

**Resolution 4
Regarding Adoption of Rules on the Licensing and Practice of Foreign Legal Consultants**

WHEREAS, United States lawyers and law firms from nearly every state are increasingly called upon to provide legal advice on questions of American law in other countries; and

WHEREAS, some countries are reluctant to allow United States lawyers to provide this service unless comparable recognition is provided to their lawyers throughout the United States; and

WHEREAS, 26 American jurisdictions have already promulgated rules regarding the licensing and practice of foreign legal consultants that permit qualified lawyers from other countries to provide legal advice on their nation's law and on international law; and

WHEREAS, the experience of these American jurisdictions has been that licensing of Foreign Legal Consultants has not led to complaints regarding the conduct of these consultants or disciplinary proceedings; and

WHEREAS, the provision of such advice is increasingly important to American businesses and citizens throughout the nation; and

WHEREAS, the decision to promulgate a rule regarding the licensing and practice of Foreign Legal Consultants is separate and distinct from the decision whether to agree to having the rule listed as a commitment of the United States under the General Agreement on Trade in Services; and

WHEREAS, the American Bar Association has promulgated a Model Rule for the Licensing of Foreign Legal Consultants and will soon be considering an updated Model Rule for the Licensing and Practice of Foreign Legal Consultants;

NOW, THEREFORE, BE IT RESOLVED that the Conference urges the highest court of each state, that has not already done so, to consider adopting a rule permitting the licensing and practice of foreign legal consultants.

Adopted as proposed by the CCJ International Agreements Committee and the CCJ Professionalism and Competence of the Bar Committee at the 58th Annual Meeting on August 2, 2006.