

# Procedures to be followed by Applicants Under Florida's Foreign Legal Consultant Rule

## Chapter 16, Rules Regulating The Florida Bar

The Application Form, Parts A and B, may be obtained from Program Administrator, International Law Section, The Florida Bar, 650 Apalachee Parkway, Tallahassee, Florida 32399-2300 (850) 561-5633.

Part A, *Application for Certification as a Foreign Legal Consultant*, must be fully completed, signed and notarized where indicated, and returned, with all accompanying documentation, certificates, letters of recommendation and other documents specified in the application, to the Program Administrator with three copies and check in the amount of \$500 payable to The Florida Bar.

Part B, being the *Character Report Service Form*, must be fully completed and sent with the originals of all necessary documentation, and a check in the amount of \$400, payable to the National Conference of Bar Examiners (NCBE) at 402 West Wilson Street, Madison, WI 53703-3614. A copy of Part B should be sent to The Florida Bar with the application, documents and copies requested under Part A.

**Please note: DO NOT SEND PART A OR PART B AS ABOVE INSTRUCTED UNLESS ACCOMPANIED BY ALL OF THE DOCUMENTATION SPECIFIED THEREIN. THE APPLICATION FEES ARE NON-REFUNDABLE.**

Part B will be processed by the NCBE and thereafter submitted to The Florida Bar. Part A will be reviewed for completeness, and then transmitted to the standing Committee on Foreign Legal Consultants, a subcommittee of the International Law Section of The Florida Bar.

Upon receipt of the results of the NCBE review, the International Law Section standing Committee on Foreign Legal Consultants will review the application package (parts A and B) for completeness, correctness and accuracy and, if satisfied, will certify to the Supreme Court of Florida, through The Florida Bar, that the applicant appears to have complied with all of the requirements of Chapter 16 and should be certified as a Foreign Legal Consultant under the Rules Regulating The Florida Bar. Thereafter the Supreme Court will determine whether the applicant will be certified; if the applicant is certified, the Supreme Court will so notify The Florida Bar which, in turn, will notify the applicant and provide the applicant with appropriate evidence of certification. If the applicant fails to be certified by the Supreme Court, then The Florida Bar will be so advised and will, in turn, so advise the applicant and the International Law Section.

## Checklist — Part A

The following checklist contains items that must be included as part of the required documents when submitting an application for certification as a foreign legal consultant in Florida.

1. If you answered "No" to Item 6(B), a separate sheet of paper explaining details. \_\_\_\_ 6(B)

2. If you answered "Yes" to the following items, a separate sheet of paper explaining details.

\_\_\_\_ 6(C) \_\_\_\_ 6(D) \_\_\_\_ 6(E) \_\_\_\_ 6(F) \_\_\_\_ 8(A) \_\_\_\_ 8(B) \_\_\_\_ 8(C)

\_\_\_\_ 8(D) \_\_\_\_ 8(E)(1) \_\_\_\_ 8(E)(2)

3. Attachments described in Item 9

\_\_\_\_ 9(1) \_\_\_\_ 9(2) \_\_\_\_ 9(3) \_\_\_\_ 9(4)

\_\_\_\_ 9(5) \_\_\_\_ 9(6) \_\_\_\_ 9(6) \_\_\_\_ 9(7) \_\_\_\_ 9(8)

4. \_\_\_\_ Your signature

5. \_\_\_\_ Signature of Person Taking Acknowledgment

6. \_\_\_\_ A copy of your Character Report Service Form (send original to NCBE)

7. \_\_\_\_ A check in the amount of \$500 payable to The Florida Bar

**IN THE SUPREME COURT OF FLORIDA**  
**APPLICATION FOR CERTIFICATION**  
**AS A**  
**FOREIGN LEGAL CONSULTANT**

NAME: [ ] Mr. [ ] Ms. \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_ PLACE OF BIRTH: \_\_\_\_\_

U.S. SOCIAL SECURITY NUMBER: \_\_\_\_\_

FLORIDA DRIVER'S LICENSE NUMBER: \_\_\_\_\_

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<u>1. PERMANENT ADDRESS</u> _____ _____ _____	<u>FLORIDA ADDRESS</u> _____ _____ _____
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Telephone Number: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

2. Present Employment: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

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3. CITIZENSHIP: Of what country are you a citizen? \_\_\_\_\_

4. Basis for Admission to the United States:

(A) Type Visa: \_\_\_\_\_

(B) Date of Issue: \_\_\_\_\_ Date of Expiration: \_\_\_\_\_

(C) Place of Issue: \_\_\_\_\_

(D) Have you been issued an alien registration number? \_\_\_\_\_  
(yes or no)

5. Are you lawfully entitled to reside in and be employed in the United States pursuant to the U.S. immigration laws? \_\_\_\_\_  
(yes or no)

(A) If the previous answer is no, do you intend to apply for U.S. residency if this application is approved? \_\_\_\_\_  
(yes or no)

6. ADMISSION TO PRACTICE LAW IN FOREIGN JURISDICTION:

(A) (I) Name the jurisdiction in which you have been admitted to practice law: \_\_\_\_\_

(II) Date admitted \_\_\_\_\_. Have you engaged in the practice of law in that jurisdiction since date of admission continuously, without interruption? \_\_\_\_\_  
(yes or no)

If not, give dates in which you have engaged in the practice of law in that jurisdiction \_\_\_\_\_

(III) Name any other jurisdiction in which you have either been admitted to practice law or have been certified as a foreign legal consultant. \_\_\_\_\_

(B) Have you been in good standing in all of the above jurisdiction throughout the period of your admission? \_\_\_\_\_  
(yes or no)

If not, why not? Give details on a separate sheet of paper.

(C) Have you ever been disciplined for professional misconduct? \_\_\_\_\_  
(yes or no)

If so, give details on a separate sheet of paper.

(D) Have you ever been disbarred or had your license suspended? \_\_\_\_\_  
(yes or no)

If so, give details on a separate sheet of paper.

(E) Are any charges of misconduct currently pending against you? \_\_\_\_\_  
(yes or no)

If so, give details on a separate sheet of paper.

(F) Do you know of any threatened charges of misconduct against you? \_\_\_\_\_  
(yes or no)

If so, give details on a separate sheet of paper.

7. ADMISSION TO U.S. JURISDICTIONS:

(A) Are you presently or have you ever been admitted to practice law in another U.S. jurisdiction? \_\_\_\_\_  
(yes or no)

If so, where and when \_\_\_\_\_

(B) Are you presently or have you ever been certified as a Foreign Legal Consultant or in a similar capacity in another U.S. jurisdiction? \_\_\_\_\_  
(yes or no)

If so, where and when \_\_\_\_\_

8. CHARACTER QUESTIONS:

(A) Have you ever been arrested for and/or charged with a violation of the law either in the U.S. or in any other jurisdiction? \_\_\_\_\_  
(yes or no)

If so, give details on a separate sheet of paper.

(B) Have you ever been denied admission to practice before the courts of any jurisdiction based upon character or fitness? \_\_\_\_\_  
(yes or no)

If so, give details on a separate of paper.

(C) Have you ever been charged with fraud in any legal or administrative proceeding? \_\_\_\_\_  
(yes or no)

If so, give details on a separate sheet of paper.

(D) Have you ever been a party to a civil law suit in which an adverse judgment was rendered against you? \_\_\_\_\_  
(yes or no)

If so, give details on a separate sheet of paper.

(E) Have you ever:

(1) been examined or treated for mental, emotional or nervous disorders? If so, give details on a separate sheet of paper.

(2) been voluntarily or involuntarily committed to a hospital or institution as a result of mental, emotional or nervous disorders? \_\_\_\_\_

(yes or no)

If so, give details on a separate sheet of paper.

9. ATTACHMENTS: To be complete, the following documentation must be attached to this Application and such documentation is hereby incorporated as a part of this sworn Application. If it is not in English, each document must be accompanied by a duly authenticated English translations, said translation to be effected by a certified translator. Please initial on each line to indicate that the documentation is attached. Please attach the documentation in the order indicated by this list.

(1) A duly authenticated certificate from the entity governing the practice of law in each foreign country in which the applicant is licensed to practice, accompanied by the official seal, if any, of such entity and which shall certify (1) the entity's jurisdiction in such matters; (2) the applicant's admission to practice in such foreign country and the date thereof; (3) the

applicant's good standing as an attorney, counselor at law, or the equivalent; and (4) whether any charge or complaint has ever been filed against the applicant with such entity, and if so, the substance of each such charge or complaint and the adjudication or disposition thereof; and

\_\_\_\_\_  
(Initial)

(2) Duly authenticated certificates from the courts located in each jurisdiction in which the applicant has resided, practiced law, or practiced as a foreign legal consultant, certifying as to the absence of any criminal proceedings, unadjudicated or pending lawsuits, or declarations of bankruptcy filed by or against he applicant in such jurisdiction.

\_\_\_\_\_  
(Initial)

(3) A letter of recommendation signed by and with the official seal, if any, of 1 of the members of the executive body of such entity or from 1 of the judges of the highest court of law of such foreign country, certifying to the applicant's professional qualifications; and

\_\_\_\_\_  
(Initial)

(4) A letter of recommendation from at least 2 attorneys, counselors at law, or the equivalent admitted in and practicing in such foreign country, setting forth the length of time, when, and under what circumstances they have known the applicant and their appraisal of the applicant's moral character; and

\_\_\_\_\_  
(Initial)

(5) An Applicant's Questionnaire and Affidavit for the National Conference of Bar Examiners, and Authorization and Release to The Florida Bar and/or its designee all on forms furnished by The Florida Bar; and

\_\_\_\_\_  
(Initial)

(6) A letter of recommendation from at least 2 members in good standing of The Florida Bar, setting forth the length of time, when, and under what circumstances they have known the applicant and their appraisal of the applicant's moral character; and

\_\_\_\_\_  
(Initial)

(7) A duly acknowledged instrument in writing setting forth the applicant's address within the State of Florida and designating the Florida Secretary of State as such person's agent upon whom process may be served, pursuant to applicable Florida law, with like effect as if served personally upon such applicant, in any action or proceeding hereafter brought against the applicant arising out of or based upon any legal services rendered or offered to be rendered by such applicant within or to the residents of the State of Florida whenever, after due diligence, service cannot be made upon such applicant at such address or at such new address as filed by a supplemental instrument; and

\_\_\_\_\_  
(Initial)

(8) A duly acknowledged statement affirming that The Florida Bar will be immediately advised of any law suit brought against the applicant which arises out of or is based upon any legal services rendered or offered to be rendered by such applicant within this State.

\_\_\_\_\_  
(Initial)

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I have read the foregoing questions and instructions, have answered all questions fully and frankly, and hereby affirm that all of the information provided herein is, of my own knowledge, true and correct. I am aware that I have a duty to advise the Supreme Court of Florida of any circumstances occurring after the date of this application that would affect my responses herein.

I hereby acknowledge that I have read Rule 16-Foreign Legal Consultancy Rule, in the *Rules Regulating The Florida Bar*, promulgated by the Supreme Court of Florida, and agree to abide by the rules and regulations applicable to such Foreign Legal Consultants.

In making this application for certification as a Foreign Legal Consultant in the State of Florida, I agree to give any further information which may be required in reference to my past record. I understand that an investigation will be made by The Florida Bar and/or its designee to determine my eligibility for certification and I hereby authorize such investigation, whether by The Florida Bar, and/or the National Conference of Bar Examiners as their agents.

I also hereby swear that I (1) have read and am familiar with the Rules of Professional Conduct as adopted by the Supreme Court of Florida and will abide by, and be subject to, the provisions thereof; and (2) hereby submit to the jurisdiction of the Supreme Court of Florida for disciplinary purposes, as defined in chapter 3 of said Rules and Rule 16-1.6. I also authorize notification to the entity governing the practice of law in the foreign country in which I am licensed to practice, of any disciplinary action taken







