

SUPREME COURT OF GEORGIA

In the Matter of Megan Kate Andrews

S21Z1222 (Ga. Nov. 23, 2021) · No. S21Z1222 · Decided November 23, 2021

SUMMARY

The Supreme Court of Georgia held that it lacked jurisdiction to review Megan Kate Andrews’s denial of admission to the Georgia Bar on motion without examination because she did not timely appeal that decision. The court also affirmed the Georgia Board of Bar Examiners’ denial of her request to waive the applicable appeal rule, concluding that Andrews failed to show good cause by clear and convincing evidence and that the Board did not abuse its discretion. The appeal was dismissed in part and affirmed in part.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	All the Justices
JURISDICTION	Georgia
DECIDED	November 23, 2021
DOCKET	S21Z1222
DISPOSITION	dismissed
PROCEDURAL POSTURE	Andrews appealed the Georgia Board of Bar Examiners' denial of her application for admission to the Georgia Bar on motion without examination and the Board's denial of her request to waive the applicable appellate-rule deadline.
STANDARD OF REVIEW	The denial of a request to waive the Rules is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published opinion; precedential value not otherwise specified in the provided text.
PARTIES	Megan Kate Andrews v. Georgia Board of Bar Examiners

TOPICS

- appellate procedure
- appellate jurisdiction
- administrative law
- judicial review of agency action
- standard of review

PRACTICE AREAS

bar admission

appellate procedure

administrative law

QUESTIONS PRESENTED

1. Whether the Supreme Court of Georgia had jurisdiction to review the Board's denial of Andrews's application for admission on motion without examination when Andrews did not appeal within the thirty-day period prescribed by Part F, Section 8.
2. Whether the Board abused its discretion by denying Andrews's request for a waiver of Part F, Section 8.
3. Whether Andrews was entitled to a hearing or to submit additional employer letters in support of her waiver and admission requests.

HOLDINGS

1. The Court lacked jurisdiction to review the merits of the Board's denial because Andrews did not file her appeal within thirty days of notification of the Board's final determination.
2. The Board did not abuse its discretion in denying Andrews's request to waive Part F, Section 8 because Andrews failed to demonstrate good cause by clear and convincing evidence.
3. Andrews was not entitled under the Rules to a formal hearing before the Board on her application or waiver request.

KEY QUOTATIONS

“To secure the appeal, the applicant must, . . . within thirty days of notification of the final determination by the Board of Bar Examiners, file a written notice of appeal with the Office of Bar Admissions and with the Clerk of the Supreme Court and must serve a copy of the notice of appeal on the Attorney General of Georgia.” (at 4)

“Therefore, because Andrews failed to timely appeal the Board’s denial of her application under Part F, Section 8 of the Rules, this Court is without jurisdiction to consider the merits of this issue on appeal, and this portion of Andrews’s appeal is dismissed.” (at 5)

FACTUAL BACKGROUND

Andrews was admitted to the New York Bar in September 2015 and sought admission to the Georgia Bar on motion without examination based on reciprocity. She identified employment as general counsel, a senior policy analyst, and a director of government relations as her relevant professional experience. The Board concluded that she had not been primarily engaged in the active practice of law for five of the seven years preceding her application and denied admission. Andrews did not appeal that denial within thirty days, instead seeking a waiver of the appeal deadline and later appealing both decisions.

PROCEDURAL HISTORY

Andrews applied for admission on motion without examination on February 22, 2021. The Board denied the application on March 23, 2021, because she had not shown that she was primarily engaged in the active practice

of law for five of the preceding seven years. She requested a waiver of Part F, Section 8, and the Board denied that request on June 11, 2021. Andrews appealed both decisions on July 7, 2021. The Supreme Court of Georgia dismissed the challenge to the underlying admission denial as untimely and affirmed the denial of the waiver request.

DISPOSITION

dismissed

CASES CITED

- In re G.E.C., 269 Ga. 744, 744 (506 SE2d 843) (1998)
- In the Matter of Lindsay, 311 Ga. 734, 737 (859 SE2d 96) (2021)