

GUIDELINES FOR REGISTERING AS A FOREIGN LEGAL CONSULTANT (Pursuant To Rule 9.44 of the *State Bar Rules*)

The guidelines outlined below enforce Rule 9.44 Foreign Legal Consultant Program.

Security of Claims-All Applicants seeking registration as a Foreign Legal Consultant (FLC) must maintain security for claims for pecuniary losses resulting from his or her acts, errors or omissions in the rendering of legal services that is acceptable to the State Bar of California, as follows:

If in the form of insurance and the cost of defense is included in the policy limits, in the amount of at least \$150,000.00 for each claim, with an aggregate limit of \$450,000.00 for all established against the FLC during the calendar year, with a deductible portion not to exceed \$10,000.00, unless any deductible portion in excess of \$10,000.00 is secured by means of a letter of credit or a written guarantee executed by an active member of the State Bar of California, a California law firm, California law corporation or financial institution;

If in the form of insurance and the cost of defense is not included in the policy limits, in the amount of at least \$100,000.00 for each claim, with an aggregate limit of \$300,000.00 for all established against the FLC during the calendar year, with a deductible portion not to exceed \$10,000.00, unless any deductible portion in excess of \$10,000.00 is secured by means of a letter of credit or a written guarantee executed by an active member of the State Bar of California, a California law firm, California law corporation or financial institution;

If in the form of a letter of credit, the total amount of the letter of credit must be maintained at all times at no less than \$300,000.00. The honor from the issuing bank is not to exceed \$100,000.00 for each claim and \$300,000.00 for all claims made during the calendar year; or,

If in the form of a written guarantee executed by an active member of the State Bar of California, a California law firm, California law corporation or financial institution, the total amount of the guarantee must be maintained at all times at no less than \$100,000.00 for each claim and \$300,000.00 for all claims made during the calendar year.

Address of Record-All FLC applicants must provide the State Bar an address in California for State Bar purposes. In the event that after due diligence, service cannot be made upon the FLC at his or her State Bar address on record, the State Bar is authorized to act as an agent upon whom process may be served, with like effect as if served personally upon the FLC arising out of or based upon legal services rendered or offered to be rendered within or to residents of the State of California.

Denial of Application-If the State Bar determines to deny an application for registration for any reason, the State Bar shall mail a Notice of Denial or Registration to the applicant that sets forth the reasons for denial.

Duration of Certificate of Registration-Certification by the State Bar shall commence on the date indicated on the Notice of Registration. The State Bar shall renew the certificate on a yearly basis provided that the FLC timely submits to the State Bar:

- ✓ A complete Annual Report/Renewal form;
- ✓ Renewal fee;
- ✓ Current Certificate of Good Standing from his/her foreign jurisdiction (current within the last six months).

Involuntary Revocation/Suspension of Certificate of Registration-The State Bar may revoke/suspend the Certificate of Registration of an FLC for failure to file an annual report/renewal, pay the renewal fee or submit a current Certificate of Good Standing. The State Bar may revoke/suspend the Certificate of Registration of an FLC if any of the requirements for certification no longer exist or the FLC fails to comply fully with the provisions of Rule 9.44 and these guidelines.

Voluntary Revocation of Certificate of Suspension-The State Bar may revoke the Certificate of Registration of an FLC at the request of the FLC.