



California Rules of Court

(Revised July 1, 2020)

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Rule 9.44. 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, and eligible to practice law, as an attorney or counselor-at-law or the equivalent in a foreign country; and
- (2) Has been approved to serve ~~a currently effective certificate of registration~~ as a registered foreign legal consultant from the State Bar.

(Subd (a) amended effective January 1, 2007.)

(b) State Bar registered foreign legal consultant program

The State Bar ~~must~~ shall establish and administer a program for registering foreign attorneys or counselors-at-law or the equivalent under rules adopted by the Board of Trustees of the State Bar.

(Subd (b) amended effective January 1, 2019; previously amended effective January 1, 2007.)

(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) ~~Submit Present satisfactory proof that the applicant possesses the good~~ a moral character application ~~requisite~~ and receive a positive determination ~~for a person to be licensed as a licensee of the State Bar of California and proof of compliance~~ comply with California Rules of Court, rule 9.9.5, governing attorney fingerprinting;
- (3) ~~Agree to c~~ Comply with the provisions of the rules adopted by the Board of Trustees of the State Bar relating to security for claims against a foreign legal consultant by his or her clients;
- (4) ~~Agree to c~~ Comply with the provisions of the rules adopted by the Board of Trustees of the State Bar relating to maintaining an address of record for State Bar purposes;
- (5) ~~Agree to n~~ 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 b~~ 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 licensee of the State Bar of California;
- (7) ~~Agree to b~~ Become familiar with and comply with the standards of professional conduct required of licensees of the State Bar of California;
- (8) ~~Agree to b~~ Be subject to the disciplinary jurisdiction of the State Bar of California;

- (9) ~~Agree to be~~ **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 c~~ **Com**ply with the laws of the State of California, the rules and regulations of the State Bar of California, and these rules.

(Subd (c) amended effective January 1, 2019; previously amended effective January 1, 2007.)

(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 named in satisfying the requirements of (c) of this rule, whether rendered incident to preparation of legal instruments or otherwise.

(Subd (d) amended effective January 1, 2007.)

(e) Failure to comply with program

A registered foreign legal consultant who fails to comply with the requirements of the State Bar Registered Foreign Legal Consultant Program will have her or his certification suspended or revoked under rules adopted by the Board of Trustees of the State Bar.

(Subd (e) amended effective January 1, 2019; previously amended effective January 1, 2007.)

(f) Fee and penalty

The State Bar ~~has~~ **shall** the authority to set and collect appropriate fees and penalties for this program.

(Subd (f) amended effective January 1, 2007.)

(g) Inherent power of Supreme Court

Nothing in these rules may be construed as affecting the power of the Supreme Court to exercise its inherent jurisdiction over the practice of law in California.

(Subd (g) amended effective January 1, 2007.)

Rule 9.44 amended effective January 1, 2019; adopted as rule 988 effective December 1, 1993; previously amended and renumbered effective January 1, 2007.