples of how other employers have successfully retained their talented Military spouse attorney employees through transfers, flexibility, and remote work options.”

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