

Procedures to be followed by Applicants for a Foreign Legal Consultant Certificate under Rule 1A:7 of the Rules of the Supreme Court of Virginia

Part A: The Application Form (*Application for Certification as a Foreign Legal Consultant*) is available in a fillable PDF format on the Virginia Board of Bar Examiners' website at barexam.virginia.gov. Except for your answers that are initialed, all responses on Part A must be typed. You may either complete it on your computer and print it, or you may download it and complete it on a typewriter. Part A must be fully completed, signed and notarized where indicated, and returned, with all required documentation, certificates, letters of recommendation and other documents specified in the application. You must include the application fee (\$1500) in the form of a certified check or money order **ONLY** made payable to the Virginia Board of Bar Examiners. Mail your submission to the Virginia Board of Bar Examiners, BookBindery Building, Suite 101, 2201 W. Broad Street, Richmond, Virginia 23220.

Part B: Request for Preparation of a Character Report from the National Conference of Bar Examiners (NCBE). Select FEE CATEGORY IV: FOREIGN in the application that is available to you in electronic form at <http://www.ncbex.org/ea/>. You must create an account to access the application. You will be prompted and are required to print a hard copy of the complete application as part of the electronic filing process. You must follow NCBE's instructions for completion of this form and you should pay the fee for the Character Report preparation *directly* to NCBE. Part B will be processed by the NCBE and may take several months to complete. NCBE will prepare a Character Report and thereafter submit it to the Virginia Board of Bar Examiners for evaluation and inclusion with the Application Form (Part A). A *copy* of the application referenced in Part B must be included with all documents requested under Part A.

After the Character Report is received from the NCBE, the Board will review the entire application package (parts A and B). If the Board finds that there is satisfactory evidence that the applicant has complied with all of the requirements set forth in Rule 1A:7, the Board will certify the applicant as a Foreign Legal Consultant. The Board will notify both the applicant and the Virginia State Bar of applicant's certification. The applicant must register with the Virginia State Bar. Registration forms will be sent to the applicant by the Virginia State Bar, as well as notification of the applicant's rights and obligations provided under Rule 1A:7. If the applicant fails to be certified, the Board will notify the applicant, the Supreme Court of Virginia, and the Virginia State Bar.

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

Part A - Checklist

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 Virginia.

1. If you answered "No" to Item 12(B), a separate sheet of paper explaining details.
____ 12(B)
2. If you answered "Yes" to the following items, a separate sheet of paper explaining details.
____ 12(C) ____ 12(D) ____ 12(E) ____ 12(F)
____ 14(A) ____ 14(B) ____ 14(C) ____ 14(D) ____ 14(E)(1) ____ 14(E)(2)
3. Attachments described in Item 15
____ 15(1) ____ 15(2) ____ 15(3) ____ 15(4) ____ 15(5) ____ 15(6) ____ 15(7) ____ 15(8)
4. ____ Your signature
5. ____ Signature of Person Taking Acknowledgment (Notary Public)
6. ____ A **cashier's check, certified check or money order** made payable to "**Virginia Board of Bar Examiners**"
in the amount \$1500

Part A
APPLICATION FOR CERTIFICATION AS A FOREIGN LEGAL CONSULTANT
Pursuant to Rule 1A:7 of the Rules of the Supreme Court of Virginia

I hereby apply for certification as a Foreign Legal Consultant in the Commonwealth of Virginia, pursuant to Rule 1A:7 of the Rules of the Supreme Court of Virginia, and as a part of my application, I am providing the following information and other required documentation:

My full legal name:

Title	First	Middle	Last	Suffix

You *must* use your *full legal name* in all places where your name is required. NOTE: If the Board recommends that you be certified as a Foreign Legal Consultant, you will be certified in your full legal name. This is your full name as it appears on your birth certificate or name change order. Initials are not acceptable unless initials are part of your full legal name. If you are married and if you have never assumed your husband's last name on any educational, financial or legal documents, your full legal name would be your maiden name. If you have assumed your husband's last name, your middle name may be your middle name as shown on your birth certificate, your maiden name, or both if you so choose.

FURTHER, if your name as stated above is different from the name stated on any documentation submitted with this application, describe when and why your name was changed. If a change was made in a judicial or naturalization proceeding, enclose an exact and complete copy of the order or other evidence of change with your application.

Yes No The name listed above is my FULL legal name as described in the explanation above and all documents submitted with this application are in my full legal name

If no, I _____ (Initial) attach such explanation as required on a separate sheet of paper or I attach the requested documentation as noted above.

List below the foreign nation(s) for which you seek certification as a foreign legal consultant in Virginia. Note: If you are seeking certification as a foreign legal consultant for the law of more than one country, please be sure you meet the practice and admission qualifications for each country as set forth in Rule 1A:7(2) of the Rules of the Supreme Court of Virginia.

My home/permanent address:

My mailing address (if different from above):

Yes No 1. I intend to practice as a foreign legal consultant in the Commonwealth of Virginia and to maintain an office in this Commonwealth for that purpose.

2. I am currently employed by: _____

(A) Virginia address where I am currently employed (include ZIP Code):

Telephone Number: _____

(B) Mailing address of current employer (if employer's main office is located outside of Virginia):

Telephone Number: _____

3. Send all correspondence to the following address (check one):

Permanent; Mailing; VA Business

4. (A) My Social Security Number: _____ - _____ - _____ (if none, so state);
or the Control Number issued to me by the Virginia Department of Motor Vehicles:
_____ (if none, so state)

Note: If you are unable to furnish either one of the numbers requested above, you are not eligible to make application until you have secured such number. See Section 54.1-116 of the Code of Virginia.

- (B) My National Identification ("CEDULA") Number or Equivalent is _____
(if none, so state)

5. ARE YOU PRESENTLY:

- Yes No (A) A United States citizen or National?
Yes No (B) An alien lawfully admitted to the U.S. for permanent residence?
Yes No (C) An alien authorized to work lawfully in the United States?

If you answered "No" in 5A, 5B and 5C above, you are not eligible to apply for certification as a Foreign Legal Consultant in Virginia until you have achieved a status entitling you to work lawfully in the United States. If you answered "yes" to 5A, 5B or 5C above, you must provide the applicable proof of your citizenship status or INS status as you have indicated above that will become a part of your permanent application and will not be returned to you.

NOTE: a foreign birth certificate or a copy of a foreign passport are not acceptable as proof of citizenship or INS status.

- Yes No 6. CITIZENSHIP: Do you hold dual citizenship?
Of what country(ies) are you a citizen? _____

7. PASSPORT INFORMATION:

(Date Issued) (Passport Number) (Issuing Country)

8. Basis for Admission to the United States:

- (A) Type of Visa: _____

(Note: B-1 and B-2 visas will be insufficient in most cases to engage in activities as a foreign legal consultant)

- (B) Date of Issue: _____ Date of Expiration: _____

- (C) Place of Issue: _____

- Yes No (D) Have you been issued an alien registration number?
If yes, what is your alien registration number? _____

9. Home Phone*: (____) _____

Work Phone*: (____) _____

Cell Phone* (____) _____

(*Notify the Board office immediately and in writing of any change of address or telephone number)

10. E-Mail Address: **(optional but it may expedite the processing of your application)**

11. Name & telephone number of a person located in the United States who can assist the Board in contacting you:

Name: _____ Relationship: _____

Phone: (____) _____

12. **ADMISSION TO PRACTICE LAW IN FOREIGN JURISDICTION:**

(A) List below ALL foreign jurisdictions in which you have ever been admitted to practice law or been certified as a foreign legal consultant, dates admitted, dates engaged in practice in jurisdiction.

Foreign Jurisdictions	Date Admitted	Have you been engaged in the practice of law continuously without interruption since date admitted (yes/no)	If you have not been continuously engaged, give the dates you were engaged in the practice of law in such jurisdiction

Yes No (B) Have you been in good standing in all of the above jurisdiction(s) throughout the period of your admission?

If no, I _____ (Initial) attach such explanation as required on a separate sheet of paper.

Yes No (C) Have you ever been disciplined for professional misconduct?

If yes, I _____ (Initial) attach such explanation as required on a separate sheet of paper.

Yes No (D) Have you ever been disbarred or had your license suspended?

If yes, I _____ (Initial) attach such explanation as required on a separate sheet of paper.

Yes No (E) Are any charges of misconduct currently pending against you?

If yes, I _____ (Initial) attach such explanation as required on a separate sheet of paper.

Yes No (F) Do you know of any threatened charges of misconduct against you?

If yes, I _____ (Initial) attach such explanation as required on a separate sheet of paper.

13. **ADMISSION TO U.S. JURISDICTIONS:**

(A) List below ALL U.S. jurisdictions in which you have ever been admitted to practice law or been certified as a foreign legal consultant, dates admitted, dates engaged in practice in jurisdiction (If None, so state).

U.S. Jurisdictions	Date Admitted	Have you been engaged in the practice of law continuously without interruption since date admitted (yes/no)	If you have not been continuously engaged, give the dates you were engaged in the practice of law in such jurisdiction

14. **CHARACTER QUESTIONS:**

Yes No (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

If yes, I _____ (Initial) attach such explanation as required on a separate sheet of paper.

Yes No (B) Have you ever been denied admission to practice law in any jurisdiction based upon character or fitness?

If yes, I _____ (Initial) attach such explanation as required on a separate sheet of paper.

- Yes No (C) Have you ever been charged with fraud in any legal or administrative proceeding?
If yes, I _____ (Initial) attach such explanation as required on a separate sheet of paper.
- Yes No (D) Have you ever been a party to a civil lawsuit in which an adverse judgment was rendered against you?
If yes, I _____ (Initial) attach such explanation as required on a separate sheet of paper.
- (E) Have you ever:
- Yes No (1) been examined or treated for mental, emotional or nervous disorders?
If yes, I _____ (Initial) attach such explanation as required on a separate sheet of paper.
- Yes No (2) been voluntarily or involuntarily committed to a hospital or institution as a result of mental, emotional or nervous disorders
If yes, I _____ (Initial) attach such explanation as required on a separate sheet of paper.

15. 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 ANY DOCUMENT REQUESTED BELOW IS NOT IN ENGLISH, EACH DOCUMENT MUST BE ACCOMPANIED BY A DULY AUTHENTICATED ENGLISH TRANSLATION, SAID TRANSLATION TO BE EFFECTED BY A CERTIFIED TRANSLATOR.** Please initial on each line to indicate that the documentation is attached. *Attach the documentation IN THE NUMERICAL ORDER INDICATED AND provide on a separate sheet of paper that follows the attachment the COMPLETE name, address and telephone number of the referenced entity, authority, court or person from which the documentation was requested.*

- _____ (Initial) (1) A duly authenticated certificate from the authority (MUST be the professional body or governmental authority having final jurisdiction over professional licensing and discipline) in each foreign nation in which the applicant is admitted to practice, accompanied by the official seal, if any, of such entity and which shall certify (1) the authority's jurisdiction in such matters; (2) the applicant's admission to practice law in such foreign nation 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 authority, and if so, the substance of each such charge or complaint and the adjudication or disposition thereof; and
- _____ (Initial) (2) A letter of recommendation signed by and with the official seal, if any, of one of the members of the executive body of such authority listed in 15(1) above or from one of the judges of the highest court of law or court of original jurisdiction of each foreign nation, certifying to the applicant's professional qualifications; and
- _____ (Initial) (3) For each foreign nation(s) for which you seek certification as a foreign legal consultant in Virginia, submit a copy or summary of the law, regulations, and customs of the **foreign** nation, which describes the opportunities afforded to members of the bar of **Virginia** to establish an office to provide legal services to clients in such foreign nation; and
- _____ (Initial) (4) For each foreign nation(s) for which you seek certification as a foreign legal consultant in Virginia, attach a detailed summary of the nature and extent of your practice of law in such foreign nation(s), with particular emphasis on the past seven years. For each employer, provide the following: timeframes (month/year); complete name, address and telephone number of employer; hours worked per week. If you have not been engaged in the general private practice of law, you must provide a detailed summary of your prior duties for each employer as they may have related to the general practice of law. If at any time in the last seven years you were self-employed in the practice of law, you must provide the following additional information: 1) Income Tax Return Forms for each year of self employment; 2) Copy of your lease for office space during all periods of self employment; 3) List of three (3) client references represented by you during your self employment, include complete name, address, phone number; 4) Affidavit which affirms that your self employment involved or related to the rendering of advice or the providing of legal services concerning the law of the said foreign nation.

- _____ (Initial) (5) Attach a letter of recommendation from at least two (2) attorneys, counselors at law, or the equivalent admitted in and practicing in each foreign nation where the applicant is admitted which sets 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) (6) Attach a letter of recommendation from at least two (2) members in good standing of the Virginia State 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) I have completed the National Conference of Bar Examiner's (NCBE) Character and Fitness Application and have mailed that form together with the requisite fee and required attachments to: NCBE, 302 S. Bedford St., Madison, WI 54703, ATTN: Intake Department. Further, I enclose with this application one complete copy of my fully completed NCBE Character and Fitness Application. Such copy includes an Authorization and Release Form with an original notarized signature; and
- _____ (Initial) (8) I was born on _____ (month) _____ (day), _____ (year). I enclose a copy of my birth certificate or a copy of my passport as proof of my age.
- _____ (Initial) (9) I, _____, the undersigned applicant for Certification as a Foreign Legal Consultant, do hereby affirm that I will immediately notify (in writing) the Virginia Board of Bar Examiners during this application process of any lawsuit brought against me which arises out of or is based upon any legal services rendered or offered to be rendered by me within any U.S. jurisdiction or other foreign nation.
- _____ (Initial) (10) I hereby acknowledge that I have read Rule 1A:7 of the Rules of the Supreme Court of Virginia, and I agree to abide by all rules, regulations, requirements, and limitations applicable to Foreign Legal Consultants in Virginia. I acknowledge that if I am certified to practice as a Foreign Legal Consultant under Rule 1A:7, I may render legal services in the Commonwealth of Virginia with regard to matters involving only the law of the foreign nation(s) in which I am certified or international law; and I further acknowledge that, for the purposes of the practice permitted under Rule 1A:7, the term "international law" is limited to that body of laws, rules or legal principles that are based on custom, treaties or legislation and that control or affect (1) the rights and duties of nations in relation to other nations or their citizens, or (2) the rights and obligations pertaining to international transactions. I further acknowledge that the practice permitted under Rule 1A:7 does not authorize a foreign legal consultant to appear in court.

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, correct, and complete in all respects. I am aware that I have a duty promptly to inform the Virginia Board of Bar Examiners of any circumstances occurring after the date of this application that would affect my responses herein.

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

**The Virginia Board of Bar Examiners
AUTHORIZATION AND RELEASE**

I, _____, born at _____ (City)
_____ (State) _____ (Country)
on _____ (Date), Social Security Number _____ or National
Identification ("CEDULA") Number or equivalent _____

hereby apply for a character report and consent to have an investigation made as to my moral character, professional reputation and fitness for practice as a Foreign Legal Consultant, and that such information as may be received will be reported to The Virginia Board of Bar Examiners (The Board). I agree to give any further information which may be required in reference to my past record.

I also authorize and request every person, firm, company, corporation, governmental agency, court, association or institution having control of any documents, medical records and/or other records and other information pertaining to me, to furnish to The Board or any of its agents or representatives any such information, including documents, medical records and/or other records, bar association files regarding charges or complaints filed against me, formal or informal, pending or closed, or any other pertinent data and to permit The Board or any of its agents or representatives to inspect and make copies of such documents, medical records and/or other records, and other information.

I hereby release, discharge and exonerate The Board, its members, agents or representatives and any persons so furnishing information from any and all liability of every nature and kind arising out of the furnishing or inspection of such documents, medical records and/or other records, and other information or the investigation made by The Board, its members, agents or representatives.

Signature of Applicant

Commonwealth/State/District of _____
County/City _____

I, a Notary Public of such County/City, certify that this day personally appeared before me _____
who thereupon made oath that all statements contained in this application are true and complete.

Given under my hand this ____ day of _____, _____.

My commission expires on _____, _____

Registration Number (if applicable) _____

Notary Public

NOTARY SEAL (must be affixed)