



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

June 4, 1975

Opinion No. 75- 239

Ms. Margaret Jordan
District Attorney
Johnson County Courthouse
Post Office Box 728
Olathe, Kansas 66061

Dear Madame District Attorney:

K.S.A. 22a-106(b) states in pertinent part thus:

"Each assistant and deputy district attorney shall have been regularly admitted to practice law within the state of Kansas prior to his appointment."

You advise that you have employed three law school graduates, who will be appointed assistant district attorneys when they have completed and passed bar examinations this summer. These graduates presently held temporary permits to practice issued by the Kansas Supreme Court pursuant to Rule 212(j).

You inquire whether, as holders of temporary permits, they may be deemed "regularly admitted to practice law within the State of Kansas," as required by K.S.A. 22a-106(b). In *Moore v. Wesley*, 125 Kan. 22, 262 Pac. 1035 (1926), the court stated thus, albeit as *obiter dictum*:

"[A] person who holds a permit issued by this court authorizing him to practice law until the next bar examination is not irregularly admitted to practice law, but *ad interim* is a regularly qualified practicing attorney . . . This was defendant's situation when elected to the office of county attorney, and having successfully

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passed the next bar examination he was
not and is not disqualified to hold that
office under R.S. 19-701."

Accordingly, I conclude that the holders of such temporary
permits to practice are attorneys "regularly admitted to practice
law within the State of Kansas" as required by K.S.A. 22a-106(b).

Yours very truly,



CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj