

MI R BD LAW EXAM Rule 5 (E)

Michigan

Rules for the Board of Law Examiners

RULE 5 Admission Without Examination

(E) Special Legal Consultants

(a) To qualify for admission without examination to practice as a special legal consultant one must:

(1) be admitted to practice in a foreign country and have actually practiced, and be in good standing, as an attorney or counselor at law or the equivalent in such foreign country for at least three of the five years immediately preceding the application; and

(2) possess the good moral character and general fitness requisite for a member of the bar of this state; and

(3) fulfill the requirements of MCL 600.934 and 600.937; and

(4) be a resident of this or another state of the United States, its territories or the District of Columbia and maintain an office in this state for the practice of law; and

(5) be over 18 years of age.

(b) In considering whether to license an applicant to practice pursuant to Rule 5(E), the Board may in its discretion take into account whether a member of the bar of this state would have a reasonable and practical opportunity to establish an office for the giving of legal advice to clients in the applicant's country of admission (as referred to in Rule 5[E][a][1]), if there is pending with the Board a request to take this factor into account from a member of the bar of this state actively seeking to establish such an office in that country which raises a serious question as to the adequacy of the opportunity for such a member to establish such an office.

(c) An applicant for a license as a special legal consultant shall submit to the Board:

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

(2) a letter of recommendation from one of the judges of the highest law court or intermediate appellate court of such foreign country, together with a duly authenticated English translation of such letter if it is not in English; and

(3) the National Conference of Bar Examiners questionnaire and affidavit along with the payment of the requisite fee and such other evidence of the applicant's educational and professional qualifications, good moral character and general fitness, and compliance with the requirements of Rule 5(E)(a)(1-5) as the Board may require; and

(4) shall execute and file with the Assistant Secretary of the State Board of Law Examiners, in such form and manner as the Board may prescribe,

(i) a duly acknowledged instrument in writing setting forth the special legal consultant's address in the State of Michigan and designating the Assistant Secretary of the State Board of Law Examiners an agent upon whom process may be served, with like effect as if served personally upon the special legal consultant, in any action or proceeding thereafter brought against the special legal consultant and arising out of or based upon any legal services rendered or offered to be rendered by the special legal consultant within or to residents of the state of Michigan whenever after due diligence service cannot be made upon the special legal consultant at such address or at such new address in the state of Michigan as the special legal consultant shall have filed in the office of the Assistant Secretary of the State Board of Law Examiners by means of a duly acknowledged supplemental instrument in writing; and

(ii) the special legal consultant's commitment to notify the Assistant Secretary of the State Board of Law Examiners of any resignation or revocation of the special legal consultant's admission to practice in the foreign country of admission, or of any censure, suspension or expulsion in respect of such admission.

Service of process on the Assistant Secretary of the State Board of Law Examiners shall be made by personally delivering to and leaving with the Assistant Secretary, or with a deputy or assistant authorized by the Assistant Secretary to receive such service, at the Assistant Secretary's office, duplicate copies of such process together with a fee of \$10.00. Service of process shall be complete when the Assistant Secretary has been so served. The Assistant Secretary shall promptly send one of such copies to the special legal consultant to whom the process is directed, by certified mail, return receipt requested, addressed to special legal consultant at the address specified by the special legal consultant as aforesaid.

(d) A person licensed to practice as a special legal consultant must maintain active membership in the State Bar of Michigan and must discharge the responsibilities of State Bar membership and is authorized to render professional legal advice:

(1) on the law of the foreign country where the legal consultant is admitted to practice;

(2) may use the title "special legal consultant" either singly or in connection with the authorized title or firm name in the foreign country of the legal consultant's admission to practice, provided that in each case the name of such foreign country be identified.

Effective 1986.