

# CREATING AN INTERNATIONAL NETWORK OF LAWYER REGULATORS: THE 2012 INTERNATIONAL CONFERENCE OF LEGAL REGULATORS

by Laurel S. Terry

## INTRODUCTION:

### THE POWER OF NETWORKS

Networks are powerful. This is true both personally and professionally. For example, you are reading this article because the National Conference of Bar Examiners and its *Bar Examiner* magazine exist to connect “courts, academia, bar admission administrators, members of bar examining boards and character committees, and others with special interest in the bar admissions process.” Many of you have attended NCBE’s conferences, which serve as a conduit for sharing knowledge, approaches, and perspectives regarding bar admissions issues.

### Networks in the Legal Profession

If you had any doubt about the power of professional networks, a quick glance around the U.S. legal profession should convince you of the usefulness of these types of organizations. The Conference of Chief Justices and the National Center for State Courts provide a network for state Supreme Courts. The National Organization of Bar Counsel (NOBC) provides a network for lawyer disciplinary authorities. Public prosecutors and public defenders have networks. The Association of Professional Responsibility Lawyers was created to provide, among other things, a network for lawyers who represent lawyers.

It is clear that networks are also important to legal profession regulators located outside the

United States. Canada has the Federation of Law Societies of Canada, Europe has the Council of Bars and Law Societies of Europe, and Australia has the Conference of Regulatory Officers and the Law Council of Australia.

### Networks in Other Professions

Law is not alone in recognizing the power of professional networks. Regulators in other fields have both domestic and international networks. For example, not only is there a North American Securities Administrators Organization, but there is also an International Organization of Securities Commissions, the latter of which brings together securities regulators from many different countries. There are international networks for anti-trust regulators (the International Competition Network), for labor regulators (the International Labor Organization), for banking regulators (the Basel Committee), and for insurance regulators (the International Association of Insurance Supervisors), among others.

When I was getting ready to give a talk about the need to create an international network of lawyer regulators, I sent out an e-mail to my faculty colleagues asking for examples of international regulator networks in the fields within which they taught. By the end of the day, I was inundated with examples. In short, regulators in many, many fields have created international networks.

## **The Need for an International Network of Lawyer Regulators**

Given the power of networks, it is perhaps surprising that there hasn't been an international network that could link bar admission authorities (or other types of lawyer regulators) from around the world. There are certainly multi-country regional regulator networks such as the NOBC, which includes disciplinary counsel from the United States, Canada, and Australia; and the Council of Bars and Law Societies of Europe, which is known as the CCBE and serves as an umbrella organization for European bar associations, many of which have regulatory functions.

There are international networks for specialized groups within the legal profession, such as the International Association of Prosecutors, the International Association of Law Schools, and the International Institute of Law Association Chief Executives. The International Bar Association has a Bar Issues Commission, some of whose members include lawyers who are officers of or highly placed within bars or law societies that have a regulatory function. There is not, however, an organization devoted to those individuals whose "day job" is lawyer regulation.

This situation arguably changed in September 2012 in London, with the inaugural International Conference of Legal Regulators. NCBE Chair Franklin Harrison attended this conference and wrote about it briefly in his column in the December 2012 issue of the *Bar Examiner*.<sup>1</sup> This article provides additional details about that conference, explains why I think it is a useful endeavor, and suggests why NCBE supporters might also want to support the establishment of this kind of international network. Among other things, one could support this network by attending the second international conference, which will be held in August 2013 in

San Francisco in conjunction with the NOBC Annual Meeting (and right before the ABA Annual Meeting).

## **WHY THE TIME IS RIPE FOR AN INTERNATIONAL NETWORK OF LAWYER REGULATORS**

### **Regulators Share Common Concerns**

As I have written elsewhere,<sup>2</sup> I believe the time is ripe to establish an international network of lawyer regulators. In my view, an international network would be a useful development *even if* U.S. lawyer regulators didn't have to deal with the effects of globalization and lawyer mobility. After all, regulators around the world face many of the same questions during the different stages of lawyer regulation:

- Admissions stage: How can a regulator predict or evaluate competency?
- Conduct regulation stage: What rules and tools are available to raise standards, minimize risks, and achieve the jurisdiction's regulatory goals?
- Discipline stage: What procedures should be used to weed out "bad apple" lawyers?

Research has shown that collaborative discussions can help decision makers better understand the issues, their own perspectives, and the available options.<sup>3</sup> Networks can help facilitate these types of collaborative discussions.

### **The Impact of Global Trade on U.S.**

#### **Legal Services**

In my view, globalization has made the case for an international network of lawyer regulators even stronger. Publications of the U.S. International Trade Commission and the World Trade Organization have documented the growth in international trade

in legal services and the growth in U.S. legal services exports *and* imports.<sup>4</sup> Other publications have documented the dramatic growth in multinational law firms.<sup>5</sup> These statistics should not come as a surprise, since lawyers follow their clients around the globe.

Consider, for example, the 2012 U.S. trade statistics. In 2012, every U.S. jurisdiction except Hawaii and the Virgin Islands had merchandise exports that exceeded one billion dollars.<sup>6</sup> (These statistics are even more impressive when you realize that these 2012 export statistics capture only merchandise exports and do not include service exports from U.S. jurisdictions.) Although not all of these billions of dollars of state exports will have required lawyers, U.S. and foreign lawyers were probably involved in many of these deals. This type of cross-border legal practice, along with globalization and technology, has led to new issues, such as determining the practice rights of foreign lawyers and determining which jurisdiction's ethics rules apply to globally mobile lawyers.<sup>7</sup> An international network would help regulators learn from one another as they confront these types of issues.

Global trade may also help explain the increased attractiveness of a U.S. law license for foreign-educated lawyers. Some of these foreign-educated lawyers may want to work in the United States representing outbound U.S. clients or inbound foreign clients. But others may want a U.S. license even though they plan to practice outside the United States. There are multiple reasons why these lawyers might want a U.S. law license, such as the "signaling" or credentialing effect that U.S. bar licensure can convey or the greater scope of practice provided by having both a foreign and a U.S. law license. In some cases, the regulatory structure in the foreign country has created a situation in which the only way for a local lawyer to work in a foreign law firm is to give up his or her local license and practice using a foreign law license, such as a U.S. or U.K. license.<sup>8</sup>

## **An Increase in Foreign-Educated Applicants to the U.S. Bar**

Regardless of whether these globalization factors are the reason, it is undeniable that there has been a dramatic increase in the number of foreign-educated applicants who take a U.S. bar exam. Starting in 1992, NCBE has collected annual statistics that show the number of foreign-educated applicants who took the bar examination in each state. These statistics show a significant increase over time. In 2012, 5,916 foreign-educated applicants took the bar exam. This represents more than a 20% increase in the past 5 years (4,869 applicants in 2007), almost an 80% increase in the past 10 years (3,299 applicants in 2002), and more than a 500% increase since 1992, when 1,080 foreign-educated applicants took the bar exam and NCBE began publishing these statistics.<sup>9</sup>

Some people may assume that the increase in foreign-educated applicants is found only in New York and California. While those two states have—by far—the most foreign-educated applicants, the phenomenon is not limited to those states. The number of U.S. jurisdictions in which foreign-educated applicants sat for a bar exam has increased by more than 40% in the past 10 years, going from 20 jurisdictions in 2002 to 29 jurisdictions in 2012. In the last 10 years, in states other than New York and California, the number of foreign-educated applicants more than tripled: excluding California and New York, there were 140 foreign-educated applicants in 2002 compared to 429 such applicants in 2012.<sup>10</sup> In a 2009 survey, bar admission authorities said that they would welcome help with issues related to bar admission applications from foreign-educated graduates, indicating their need to adapt to this growing trend.<sup>11</sup>

As these statistics demonstrate, U.S. bar admission authorities now have to be prepared to deal with inbound foreign lawyers and to recognize that

many of “their” lawyers will also be crossing jurisdictional boundaries. This is one of many reasons why U.S. bar admission authorities might want to be able to locate their foreign counterparts and learn more about their respective systems.

## THE 2012 INTERNATIONAL CONFERENCE OF LEGAL REGULATORS

It is against this backdrop that the 2012 International Conference of Legal Regulators must be understood. This conference, held in London on September 27–28, was sponsored by the U.K. Solicitors Regulation Authority (SRA). The SRA has been recognized by the U.K. Legal Services Board as the frontline regulator for solicitors in England and Wales. (The Legal Services Board is a new regulatory entity that was established by the U.K. Legal Services Act of 2007; it has oversight responsibility for all of the frontline legal services regulators. For example, in addition to authorizing the SRA, the Legal Services Board has recognized the Bar Standards Board as the frontline regulator for barristers in England and Wales and has oversight authority over this entity.)<sup>12</sup>

### The Conference Attendees

More than 100 professionals from 30 countries in Africa, Asia, Australia, Canada, Europe, the United Kingdom, and the United States attended the 2012 International Conference of Legal Regulators. The United States had representatives who were involved in all three stages of lawyer regulation: admissions, conduct regulation, and discipline. These conference attendees were

- Franklin Harrison, Chair of the National Conference of Bar Examiners;
- Hon. Michael G. Heavican, Chief Justice of the Nebraska Supreme Court and President-Elect of the Conference of Chief Justices;

- Hon. Gregory Mize, Judicial Fellow at the National Center for State Courts and staff member of the Conference of Chief Justices’ International Agreements Committee;
- Robert Hawley, Deputy Executive Director of the State Bar of California; and
- Gene Shipp, Chief Regulatory Counsel of the District of Columbia Office of Bar Counsel and former President of the National Organization of Bar Counsel.

Also attending the conference from the United States was Elynn Rosen, who is Regulation Counsel for the ABA Center for Professional Responsibility and was Counsel for the Center’s Commission on Ethics 20/20.

### Conference Sessions for Everyone

The London conference included two full days of programming and two evenings with social events (see the sidebar on page 22 for a list of the conference sessions; see the sidebar on page 25 for a summary of the social events.) The program included some sessions that were of particular interest to bar admission authorities, such as “Competence on Admission,” at which NCBE Chair Franklin Harrison spoke and which explored what regulators need to know about applicants beyond their having fulfilled admission requirements. It also included sessions that were of particular interest to disciplinary authorities, such as “When Things Go Wrong,” which examined how regulators can spot problem signs at an early stage and take steps to protect clients. Some sessions, such as “Tools for Setting and Monitoring Standards,” were of particular interest to those regulators who have to adopt conduct rules or standards; this session focused on the experience of regulatory bodies in using benchmarking surveys and risk profiles to raise standards.

## THE 2012 INTERNATIONAL CONFERENCE OF LEGAL REGULATORS: CONFERENCE SESSIONS

- Regulating the Changing Legal Market
- The Regulator's Identity Crisis
- Proactive Regulation
- Competence on Admission
- The Challenge of Raising Professional Standards (parallel workshops):
  - Tools for Setting and Monitoring Standards
  - Raising the Standards of Individual Practitioners
  - Regulating Law Firms
- When Things Go Wrong
- Non-Lawyer Involvement in the Delivery of Legal Services
- Scope for Regulatory Co-operation (parallel workshops):
  - Information Sharing—What Can Regulators Tell Each Other?
  - Hot Topics—What Trends and Issues Worry Regulators?
  - Other Influences on Regulatory Policy and Practice
- Where Next?—Future Collaboration

Many of the sessions, however, were designed to be of interest to all regulators attending the conference, regardless of whether they regulated lawyer admission, conduct, or discipline—for example, the sessions “Hot Topics—What Trends and Issues Worry Regulators?” and “Information Sharing—What Can Regulators Tell Each Other?” Summaries of all the sessions, together with some of the session materials, are available on the conference website.<sup>13</sup>

### **The Directory of Regulators**

In addition to the session summaries and conference materials, the SRA put together a Directory of Regulators as part of the conference materials. The

SRA had asked conference attendees to answer a series of questions about lawyer regulation and their organizations. Among other things, the questions asked for the name of the organization, the jurisdiction it covered, its legislative or other authority, its regulatory functions and regulated populations, contact information (and key individuals), and recent initiatives. The results were assembled and distributed in London and are also available on the conference website's Regulators' Intranet.

While not all conference attendees provided information for the Directory of Regulators, the document assembled for the conference has laid the groundwork for a useful ongoing project. As bar examiners throughout the United States may already have learned the hard way, there isn't a single resource they can go to that can tell them the titles that regulated lawyers use in various countries around the world (such as solicitor or barrister) or the entity or entities responsible for regulating each particular type of lawyer. Thus, the Directory of Regulators has the potential to fill a very important resource gap in a world of increased global lawyer mobility.

### **Conference Attendees Endorsed Future Collaboration**

The conference concluded with the session “Where Next?—Future Collaboration.” Chaired by Antony Townsend, Chief Executive of the SRA, this final session included his introduction, my presentation, and extensive audience discussion. I presented some of the same information contained in this article about regulatory models from other sectors and the need for cross-jurisdictional regulatory cooperation in the legal sector. I asked the audience to indicate by a show of hands whether they wanted to continue

the dialogue that had begun in London and whether they would support the creation of an international network of lawyer regulators. The audience overwhelmingly indicated support for having an international network. I then asked the audience to indicate by a show of hands the goals they would support for the new international network. I had identified four possible goals for the network, which included the following:

1. Cooperation and information sharing in specific cases (e.g., sharing information about “bad apple” lawyers)
2. Serving as a clearinghouse for information about regulators’ practices and tools
3. Exchanging information on substantive policy issues and projects
4. Development of common policies or practices

The audience overwhelmingly agreed with my recommendation to endorse the first three goals. It also agreed with my recommendation to reject the fourth goal, because that goal might prove divisive. After a few additional remarks, I solicited input from the audience about the types of programs and initiatives they would find valuable. The audience responded with enthusiasm and many ideas.<sup>14</sup>

During the course of the audience discussion, State Bar of California Deputy Executive Director Robert Hawley volunteered to host a second International Conference of Legal Regulators in San Francisco in August 2013, in conjunction with the NOBC Annual Meeting. Audience members were asked whether they would be interested in attending such a conference, and a significant number indicated their support and interest.

### Additional Reactions to the Conference

Reactions to the London conference were positive. For example, Chief Justice Michael Heavican found that the conference “was a real eye-opener. There was a rich mix of ideas, best practices, experienced insight, and inquisitive discussion—literally from around the world. I think all the participants came away from the conference having found new perspectives from which to view the regulation of lawyers.”

Judge Gregory Mize had a similar reaction, noting that “the speakers and working groups enabled me to see more clearly the causes of change in legal markets and what issues need to be addressed by responsible bar regulators.” The very first session of the conference, “Regulating the Changing Legal Market,” focused on this topic of change by looking at some common trends and themes shared across jurisdictions and how regulators are addressing them, but it was a topic that was reinforced throughout the conference.<sup>15</sup>

Gene Shipp was similarly positive, noting the benefits that came from having the opportunity to interact with regulators from so many different jurisdictions:

*London was a terrific opportunity for regulators from 30 countries to sit down and learn what was going on in the world. We are now at the point where attorneys are needed and used from every nation every day, so global practice is upon us. We are faced with the necessity of adapting the attorney regulation system to a world where not only travel but Internet communication means that attorneys are practicing everywhere. If we are to protect the public and the reputation of the legal practice, attorney regulation must be flexible, vibrant, and tuned in to what is going on in the world of practice.*

*It was an extraordinary opportunity to find out what we, as regulators, have in common and how we differ. The one takeaway I found reassuring is that every disciplinary system represented at the conference protects core values of ethical practice and prosecutes those who would lie, cheat, steal, or neglect their clients. The conference was a great starting point.*

Franklin Harrison echoed a similar theme when he wrote about the differences and similarities in regulatory approaches in his December 2012 *Bar Examiner* column. After noting that everyone's stated goal was protection of the public, he observed that "when you have regulators from over 30 jurisdictions comparing notes, you will discover an ocean of differences in their approaches. In spite of this, I left with renewed confidence in the future of our profession worldwide, as well as a renewed awareness of the challenges facing regulators in both admissions and oversight. Continued discussions and conferences on an international stage such as this one can only help all of us learn from one another's mistakes and accomplishments."<sup>16</sup>

Although the International Conference of Legal Regulators hasn't (yet) received much publicity in the United States, several sources outside the United States have cited it as a useful development. In addition to the press release issued by the SRA, there were stories about the conference in the U.K. periodicals the *Law Society Gazette*<sup>17</sup> and the *Solicitors Journal*.<sup>18</sup> The conference was also discussed on the *Legal Futures* website, which is one of the leading sources of information about developments related to the U.K. Legal Services Act of 2007.<sup>19</sup>

Although most of the press about the conference has been positive, it has not gone without criticism. Before the conference was held, Jonathan Goldsmith, Secretary-General of the Council of Bars and Law Societies of Europe, argued in his *Law Society Gazette* Euro Blog column that the conference and the idea

of a new international network were unnecessary because the International Bar Association (IBA)'s Bar Issues Commission already brings lawyer regulators together.<sup>20</sup>

In my view, however, there is a need for an international network other than the IBA Bar Issues Commission. The conference demonstrated a pent-up demand by "day-job regulators" to exchange views and information with their counterparts from other countries. To date, few of these day-job regulators have participated in the work of the IBA Bar Issues Commission, perhaps because of the expense of attending IBA meetings.

Goldsmith has correctly pointed out to me that many jurisdictions do not have day-job regulators to the same extent found in English-speaking common-law countries. Nevertheless, in my view, the trend is toward increasing use of day-job regulators and the professionalization of lawyer regulation. A new international network, beyond the IBA Bar Issues Commission, could help connect day-job regulators from around the world.

## SECOND INTERNATIONAL CONFERENCE OF LEGAL REGULATORS SCHEDULED FOR AUGUST 2013

As noted earlier, the 2012 conference attendees expressed their interest in meeting again, and the State Bar of California volunteered to host the second International Conference of Legal Regulators in conjunction with the NOBC Annual Meeting (which also overlaps with the ABA Annual Meeting).

At the time this article was written, the program for the second conference was close to being finalized and the conference website had been established.<sup>21</sup> After an informal get-together on the first day, the conference will commence with a day and a half of programming. The sessions will be held at



Charles Plant,  
SRA Chair



Gregory Mize



Gene Shipp

## EVENT HIGHLIGHTS AT THE INAUGURAL INTERNATIONAL CONFERENCE OF LEGAL REGULATORS

**I**would be remiss if I didn't mention what a wonderful host the Solicitors Regulation Authority was in London and some of the unforgettable experiences it facilitated. On the first evening, a dinner for conference attendees was held in the Peers' Dining Room of the House of Lords. Our host for this dinner was the Right Honorable the Lord Hunt of Wirral, MBE (David Hunt, whom some may know because of the influential 2009 "Hunt Report" on lawyer regulation).

It was a magical experience walking through Westminster Hall, which is the oldest part of the Parliament complex and was built by the son of William the Conqueror. This is the hall where, among other things, Richard I, Henry VIII, and Elizabeth I held their coronation banquets; Richard II was deposed; Thomas More and Charles I were tried; kings and queens lay in state after death; and Nelson Mandela addressed the joint Houses of Parliament.

The Peers' Dining Room was only slightly less impressive than Westminster Hall. We had been preassigned to specific tables, which meant we had excellent opportunities to get to know conference attendees from other countries.

On the second evening, the SRA organized an equally enjoyable—although somewhat less formal—evening of cruising down the Thames River. We got to see old sights (Big Ben and the Tower Bridge) and new sights (the London Eye and 2012 Olympic venues) at dusk and later when they were lit.

Our Thames River cruise was a fitting end to a wonderful conference that I hope will provide the launch of a new international network of lawyer regulators. I encourage others to participate in this effort in the future and to contribute to its success.



Michael Heavican  
and Franklin  
Harrison



Elyn Rosen



Robert Hawley and Alison Hook, SRA International Advisor

the State Bar of California building in San Francisco. There will be a social event on the second day during which regulators will have a chance to meet and interact with their counterparts from other countries in a more informal setting. After a full morning of programming and lunch on the third day, conference attendees will be invited to attend the opening session of the NOBC Annual Meeting. After this opening session, the NOBC and the International Conference of Legal Regulators will have a joint session focusing on issues related to multijurisdictional practice.

### What Attendees Can Expect from the Second Conference

As was true in London, the second International Conference of Legal Regulators is designed to appeal to admissions, conduct, and disciplinary regulators. One of the sessions that may be of the most interest to admissions regulators is the session on fitness to practice and dealing with mental health and addiction problems. Other sessions may be mostly of interest to disciplinary regulators, such as a session on dual qualification. There will be sessions that should be of interest to all regulators, such as a session on whether the regulator's view of risk has kept pace with what is happening in the jurisdictions and sessions on regulatory powers and the role of intelligence and investigation in regulation.

Robert Hawley, Deputy Executive Director of the State Bar of California and one of the conference planners, has offered this summary of the upcoming conference:

*The San Francisco conference in August follows the inaugural conference sponsored by the Solicitors Regulation Authority in London last September. That was a huge success, bringing together for the first time attorney regulators from around the world. With the ABA being in San Francisco in August, along with the national association of U.S. attorney regulators (the National Organization of Bar*

*Counsel), it is a perfect time to gather again to share our commonalities and learn from our differences.*

I hope those with an interest in lawyer regulation who happen to be near San Francisco, or who are coming for the ABA Annual Meeting, will consider showing support for the idea of an international network of lawyer regulators by attending the second International Conference and meeting some of their foreign regulatory counterparts. While virtual communications are increasingly important in a globalized world, nothing can match an initial face-to-face meeting. I also hope that NCBE, the Conference of Chief Justices, the NOBC, and the ABA Center for Professional Responsibility will continue to show institutional support for this important but fledgling effort to create an international network of lawyer regulators. 📧

### NOTES

1. Franklin Harrison, *Letter from the Chair*, 81:4 THE BAR EXAMINER 2 (Dec. 2012), available at [http://www.ncbex.org/assets/media\\_files/Bar-Examiner/articles/2012/810412beLetterfromChair.pdf](http://www.ncbex.org/assets/media_files/Bar-Examiner/articles/2012/810412beLetterfromChair.pdf).
2. Laurel S. Terry, *Preserving the Rule of Law in the 21st Century: The Importance of Infrastructure and the Need to Create a Global Lawyer Regulatory Umbrella Organization*, 2012 MICH. ST. L. REV. 735. I have also given three talks in which I address this topic. The presentation slides from these talks are available on the Selected Presentations page of my website, <http://www.personal.psu.edu/faculty/l/s/lst3/presentations.htm>, indexed under the topic heading "Global Network for Lawyer Regulators."
3. For a quick but useful read on the power of networks and collaboration, I recommend STEVEN JOHNSON, *WHERE GOOD IDEAS COME FROM: THE NATURAL HISTORY OF INNOVATION* (Riverhead Trade 2011).
4. See, e.g., United States International Trade Commission, *Recent Trends in U.S. Services Trade: 2011 Annual Report*, USITC Pub. 4243, Inv. No. 332-345 (July 2011), available at <http://www.usitc.gov/publications/332/pub4243.pdf> ("While the global legal services industry experienced a slowdown in 2009, the United States sustained growth in its cross-border trade surplus in legal services." (at 7-1)); World Trade Organization, Council for Trade in Services, *Legal Services*, Background Note by the Secretariat, S/C/W/318 (June 14, 2010), available at [http://www.americanbar.org/content/dam/aba/migrated/cpr/gats/wto\\_legal\\_services.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/cpr/gats/wto_legal_services.authcheckdam.pdf), at Chart 3, page 3.
5. See, e.g., *The 2012 Global 100: A World of Change*, AM. L. (Oct. 2012) at 177. The last column of the "Attorney Head Count" chart lists the percentage of lawyers located outside the home country. The chart is also available online at <http://www.americanlawyer.com/PubArticleTAL.jsp?id=1202571229481>.

6. Statistics include the 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands. See U.S. Department of Commerce International Trade Administration, TradeStats Express™ Home, <http://tse.export.gov/TSE/MapDisplay.aspx>. (Select “State Export Data.” For data for all U.S. states, select “State-by-State Exports to a Selected Market.” To see the countries to which a particular state exports merchandise, select “Global Patterns of a State’s Exports.”)
7. See, e.g., Asia-Pacific Economic Cooperation, APEC Legal Services Initiative: High-Level Overview, <http://www.legalservices.apec.org/index.html> (addressing, inter alia, foreign lawyer temporary practice rights); American Bar Association, ABA Commission on Ethics 20/20 Introduction and Overview (Feb. 2013), [http://www.americanbar.org/content/dam/aba/administrative/ethics\\_2020/20121112\\_ethics\\_20\\_20\\_overarching\\_report\\_final\\_with\\_disclaimer\\_authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/ethics_2020/20121112_ethics_20_20_overarching_report_final_with_disclaimer_authcheckdam.pdf). See generally Laurel S. Terry, Steve Mark & Tahlia Gordon, *Trends and Challenges in Lawyer Regulation: The Impact of Globalization and Technology*, 80 *FORDHAM L. REV.* 2661 (2012). This article concluded that regulators face issues in common regarding *who* is regulated, *what* is regulated, *when* and *where* regulation occurs, *how* it occurs, and *why* it occurs.
8. See, e.g., Carole Silver, *The Variable Value of U.S. Legal Education in the Global Legal Services Market*, 24 *GEORGETOWN J. LEGAL ETHICS* 1, 35–36, 40–45, 55–56 (2011); see also Carole Silver & Mayer Freed, *Translating the U.S. LLM Experience: The Need for a Comprehensive Examination*, 101 *Nw. U. L. Rev. Colloquy* 23 (Nov. 17, 2006), available at <http://www.law.northwestern.edu/lawreview/colloquy/2006/3/>.
9. National Conference of Bar Examiners, Bar Examination and Admission Statistics, <http://www.ncbex.org/publications/statistics/>. See also Laurel S. Terry, “Summary of Statistics of Bar Exam Applicants Educated Outside the US: 1992–2012 (It’s Not Just About New York and California)” (April 30, 2013), [http://www.personal.psu.edu/faculty/1/s/lst3/Summary\\_of\\_Statistics\\_Bar\\_Applicants\\_Educated\\_Outside\\_the\\_US\\_1992-2012.pdf](http://www.personal.psu.edu/faculty/1/s/lst3/Summary_of_Statistics_Bar_Applicants_Educated_Outside_the_US_1992-2012.pdf).
10. National Conference of Bar Examiners, *supra* note 9.
11. See American Bar Association Section of Legal Education and Admissions to the Bar, Report of the Special Committee on International Issues (July 15, 2009) (known as the “Lacy Report,” after the Committee’s chair, Justice Elizabeth Lacy), available at [http://www.americanbar.org/content/dam/aba/administrative/legal\\_education\\_and\\_admissions\\_to\\_the\\_bar/council\\_reports\\_and\\_resolutions/20090715\\_international\\_issues\\_report\\_authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/council_reports_and_resolutions/20090715_international_issues_report_authcheckdam.pdf), at 10–11 (discussing the survey results) and Appendix A (reproducing the survey).
12. The U.K. Legal Services Act of 2007 dramatically changed the regulation of the legal profession in England and Wales. It created a new regulatory structure, provided a new route for consumer complaints about legal services, and created a framework that would allow new forms of legal practice, known as alternative business structures or ABS. For a short introduction to the U.K. Legal Services Act of 2007, see these presentation slides: Laurel S. Terry, “Facing a Transformed Global Legal Landscape: Introduction to the U.K. Legal Services Act” (Oct. 2008), available at [http://www.personal.psu.edu/faculty/1/s/lst3/presentations%20for%20webpage/Terry\\_UK\\_LSA.pdf](http://www.personal.psu.edu/faculty/1/s/lst3/presentations%20for%20webpage/Terry_UK_LSA.pdf).
13. International Conference of Legal Regulators, The London Conference, <http://www.international-conference-of-legal-regulators.org/the-london-conference/>. To access a summary of each session, click on the session titles found on this page.
14. A summary of this final session, including my presentation slides and those of Antony Townsend, is available on the conference website at <http://www.international-conference-of-legal-regulators.org/the-london-conference/where-next-future-collaboration/>. My slides are also available on the Selected Presentations page of my website, <http://www.personal.psu.edu/faculty/1/s/lst3/presentations.htm>.
15. A summary of this first session and Professor John Flood’s presentation slides are available on the conference website at <http://www.international-conference-of-legal-regulators.org/the-london-conference/regulating-the-changing-legal-market/>. John Flood is a Professor of Law and Sociology and a Leverhulme Research Fellow at the University of Westminster, England.
16. Harrison, *supra* note 1, at 3.
17. Rachel Rothwell, *Policing Professionals—International Regulators*, *THE LAW SOCIETY GAZETTE* (Oct. 3, 2012), <http://www.lawgazette.co.uk/print/67635>; Rachel Rothwell, *SRA Goes Global*, *THE LAW SOCIETY GAZETTE* (Oct. 1, 2012), <http://www.lawgazette.co.uk/print/67579>.
18. John Flood, *Legal Regulation Is Not a Uniform Concept*, *SOLICITORS JOURNAL* (Oct. 8, 2012), <http://www.solicitors-journal.com/comment/legal-regulation-not-uniform-concept>.
19. Dan Bindman, *SRA Throws Weight Behind Global Legal Regulators’ Network*, *Legal Futures* (Oct. 1, 2012), <http://www.legalfutures.co.uk/latest-news/sra-throws-weight-behind-global-legal-regulators-network>.
20. See Jonathan Goldsmith, *Networking Order*, *THE LAW SOCIETY GAZETTE*, Euro Blog (Aug. 30, 2012), <http://www.lawgazette.co.uk/opinion/state-union/networking-order>.
21. See International Conference of Legal Regulators, The San Francisco Conference, <http://www.international-conference-of-legal-regulators.org/the-san-francisco-conference/>.



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