

## 2003 California Rules of Court

### Rule 988. Registered foreign legal consultant

(a) **[Definition]** A "Registered Foreign Legal Consultant" is a person who

(1) is admitted to practice and is in good standing as an attorney or counselor at law or the equivalent in a foreign country; and

(2) has a currently effective Certificate of Registration as a Registered Foreign Legal Consultant from the State Bar.

(b) **[State Bar Registered Foreign Legal Consultant program]** The State Bar shall establish and administer a program for registering foreign attorneys or counselors at law or the equivalent under rules adopted by the Board of Governors of the State Bar.

(c) **[Eligibility for certification]** To be eligible to become a Registered Foreign Legal Consultant, an applicant must:

(1) Present satisfactory proof that the applicant has been admitted to practice and has been in good standing as an attorney or counselor at law or the equivalent in a foreign country for at least four of the six years immediately preceding the application, and while so admitted, has actually practiced the law of that country;

(2) Present satisfactory proof that the applicant possesses the good moral character requisite for a person to be licensed as a member of the State Bar of California;

(3) Agree to comply with the provisions of the rules adopted by the Board of Governors of the State Bar relating to security for claims against a Foreign Legal Consultant by his or her clients;

(4) Agree to comply with the provisions of the rules adopted by the Board of Governors of the State Bar relating to maintaining an address of record for State Bar purposes;

(5) Agree to notify the State Bar of any change in his or her status in any jurisdiction where he or she is admitted to practice or of any discipline with respect to such admission;

(6) Agree to be subject to the jurisdiction of the courts of this state with respect to the laws of the State of California governing the conduct of attorneys, to the same extent as a member of the State Bar of California;

(7) Agree to become familiar with and comply with the standards of professional conduct required of members of the State Bar of California;

(8) Agree to be subject to the disciplinary jurisdiction of the State Bar of California;

(9) Agree to be subject to the rights and obligations with respect to attorney client privilege, work-product privilege, and other professional privileges, to the same extent as attorneys admitted to practice law in California; and

(10) Agree to comply with the laws of the State of California, the Rules and Regulations of the State Bar of California, and these Rules.

**(d) [Authority to practice law]** Subject to all applicable rules, regulations, and statutes, a Registered Foreign Legal Consultant may render legal services in California, except that he or she may not:

(1) Appear for a person other than himself or herself as attorney in any court, or before any magistrate or other judicial officer, in this state or prepare pleadings or any other papers or issue subpoenas in any action or proceeding brought in any court or before any judicial officer;

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

(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 or any instrument relating to the administration of a decedent's estate in the United States;

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

(5) Otherwise render professional legal advice on the law of the State of California, any other state of the United States, the District of Columbia, the United States, or of any jurisdiction other than the jurisdiction(s) named in satisfying the requirements of subdivision (c) of this rule, whether rendered incident to preparation of legal instruments or otherwise.

**(e) [Failure to comply with program]** A Registered Foreign Legal Consultant who fails to comply with the requirements of the Registered Foreign Legal Consultant program of the State Bar shall have her or his certification suspended or revoked under rules adopted by the Board of Governors of the State Bar.

**(f) [Fee and penalty]** The State Bar shall have the authority to set and collect appropriate fees and penalties for this program.

**(g) [Inherent power of Supreme Court]** Nothing in these rules shall be construed as affecting the power of the Supreme Court to exercise its inherent jurisdiction over the practice of law in California.

Rule 988 adopted effective December 1, 1993.  
Former Rule

Former rule 988, similar to the present rule, was adopted and amended by the Supreme Court effective April 2, 1987, and repealed effective December 1, 1993.