APR 14
LIMITED PRACTICE RULE FOR FOREIGN LAW CONSULTANTS

(a) Purpose. The purpose of this rule is to authorize lawyers from a foreign country to advise or consult about foreign law and to prescribe the conditions and limitations upon such limited practice.

(b) Qualifications.

(1) To qualify as a Foreign Law Consultant applicant for admission to the limited practice of law in the State of Washington as provided in these rules, a person must:

(i) Present satisfactory proof of both admission to the practice of law, together with current good standing, in a foreign jurisdiction, and active legal experience as a lawyer or counselor at law or the equivalent in a foreign jurisdiction for at least 5 of the 7 years immediately preceding the application; and

(ii) Possess the good moral character and fitness requisite for a member of the Bar of the State of Washington; and

(iii) Execute under oath and file with the Bar Association two copies of an application, in such form as may be required by the Board of Governors; and

(iv) File with the application a certificate from the authority in such foreign country having final jurisdiction over professional discipline, certifying as to the applicants admission to practice, and the date thereof, and as to the good standing of such lawyer or counselor at law or the equivalent, together with a duly authenticated English translation of such certificate, if it is not in English; and

(v) File with the application a letter of recommendation from one of the members of the executive body of such authority or from one of the judges of the highest law court or courts of original jurisdiction of such foreign country, together with a duly authenticated English translation of such letter, if it is not in English; and

(vi) Provide with the application such other evidence of the applicants educational and professional qualifications, good moral character and fitness and compliance with the requirements of this rule as the Board of Governors may require; and

(vii) Pay upon the filing of the application a fee equal to that required pursuant to rule 3(d)(2) to be paid by an attorney applicant to take the bar examination.

(2) Upon a showing that strict compliance with the provisions of subsections (b)(1)(iv) or (b)(1)(v) would cause the applicant unnecessary hardship, the Board of Governors may at its discretion waive or vary the application of such provisions and permit the applicant to furnish other evidence in lieu thereof.

(c) Procedure. The Board of Governors shall approve or disapprove applications for admission of Foreign Law Consultants. Additional proof of any facts stated in the application may be required by the Board. In the event of the failure or refusal of the applicant to furnish any information or proof, or to answer any inquiry of the Board pertinent to the pending application, the Board may deny the application. Upon approval of the application by the Board of

Governors, the Board shall recommend to the Supreme Court the admission of the applicant for the purposes herein stated. The Supreme Court may enter an order admitting to practice those applicants it deems qualified, conditioned upon such applicants:

(1) Taking and filing with the Clerk of the Supreme Court the Oath of Attorney pursuant to rule 5; and

(2) Paying to the Bar Association its membership fee for the current year in the maximum amount required of active members; and

(3) Filing with the Bar Association in writing his or her address in the State of Washington, or the name and address of his or her registered agent as provided in APR 5(e), together with a statement that the applicant has read the Rules of Professional Conduct and Rules for Enforcement of Lawyer Conduct, is familiar with their contents and agrees to abide by them.

(d) Scope of Practice. A Foreign Law Consultant shall be authorized to engage in the limited practice of law only as authorized by the provisions of this rule. A Foreign Law Consultant may not:

(1) Appear for a person other than the Foreign Law Consultant as lawyer in any court or before any magistrate or other judicial officer in this state (other than upon admission for a particular action or proceeding pursuant to rule 8(b)) or prepare pleadings or any other papers or issue subpoenas in any action or proceeding brought in any court or before any judicial officer of this state;

(2) Prepare any deed, mortgage, assignment, discharge, lease or any other instrument affecting title to real estate located in the United States; or

(3) Prepare any will or trust instrument affecting the disposition on death of any property located in the United States and owned by a resident thereof; or any instrument related to the administration of a decedents estate in the United States; or

(4) Prepare any instrument with respect to the marital relations, rights or duties of a resident of the United States, or the custody or care of the children of such a resident; or

(5) Render legal advice on the law of the State of Washington, of any other state or territory of the United States, of the District of Columbia or of the United States (whether rendered incident to preparation of legal instruments or otherwise) unless and to the extent that the Foreign Law Consultant is admitted to practice law before the highest court of such other jurisdiction; or

(6) In any way hold himself or herself out as a member of the Bar of the State of Washington; or

(7) Use any title other than "Foreign Law Consultant", the firm name, and/or authorized title used in the foreign country where the Foreign Law Consultant is admitted to practice. In each case, such title or name shall be used in conjunction with the name of such foreign country.

(e) Regulatory Provisions. A Foreign Law Consultant shall be subject to the Rules for Enforcement of Lawyer Conduct and the Rules of Professional Conduct as adopted by the Supreme Court and to all other laws and rules governing lawyers admitted to the Bar of this state, except for the requirements of APR 11 relating to continuing legal education. Jurisdiction shall continue whether or not the Consultant retains the authority for the limited practice of law in this state,

and regardless of the residence of the Consultant.

(f) Continuing Requirements.

(1) Annual Fee. A Foreign Law Consultant shall pay to the Bar Association its membership fee for the current year in the maximum amount required of active members.

(2) Report. A Foreign Law Consultant shall promptly report to the Bar Association any change in his or her status in any jurisdiction where he or she is admitted to practice.

(g) Termination of License. A limited license is granted at the sufferance of the Supreme Court and may be revoked at any time upon the courts own motion, or upon the motion of the Board of Governors, with or without cause, including failure to comply with the terms of this rule.

(h) Reciprocity. A Foreign Law Consultant applicant shall demonstrate that the country or jurisdiction from which he or she applies does not impose, by any law, rule or regulation, any requirements, limitations, restrictions or conditions upon the admission of members of the Washington State Bar Association as Foreign Law Consultants in that foreign country or jurisdiction which are significantly more limiting or restrictive than the requirements of this rule. The Supreme Court may deny admission to a Foreign Law Consultant applicant upon that basis, or may impose similar limitations, restrictions or conditions upon foreign legal consultant applicants from that foreign country or jurisdiction.

[Adopted effective September 1, 1990; amended effective December 28, 1999; October 1, 2002; November 25, 2003; January 2, 2007.]