ITEMS ARE ORGANIZED UNDER THE FOLLOWING HEADINGS:

- Ethics Codes And Basic Principles
- Conflicts Of Law Provisions For Resolving “Double Deontology”/Ethics Issues
- Lawyer Discipline
- Pro Bono Publico
- Global Multijurisdictional Practice: Selected Documents Concerning The Gats And Its Progeny
- Selected Regional Multijurisdictional Practice Schemes
- Regulation Of Legal Practice By Foreign Lawyers
  - Method 1: Temporary Practice By Foreign Lawyers
  - Method 2: Limited Licenses For Foreign Lawyers (E.G., Foreign Legal Consultant Provisions)
  - Method 3: Rules And Recommendations To Allow Foreign Lawyers To Become Fully Qualified As A Local Lawyer (Including By Recognition)
- Selected Intra-Country Multijurisdictional Agreements & Recommendations For Federal States
- Selected Policies Concerning Alternative Business Structures (Including Multidisciplinary Practice & Publicly-Traded Law Firms)
- Selected Policies Concerning Bribery, Money Laundering And Gatekeeper Responsibilities
- Regulatory Reform Initiatives
- Antitrust Initiatives
- Legal Education Initiatives
- Miscellaneous

ETHICS CODES AND BASIC PRINCIPLES

By International Organizations:
2. ≈100 Bar Presidents, Statement of Core Principles of the Legal Profession (Nov. 2005, endorsed by the ABA Feb. 2006)
3. IBA Statement of General Principles of the Legal Profession (Sept. 2006)
4. IBA, Standards for the Independence of the Legal Profession (1990)
6. International Bar Association Resolution on Deregulating the Legal Profession (also known as the “Core Values” Resolution) (1998)

By Regional Organizations:

* You are welcome to use this material. If you used this document to locate items or understand the structure of these items, please cite this document. Document date: 12-9-08
8. Council of Europe, Recommendation on the Freedom of Exercise of the Profession of Lawyer & Explanatory Memorandum and earlier drafts
9. CCBE, Charter of core principles of the European legal profession (May 2007)
11. CCBE, National Codes of Conduct (Sept. 2007)
12. CCBE, Declaration of Perugia (1977)

Specialized Codes of Conduct

National Codes of Conduct
16. Links to U.S. state ethics rules
18. Japan Federation of Bar Association, Rules and Regulations
19. Canada, Acts & Regulations of Law Societies
20. For additional ethics provisions, see Internet Assignment #3, ANGEL Drop Box

Comparative Material
22. EU Confidentiality Rules, see CCBE Edward and the Updated Edward (Fish) Reports

CONFLICTS OF LAW PROVISIONS FOR RESOLVING “DOUBLE DEONTOLOGY”/ETHICS ISSUES
24. ABA, Model Rule of Professional Conduct 8.5 (adopted August 2002)
25. European Community, Directive (EC) 98/5 (Establishment of Lawyers) at Article 6
27. EU, Directive 2000/31/EC (E-Commerce), see Country of Origin provision in Article 22
28. EU, Country of Origin principle originally included in drafts of the 2006 EU Services Directive, but it was deleted in 2006)

LAWYER DISCIPLINE
29. ABA, Model Rules for Lawyer Disciplinary Enforcement (Rule 22 is reciprocal discipline)
30. U.S., Canada, Australia, National Organization of Bar Counsel Homepage (with links to discipline authorities)
31. Canada, Discipline Links for Canadian Law Societies
32. CCBE, Recommendations on Disciplinary Process for the Legal Profession
33. CCBE, Summary of disciplinary proceedings and contact points in the EU and EEA Member States (Sept. 2006)
34. European Community, Directive (EC) 98/5 (Establishment of Lawyers) at Article 7
36. IBA, Guide for Establishing and Maintaining Complaints and Discipline Procedures (adopted 2007)
37. IBA, Preliminary Results of the Complaint Procedures Survey
PRO BONO PUBLICO

39. American Bar Association, Model Rule of Professional Conduct 6.1
40. Australia, National Pro Bono Resource Centre
41. Council of Europe, Resolution 78(8) on Legal Aid and Advice (March 2, 1978)
42. Council of Europe, Access to Justice and Legal Aid
43. European Union, Legal Aid Information and Resources
44. IBA, Pro Bono and Access to Justice Committee and Best Practices For Design And Delivery Of Legal Aid And Breaking Down Barriers To Justice and IBA-Soros Pro Bono Connection
45. UIA, International Charter Regarding Access To Justice For All (1991)

GLOBAL MULTIJURISDICTIONAL PRACTICE: SELECTED DOCUMENTS CONCERNING THE GATS AND ITS PROGENY

Introductory Documents

46. General Agreement on Trade in Services [GATS] (Annex 1b to the Final Act Creating the WTO)

Selected WTO Documents

48. GATS Track 1 Documents (related to the current market access negotiations and GATS Article XIX)
49. GATS Track 2 Documents (related to current negotiations to develop “disciplines” or regulations applicable to legal services and GATS Article VI:4)
50. WTO, Background Note by the Secretariat: Legal Services, S/C/W/ 43 (July 6, 1998)
51. WTO, Disciplines on Domestic Regulation for the Accountancy Sector, S/L/63 & 64 (Dec. 1998)
52. WTO, Guidelines for Recognition of Qualifications in the Accountancy Sector, S/L/38 (1997)

U.S. Documents

53. U.S. (and other developed countries’) original GATS Legal Services Commitments
54. US, Current U.S. Legal Services’ Offer (May 2005)
55. ABA, Resolution Regarding Outbound U.S. Lawyers, with Recommendations to the USTR Regarding the U.S. "Requests" to Other WTO Members (Feb. 2002)[see also MJP Rec. 8 & 9]
56. ABA, Resolution regarding GATS Track 2 Disciplines (Aug. 2006)
57. ABA, MJP Rec. 1 Endorsing Regulation of the Practice of Law by the Judiciary (Aug. 2002)
58. ABA, GATS-Legal Services Webpage (with links)

Policies/Statements by Other Organizations

59. IBA, Resolution in Support of System of Terminology for Legal Services 2003
60. IBA, Resolution on Disciplines for the Accountancy Sector 2003
61. IBA, Resolution on Deregulating the Legal Profession (i.e., the “Core Values” Resolution) (1998)
62. OECD, Managing Request-Offer Negotiations under the GATS: The Case of Legal Services (June 2004)
63. Links to GATS-related resolutions of Other Organizations (at the bottom of the page, includes links to CCBE, Canadian Bar Association, FLSC, and UIA recommendations)
SELECTED REGIONAL MULTIJURISDICTIONAL PRACTICE SCHEMES

Agreements Involving the U.S.
64. Selected NAFTA Provisions
65. NAFTA Proposed Model Rule Respecting Foreign Legal Consultants [never adopted]
66. Links to U.S. Bilateral Free Trade Agreements
67. Proposed Rule of the Association of the City Bar of New York City
68. Agreement Between the ABA and the Brussels Bar Associations (at pdf pp. 103-119)
69. Agreement Between the ABA and the Paris Bar Association
70. Agreement Between the Association of the Bar of New York City and the Paris Bar Association

Europe
71. European Union, Consolidated Versions Of The Treaty On European Union And Of The Treaty Establishing The European Community (consolidated text, 2006)
74. European Community, Directive (EC) 98/5 (Establishment of Lawyers)
75. European Community, Directive 2000/31/EC (E-Commerce)
76. European Community, Directive 2005/36/EC (Recognition of professional qualifications; replaces 89/48)
77. European Community, Directive 2006/123/EC (Services Directive)
78. CCBE Table on the Implementation of Directive (EC) 98/5 (as of Sept. 2005)
79. CCBE, Guidelines on the implementation of the Directive 98/5/EC (Nov. 2001)
80. CCBE, Statistics Regarding the Number of Lawyers Using the EU Directives
81. Laurel Terry, Interview with “Crossing the Bar.Com” about EU Lawyer Regulation (May/Dec. 2001)

Other Regional Agreements
82. The Trans-Tasman Mutual Recognition Act 1997 [Between New Zealand and Australia]
83. Links to Memoranda of Understanding between the Law Council of Australia and 13 Other Bars

REGULATION OF LEGAL PRACTICE BY FOREIGN LAWYERS

Editor’s Note: Lawyers typically practice in a foreign country in one of four ways: 1) pursuant to a temporary practice rule; 2) using a limited license issued by the Host Jurisdiction; this may limit the transient lawyer’s “scope of practice” and is sometimes referred to as a “foreign legal consultant” or FLC rule; 3) pursuant to some sort of “qualification” rule in which the lawyer receives the same license used by Host Lawyers (the Jurisdiction may require either require the lawyer to satisfy all of its normal qualification requirements including law school, training, exams or may use “recognize” some of the lawyer’s prior training; or 4) under the radar, either because the jurisdiction has no regulations or because the lawyer chooses not to follow them. The section that follows presents examples of the first three methods.

METHOD 1: TEMPORARY PRACTICE BY FOREIGN LAWYERS

Selected U.S. Rules and Recommendations
84. ABA, Model Rule for Temporary Practice by Foreign Lawyers (2003)
85. State implementation of the ABA Model Rule, Links to State Rules and Additional Information
86. Conference of Chief Justices (CCJ), Resolution 6 Regarding Adoption of Rules on Temporary Practice by Foreign Lawyers (Jan. 30, 2008)

**Selected Non U.S. FLC Rules and Recommendations**

87. Australia, Model Practice of Foreign Law Bill 1996
88. Australia, Information about Temporary Practice Rules [for Foreign and Domestic Lawyers]
89. CCBE, Conditions under which lawyers from non-EU Member States can perform temporary services in each Member State under Home Title (Jan. 2005)

**METHOD 2: LIMITED LICENSES FOR FOREIGN LAWYERS (e.g., FOREIGN LEGAL CONSULTANT PROVISIONS)**

**Selected U.S. Rules and Recommendations**

90. ABA Model Rule for the Licensing of Legal Consultants (1993, amended 2006) and state implementation
91. Additional information about U.S. FLC Rules and Links to U.S. FLC Rules
92. ABA and NCBE, Comprehensive Guide to Bar Admission Rules, Chart XII (summary of requirements for foreign lawyers to qualify in the U.S.)
93. Conference of Chief Justices (CCJ), CCJ Resolution 4 Regarding Adoption of Rules on the Licensing and Practice of Foreign Legal Consultants (Aug. 2006)

**Selected Non U.S. FLC Rules and Recommendations**

94. Australia, Law Council of Australia, Uniform Principles for assessing Overseas Qualifications (June 2008)
95. Australia, Model Practice of Foreign Law Bill 1996
96. Australia, Law Council of Australia Policy Statement on International Legal Practice
97. Canada, Appendix A to the Canadian Interjurisdictional Protocol [Concerning Foreign Legal Consultants] and Information and Links to Canadian FLC Rules
99. CCBE, Inbound Position on the GATS Vis-À-Vis Requests for Liberalisation from Third Countries (Outside The EU) (March 2001)[regarding limited practice rights for foreign lawyers]
100. China, Regulations on Representative Offices of Foreign Law Firms in China (Fei Bao)
101. Japan, Special Measures Law to Become a Registered Foreign Lawyer and Supporting Regulations (Gaikkokuho-Jimu-Bengoshi)
102. IBA, Statement of General Principles for the Establishment and Regulation of Foreign Lawyers (adopted 1998) [offering the option of full licensing or limited licensing, with principles]
103. UIA, Standards for Lawyers establishing a Legal Practice outside their Home Country (2002)

**METHOD 3: RULES AND RECOMMENDATIONS TO ALLOW FOREIGN LAWYERS TO BECOME FULLY QUALIFIED AS A LOCAL LAWYER (INCLUDING BY RECOGNITION)**

**Selected U.S. Rules and Recommendations**
104. New York Court of Appeal Rule 520.6, NY Admission Rule for Foreign Lawyers-Students
105. ABA and NCBE, Comprehensive Guide to Bar Admission Rules, Charts III and X (summary of requirements for foreign lawyers to qualify in the U.S.) with links to offices with state rules
106. ABA Section of Legal Education and Admissions to the Bar, Standards for Approval of Law Schools (2008-2009)
108. Conference of Chief Justices (CCJ), Resolution 8 Regarding Accreditation of Legal Education in Common Law Countries by the ABA Section on Legal Education and Admission to the Bar (Feb. 2007)

Selected Non-U.S. Rules and Recommendations Regarding Full Qualification and Recognition

109. Australia, Law Council Paper on Admission to Legal Practice in Australia (with links to regulators)
110. Australia, Competency Standards for Newly-Admitted Lawyers (June 2008)
111. Australia – New South Wales, Information for Overseas Practitioners with rule links
112. Canada, Federation of Law Societies of Canada, National Committee on Accreditation Information and Evaluation of Credentials Form
113. Canada, Law Society of Upper Canada, Information on Becoming a Lawyer in Ontario and Licensing Scheme
115. CCBE, Conditions for the admission of lawyers from non-EU Member States to the title of the local legal profession in each EU Member State … (Jan. 2005)
116. EU: Prof. Lonbay’s EU Mutual Recognition website that has links to the qualification rules in EU Member States
118. England, SRA Consultation about the Qualified Lawyers Transfer Test (Nov. 2008)
119. IBA, Standards And Criteria For Recognition of the Professional Qualifications of Lawyers (2001)

See also:
120. ABA CEELI, Globalization and the Challenges Facing Legal Education: the GATS, Mobility and Recognition of Qualifications (September 2005).

SELECTED INTRA-COUNTRY MULTIJURISDICTIONAL AGREEMENTS & RECOMMENDATIONS FOR FEDERAL STATES

Selected U.S. Rules and Policies

123. U.S. Constitution (10th Amendment is the reserved rights provision)
125. ABA, Rules of Professional Conduct, Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law [intra US temporary practice rule] and state implementation
126. ABA, Model Rule of Professional Conduct 8.5 (adopted August 2002) (Disciplinary authority) and state implementation, including implementation of Comment 7
127. ABA, Commission on Multijurisdictional Practice Recommendations (Aug. 2002) (includes 9 MJP recommendations) and ABA, Policy Implementation Committee (monitors implementation)
128. Oregon Rule Implementing Compact regarding Washington-Idaho-Utah Reciprocity
129. Crossing the Bar Website

Non-U.S. Rules and Policies

130. Australia, National Practice - The Move Towards A National Legal Profession
131. Australia, Foreign Lawyers and the Practice of Foreign Law in Australia
132. Canada, FLSC Information from the Mobility of Lawyers Committee
133. Canada, FLSC Territory Mobility Agreement (2006)[supplementing 2002 agreement]
134. Canada, FLSC National Mobility Agreement (2002) and description
135. Canada, FLSC Interjurisdictional Protocol 1994 [replaced by National Mobility Agreement in most Provinces and Territories]
136. Canada - Law Society of Upper Canada, Information about Inter-Provincial Temporary Practice and Rules

SELECTED POLICIES CONCERNING ALTERNATIVE BUSINESS STRUCTURES
(Including Multidisciplinary Practice & Publicly-Traded Law Firms)

Selected U.S. Rules and Recommendations

139. ABA, Links to Information about State Consideration of MDP Proposals (As of Jan. 2005)
140. District of Columbia Rule 5.4 (eff. Feb. 2007, continues rule allowing limited-purpose MDPs)

Selected European Rules and Recommendations

143. European Commission, Professional Services Sector (with links to EU Reports arguing that the failure to have alternative business structures may constitute an anti-trust violation)
144. European Court of Justice, Wouters v. NOVA, Case C-309/99 (Feb. 19, 2002) [upheld the Netherland Bar’s MDP ban]
145. CCBE, Analysis and Guidance Following the Wouters v. NOVA (May 2002)
146. CCBE, Position on Non-Lawyers Owned Firms (June 2005)
147. CCBE, Position on Multi-disciplinary Partnerships (MDPs) (2005)
148. CCBE, Competition Committee (with links to many documents)
149. UK, Legal Services Act 2007 (creating a framework that allows MDPs and possibly publicly-traded firms)
150. UK Ministry of Justice, Legal Services Act Homepage (with many links) and Clementi Legal Services Review Homepage (with many links)

Australia and Canada

Cross-Border Legal Practice Appendix, © Prof. Laurel Terry, LTerry@psu.edu, Page 7
151. Australia, New South Wales’ Office of the Legal Commissioner, Incorporated Legal Practices
152. Australia, New South Wales Incorporated Practice Rules (links and explanation)
153. Australia, Prospectus for Slater & Gordon, the first publicly-traded law firm
154. Law Council of Australia Policies on Lawyers’ Business Structures [MDPS ](October 2001)
155. Canada, FLSC National MDP Committee Report
156. Canada, Law Society of Upper Canada, Information on Multi-Discipline Practice (MDPs) with links

**Other Rules and Recommendations**

158. UIA Policy on Multidisciplinary Practice (1999)

**SELECTED POLICIES CONCERNING BRIBERY, MONEY LAUNDERING and GATEKEEPER RESPONSIBILITIES**

**Rules and Recommendations Applicable to U.S. Lawyers**

159. FATF, Gatekeeper Initiative of the Financial Action Task Force on Money (FATF), including its 40 Recommendations
160. FATF, Risk-Based Approach Guidance for Legal Professionals (Oct. 28, 2008)
161. ABA, Resolution and Report and Other Materials Regarding the FATF Gatekeeper Regulation (Feb. 2003)
162. Joint statement by the international legal profession to the FATF on the fight against money-laundering (April 2003)
165. Selected ABA Model Rules of Professional Conduct for Lawyers Concerning Confidentiality and Obligations as an “Officer of the Court” (ABA Model Rules 1.2(d), 1.6, 1.13, 1.16, 3.3, and 4.1)
166. U.S. Foreign Corrupt Practices Act
167. OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions
168. Transparency International [NGO rating of countries’ levels of corruption]

**Non-U.S. Rules and Policies**

169. Australia, Law Council of Australia, Anti-Money Laundering and Counter Terrorism Financing Reforms (includes links to several 2008 documents)
172. CCBEE, Money Laundering Working Group (with many links, including to the EU Directives)
173. CCBEE, Response to the FATF Consultation Paper Concerning the Gatekeeper Initiative
174. EU Money Laundering Directives
175. IBA, Anti-Money Laundering Forum
176. UIA, Resolution on Professional Secrecy in the European Union – Money Laundering
177. UK Money Laundering and “Know Your Client” Rules,
178. UK Sample KYC Form

**REGULATORY REFORM INITIATIVES**
179. **OECD Regulatory Reform Project**, 
180. **OECD Guiding Principles for Regulatory Quality & Performance**, 
181. OECD, **Homepage: Indicators of Regulatory Conditions in Professional Services Sectors**, 
182. **APEC-OECD Regulatory Reform**, 
183. Regulatory Reform section in Canada’s 2007 Self-Regulated Professions Report, pp. 39-41

**ANTITRUST INITIATIVES**

184. **Oct. 2007 UK Legal Services Act** 
185. EU DG Competition, **Professional Services Sector**
186. Canada Competition Bureau, **Self-regulated professions - Balancing competition and regulation** (Dec. 2007)
187. OECD, **Competition in Professional Services**, DAFEE/CLP(2000)2, 
188. OECD, **Competitive Restrictions in Legal Professions**, DAF/COMP (2007)39, 
189. CCBE **Competition Committee**, 
190. US Federal Trade Commission, **Letters regarding the Practice of Law**, 
191. See Laurel Terry articles and presentations:

**LEGAL EDUCATION INITIATIVES**

**By or Applicable to U.S. Lawyers**

192. ABA Section of Legal Education and Admissions to the Bar 
193. Peking University School of Transnational Law (first foreign law school to seek ABA accreditation)
194. Conference of Chief Justices, **Legal Education Resolutions**
195. [primarily US] Law School Admissions Council and the [primarily US] National Organization of Bar Counsel [but both organizations now include Canadian and Australian members] 
196. ABA CEELI, The Legal Profession Reform Index, and Legal Education Reform Index and Prosecutorial Reform Index and Judicial Reform Index
197. ABA CEELI, Globalization, Legal Education, GATS, and Recognition
198. International Association of Law Schools

**See also:**

199. Benelux Secretariat, **Bologna Process**, (see also websites of the former UK Secretariat, Norway Secretariat, and Berlin Conference) [Note: The U.S. is not a member of the Bologna Process, but has participated in Bologna Process seminars; the Bologna Process now has a global strategy]

**Initiatives in Which the U.S. Does Not Currently Participate**

200. Australia, **Law Admissions Consultative Committee**
201. Canada, **National Accreditation Committee**
202. CCBE, **Training Committee Webpage**
203. European Law Faculties Association (ELFA) **Tuning Project** and [the main] **Tuning Project**
204. ELFA **QUAACAS Committee**

**MISCELLANEOUS**

205. IBA, **Law Firm Governance Initiative: Best Practice Guidelines** (2007)
207. Off-Shoring Legal Services, Association of Professional Responsibility Lawyers Conference (May 2008)
208. ASIL Task Force on Global Professional Responsibility
209. Outside investment in litigation, e.g., Juridica, OmniBridgeway, and CFI
210. Laurel Terry’s Global Legal Practice Resources Webpage