

SUPREME COURT OF GEORGIA

In the Matter of Jenny Lindsay

No. S21Z0101, Supreme Court of Georgia (June 1, 2021)

SUMMARY

The Supreme Court of Georgia affirmed the Board of Bar Examiners' denial of Jenny Lindsay's petition for a waiver of educational requirements for the Georgia Bar Exam. The Board did not abuse its discretion in refusing to waive either the official transcript requirement (due to an unpaid student account hold) or the substantive educational requirement that foreign-educated lawyers obtain an ABA-approved LL.M. degree, as Lindsay failed to provide a proper Dean's letter analyzing her legal education. The case illustrates the strict "good cause" standard for waivers of bar admission rules and the importance of documentation (transcripts and Dean's letters) in demonstrating compliance.

CASE DETAILS

COURT	Supreme Court of Georgia
JURISDICTION	Georgia
DECIDED	June 1, 2021
DOCKET	S21Z0101
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from denial of waiver petition by the Board of Bar Examiners
STANDARD OF REVIEW	Abuse of discretion
PRECEDENTIAL VALUE	Published
PARTIES	Jenny Lindsay v. Board of Bar Examiners

TOPICS

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

PRACTICE AREAS

- Bar Admissions
- Legal Education

QUESTIONS PRESENTED

- Whether the Board of Bar Examiners abused its discretion in denying Lindsay's petition for waiver of the educational eligibility requirements, including the official transcript requirement and the requirement

that she receive an LL.M. from an ABA-approved law school.

HOLDINGS

1. The Board did not abuse its discretion in denying the waiver petition because Lindsay failed to demonstrate good cause for waiver of the transcript deadline and failed to provide a proper Dean's letter as required by the Board's guidelines.

KEY QUOTATIONS

"We see no abuse of discretion in the Board's refusal to second-guess Emory's decision not to release Lindsay's transcript or in the Board's refusal to waive the requirement that she provide proof of the conferral of her LL.M. degree by the published deadline." (at 8-9)

"We see no abuse of discretion in the Board's determination that Lindsay's own assertions about her education and experience are not a proper substitute for the Dean's letter and thus that Lindsay failed to establish good cause for a waiver of the educational requirements." (at 9)

FACTUAL BACKGROUND

Jenny Lindsay, educated at De Montfort University in the UK and licensed to practice in England, Wales, and the Caribbean, enrolled in an LL.M. program at Emory University School of Law. After completing the program, she applied to take the Georgia Bar Exam but was unable to obtain an official transcript from Emory due to a dispute over attendance and nonpayment of fees. Emory placed a hold on her account, and the transcript was not released by the deadline. Lindsay petitioned the Board of Bar Examiners for a waiver of the educational requirements and/or the official transcript requirement, but the Board denied the petition.

PROCEDURAL HISTORY

The Board of Bar Examiners denied Lindsay's petition for waiver of educational requirements. Lindsay appealed to the Supreme Court of Georgia.

DISPOSITION

affirmed

CASES CITED

- In re Oliver, 261 Ga. 850 (1992)
- In re G.E.C., 269 Ga. 744 (1998)
- In re Batterson, 286 Ga. 352 (2009)