



**U.S. Department of Justice**

Civil Rights Division

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Office of the Assistant Attorney General

*Washington, D.C. 20530*

**NOTIFICATION LETTER**

ATTENTION: State Bar and Court Systems that Issue Licenses to Practice Law  
DATE: December 22, 2025  
SUBJECT: New Law on Attorney License Portability for Servicemembers and Their Spouses

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The Department of Justice's Civil Rights Division is issuing this letter to notify State Bars and State court systems that license or register attorneys to practice law in their jurisdictions of an update to the section in the Servicemembers Civil Relief Act (SCRA) about the portability of professional licenses for servicemembers and their spouses. **Professional license portability under the SCRA now includes licenses to practice law.** We request that you carefully review the information in the attached letter to State Licensing Authorities, which details the changes, evaluate your practices to ensure compliance with federal law, and help us tackle the issue of military spousal unemployment.

Servicemembers bear great burdens to protect our nation. Likewise, the families of these dedicated military professionals share these burdens on our behalf, facing frequent moves, child-care challenges, and interruptions or barriers to employment. Military families often relocate through a process known as “Permanent Change of Station” (PCS) moves. According to the 2024 Department of Defense Survey of Active Duty Spouses, the unemployment rate for military spouses who made a PCS move was about 33% higher than spouses who had not made any PCS moves.<sup>1</sup> The unemployment rate for military spouses remains around 20%, far higher than the national average (4.4%).<sup>2</sup> Spousal unemployment is a leading cause of servicemembers leaving military service and is a significant readiness and retention issue.<sup>3</sup>

While many State Bar and State court systems have worked over the years to ease the burdens of attorney licensing for military spouses, those working in the law still face significant barriers to practice while they travel around the world supporting our nation’s military. An attorney should not have to sacrifice their career because their spouse is serving in the military.

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<sup>1</sup> [2024 Active Duty Spouse Survey \(ADSS\)](#)

<sup>2</sup> Bureau of Labor Statistics, September 2025 Chart on [Civilian Unemployment Rate](#).

<sup>3</sup> This notification letter is intended to inform State Bars about the enactment of updates to the SCRA. The contents of this document do not have the force and effect of law and are not meant to bind the public or authorities that license attorneys in any way or to create any enforceable legal rights. This notification letter does not determine the outcome in any particular case or set of facts. In any investigation under the SCRA, the Civil Rights Division makes enforcement decisions based on the facts of that particular case.

## ***Update to Professional License Portability for Servicemembers and Their Spouses***

The SCRA provides servicemembers and their dependents with certain financial and due process protections during military service.<sup>4</sup> On January 5, 2023, the Veterans Auto and Education Improvement Act of 2022 (H.R. 7939) became law.<sup>5</sup> It amended the SCRA, adding a new section called “Portability of Professional Licenses of Servicemembers and their Spouses.”<sup>6</sup> At the time, this section expressly excluded licenses to practice law from portability.

On December 23, 2024, the Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025 (H.R. 5009) became law and amended the SCRA section on the portability of professional licenses.<sup>7</sup> It removed the exclusion for licenses to practice law, which are now eligible for portability under the SCRA.

We recognize that this is a new requirement. We are already working with a State Bar to ensure that it has an SCRA compliant process for license portability applicants. Please keep in mind that demanding anything more from an SCRA applicant than what is required by federal law is illegal. For example, the law does not allow a State Bar to request transcripts, bar exam scores, or MPRE scores from SCRA applicants. It also does not allow a State Bar to require that an SCRA applicant meet any particular active use requirements for their prior license. And while the law allows a State Bar to conduct the standard criminal background check that is commonly required in many fields of licensure, it does not allow the character and fitness examinations that State Bars typically require of new candidates to practice law.

The goal of this updated law is to recognize that an applicant servicemember or spouse who is already fully licensed or certified by another State Bar in the United States is allowed under federal law to practice in a new jurisdiction with no restrictions. The license portability provision of the SCRA provides applicants with a unique pathway to continuing their career, different from someone who is voluntarily changing States or jurisdictions.

The SCRA provides important legal protections for our military families who do so much for our country. We remain committed to easing the burdens that our military families face and hope that you will join us in the fight against military spouse unemployment. We greatly appreciate your assistance in safeguarding the rights of our Nation’s servicemembers and their families.

Sincerely,



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<sup>4</sup> See Title 50 U.S. Code, Sections 3901-4043.

<sup>5</sup> [H.R.7939, 117th Congress \(2021-2022\): Veterans Auto and Education Improvement Act of 2022](#).

<sup>6</sup> See 50 U.S.C. § 4025a; Pub. L. 117-333.

<sup>7</sup> See 50 U.S.C. § 4025a; Pub. L. 118-159.