

New legal services elements contained in the updated U.S. submission to the GATS

This document, provided by the Office of the United States Trade Representative (USTR), contains a description of new legal services elements under consideration for inclusion in the updated U.S. submission in ongoing services negotiations conducted pursuant to the General Agreement on Trade in Services (GATS). This submission will be delivered to all WTO members on May 31, 2005.

The new elements under consideration will simply reflect the fact that eight states have implemented rules on foreign legal consultancy (FLC) in recent years (Arizona, Indiana, Louisiana, Massachusetts, Missouri, New Mexico, North Carolina and Utah). At this time, USTR is not considering any changes to existing commitments concerning the practice of U.S. law or the provision of FLC services in the 14 jurisdictions already listed in the U.S. Schedule of Specific Commitments (Alaska, California, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Illinois, Michigan, Minnesota, New Jersey, New York, Ohio, Oregon, Texas, and Washington).

The description of new services elements is presented in Attachment A. The initial U.S. submission on legal services, which contains no changes from our submission of 1994, is presented in Attachment B.

In the context of the standard state consultation process, on May 3, 2005, USTR distributed a similar communication to state points of contact and the Intergovernmental Policy Advisory Committee (IGPAC) inviting comments concerning the updated U.S. submission for all service sectors. Representatives from the National Center for State Courts and the National Association of Attorneys General serve on the IGPAC. The communication clearly indicated that the U.S. updated submission will not require any state to take any further action regarding existing laws or regulations in service sectors, and that the GATS will not impede or impair the ability of any state to regulate in any covered sectors.

Because the GATS fully respects the sovereign right of all WTO Members to regulate and to introduce new regulations, U.S. GATS commitments do not hinder the ability of a regulatory authority to govern admission to practice, protect the public against unethical conduct, or prevent the unauthorized practice of law. Similarly, GATS commitments on FLC services do not impede the ability of a state to maintain or develop rules of practice, including ethics requirements and disciplinary mechanisms as appropriate to each jurisdiction. In addition, nothing in the GATS prevents the adoption or enforcement of measures necessary to secure compliance with laws or regulations, such as to prevent deceptive or fraudulent practices. Should you wish to review the legal text of the GATS, it can be found at: http://www.wto.org/english/docs_e/legal_e/26-gats.pdf.

The American Bar Association has graciously offered to serve as a central contact point for members of this listserv. Should you have any comments or questions, please contact Kristi Gaines, ABA Task Force on GATS, at gainesk@staff.abanet.org or 202-662-1763.

While this document is not classified as confidential, it is intended for use only by those with a direct interest in developing, implementing, and enforcing official policies concerning legal services. Please do not distribute this document to the general public.

ATTACHMENT A

New legal services elements contained in the updated U.S. submission to the GATS

The U.S. submission will reflect the current market situation regarding foreign legal consultancy (FLC) services by including state FLC rules adopted since 1994. As with existing commitments, foreign legal consultancy will be defined as:

Consultancy on law of jurisdiction where service supplier is qualified as a lawyer. Such consultancy excludes the following: i) appearing for a person other than himself or herself as attorney in any court, or before any magistrate or other judicial officer, in this state (other than upon admission pro haec vice); ii) preparing any instrument effecting the transfer or registration of title to real estate located in the United States of America; iii) preparing any will or trust instrument effecting the disposition on death of any property located in the United States of America and owned by a resident thereof, or any instrument relating to the administration of a decedent's estate in the United States of America; and iv) preparing any instrument in respect of the marital or parental relations, rights or duties of a resident of the United States of America, or the custody or care of the children of such a resident.)

Maintaining the structure of the existing U.S. schedule, the revised submission will indicate that foreign-licensed lawyers may provide advice on the law of the jurisdiction where the service supplier is qualified as a lawyer. Additional statements will reflect the policy of each jurisdiction regarding the practice of international law, third country law, host-country law, association with local lawyers, employment of local lawyers, and use of firm name as set forth below.

Supplementary information also will be provided in footnotes regarding specific regulatory policies like experience requirements. Because such objective regulatory policies and standards are beyond the scope of the GATS, this information will be provided for transparency purposes only.

Arizona:

- a) Practice of international law: permitted to the extent incorporated in home country law.
- b) Practice of 3rd country law: permitted to the extent incorporated in home country law.
- c) Practice of host-country law: not permitted.
- d) Association with local lawyers: partnerships with local lawyers: permitted.
- e) Employment of local lawyers: permitted.
- f) Use of firm name: permitted.

In addition, because this state requires an in-state office, a limitation on market access will be listed to reflect the fact that this requirement prevents FLCs who do not have a commercial presence in the state from supplying services.

Footnote:

The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant (FLC) in Arizona. Licensure is subject to meeting requirements of registration, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), a

minimum age requirement of 18 years, certification of registration and good standing with home-country bar, and agreement to be bound by the rules of professional conduct. Professional privileges apply to all foreign lawyers.

Indiana:

- a) Practice of international law: prohibited.
- b) Practice of 3rd country law: prohibited.
- c) Practice of host-country law: prohibited.
- d) Association with local lawyers: partnerships with local lawyers: permitted.
- e) Employment of local lawyers: permitted.
- f) Use of firm name: permitted.

In addition, because this state requires an in-state office, a limitation on market access will be listed to reflect the fact that this requirement prevents FLCs who do not have a commercial presence in the state from supplying services.

Footnote:

The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant (FLC) in Indiana. Licensure is subject to meeting requirements of registration, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), certification of registration and good standing with home-country bar wherein lawyers are subject to effective regulation and discipline, and agreement to be bound by the rules of professional conduct. Professional privileges apply to all foreign lawyers.

Louisiana:

- a) Practice of international law: permitted, provided foreign legal consultant (FLC) is competent.
- b) Practice of 3rd country law: permitted.
- c) Practice of host-country law: not permitted.
- d) Association with local lawyers: partnerships with local lawyers: permitted.
- e) Employment of local lawyers: permitted.
- f) Use of firm name: permitted.

Footnote:

The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant (FLC) in Louisiana. Licensure is subject to meeting requirements of registration, an experience requirement (5 years immediately preceding registration must have been spent practicing law (or as a full-time professor or instructor if the applicant wishes to become licensed as a legal consultant at an accredited university or college)), a minimum age requirement of 26 years, certification of registration and good standing with home-country bar wherein lawyers are subject to effective regulation and discipline, and agreement to be bound by the rules of professional conduct. Professional privileges apply to all foreign lawyers.

Massachusetts:

- a) Practice of international law: permitted to the extent incorporated in home country law.
- b) Practice of 3rd country law: permitted to the extent incorporated in home country law.
- c) Practice of host-country law: not permitted.

- d) Association with local lawyers: partnerships with local lawyers: no specific provision.
- e) Employment of local lawyers: permitted.
- f) Use of firm name: permitted.

In addition, because this state requires an in-state office, a limitation on market access will be listed to reflect the fact that this requirement prevents FLCs who do not have a commercial presence in the state from supplying services.

Footnote:

The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant (FLC) in Massachusetts. Licensure is subject to meeting requirements of registration, an experience requirement (the 5 years preceding registration must have been spent practicing law), certification of registration and good standing with home-country bar wherein lawyers are subject to effective regulation and discipline, and agreement to be bound by the rules of professional conduct. Professional privileges apply to all foreign lawyers.

Missouri:

- a) Practice of international law: permitted.
- b) Practice of 3rd country law: permitted.
- c) Practice of host-country law: not permitted.
- d) Association with local lawyers: partnerships with local lawyers: no specific provision.
- e) Employment of local lawyers: permitted.
- f) Use of firm name: permitted.

In addition, because this state requires association with an in-state office, a limitation on market access will be listed to reflect the fact that this requirement presents a limitation to FLCs who do not have a commercial presence in the state.

Footnote:

The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant (FLC) in Missouri. Licensure is subject to meeting requirements of registration, passing the Multi-state Professional Responsibility Examination, an experience requirement (5 of the 10 years preceding registration must have been spent practicing law), a minimum age requirement of 27 years, certification of registration and good standing with home-country bar wherein lawyers are subject to effective regulation and discipline, and agreement to be bound by the rules of professional conduct. Professional privileges apply to all foreign lawyers.

New Mexico:

- a) Practice of international law: permitted to the extent incorporated in home country law.
- b) Practice of 3rd country law: permitted to the extent incorporated in home country law.
- c) Practice of host-country law: permitted, provided such law is also applicable to the foreign country where the legal consultant is admitted to practice or on the basis of advice from a person duly qualified or entitled.
- d) Association with local lawyers: partnerships with local lawyers: no specific provision.
- e) Employment of local lawyers: permitted.
- f) Use of firm name: permitted

Footnote:

The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant (FLC) in New Mexico. Licensure is subject to meeting requirements of registration, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), a minimum age requirement of 21 years, certification of registration and good standing with home-country bar wherein lawyers are subject to effective regulation and discipline, and agreement to be bound by the rules of professional conduct. Professional privileges apply to all foreign lawyers.

North Carolina:

- a) Practice of international law: permitted, provided authorization from the Supreme Court.
- b) Practice of 3rd country law: permitted, provided authorization from the Supreme Court.
- c) Practice of host-country law: not permitted.
- d) Association with local lawyers: partnerships with local lawyers: permitted.
- e) Employment of local lawyers: permitted.
- f) Use of firm name: permitted.

In addition, because this state requires an in-state office, a limitation on market access will be listed to reflect the fact that this requirement prevents FLCs who do not have a commercial presence in the state from supplying services.

Footnote:

The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant (FLC) in North Carolina. Licensure is subject to meeting requirements of registration, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), a minimum age requirement of 21 years, certification of registration and good standing with home-country bar wherein lawyers are subject to effective regulation and discipline, and agreement to be bound by the rules of professional conduct. Professional privileges apply to all foreign lawyers.

Utah:

- a) Practice of international law: permitted to the extent incorporated in home country law.
- b) Practice of 3rd country law: permitted to the extent incorporated in home country law.
- c) Practice of host-country law: not permitted.
- d) Association with local lawyers: partnerships with local lawyers: permitted.
- e) Employment of local lawyers: permitted.
- f) Use of firm name: no specific provision.

In addition, because this state requires an in-state office, a limitation on market access will be listed to reflect the fact that this requirement prevents FLCs who do not have a commercial presence in the state from supplying services.

Footnote:

The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant

(FLC) in Utah. Licensure is subject to meeting requirements of registration, passing the Multi-state Professional Responsibility Examination, successful completion of the one-day Office of Professional Conduct Ethics School of the Utah Bar, certification of registration and good standing with home-country bar wherein lawyers are subject to effective regulation and discipline, and agreement to be bound by the rules of professional conduct. Professional privileges apply to all foreign lawyers.

ATTACHMENT B:

Initial U.S. submission on Legal Services (contains no changes from the U.S. Schedule of Specific Commitments of 1994)

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
II. SECTOR-SPECIFIC COMMITMENTS			
<p>1. BUSINESS SERVICES</p> <p>A. PROFESSIONAL SERVICES</p> <p>a) 1) Legal Services: practice as or through a qualified US lawyer</p>	<p>For the following jurisdiction, the following commitments apply: in (all states)</p> <p>1) Services must be supplied by a natural person</p> <p>An in-state office must be maintained for licensure in: District of Columbia, Indiana (or an affiliate with an office and with other attorneys in the state), Michigan, Minnesota (or maintain individual residency in Minnesota), Mississippi, New Jersey, Ohio, South Dakota and Tennessee.</p> <p>2) Services must be supplied by a natural person</p> <p>An in-state office must be maintained for licensure in: District of Columbia, Indiana (or an affiliate with an office and with other attorneys in the state), Michigan, Minnesota (or maintain individual residency in Minnesota), Mississippi, New Jersey, Ohio, South Dakota and Tennessee.</p> <p>3) Services must be supplied by a natural person</p> <p>Partnership in law firms is limited to persons licensed as lawyers</p> <p>US citizenship is required to practice before the US Patent and Trademark Office</p>	<p>1) In-state or US residency is required for licensure in: Hawaii, Iowa, Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New Jersey, New Hampshire, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming.</p> <p>2) In-state or US residency is required for licensure in: Hawaii, Iowa, Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New Jersey, New Hampshire, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming.</p> <p>3) None</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>a) 2) Legal Services: consultancy on law of jurisdiction where service supplier is qualified as a lawyer (such consultancy excludes the following: i) appearing for a person other than himself or herself as attorney in any court, or before any magistrate or other judicial officer, in this state (other than upon admission <u>pro haec vice</u>);</p>	<p>4) Services must be supplied by a natural person</p> <p>An in-state office must be maintained for licensure in: District of Columbia, Indiana (or an affiliate with an office and with other attorneys in the state), Michigan, Minnesota (or maintain individual residency in Minnesota), Mississippi, New Jersey, Ohio, South Dakota and Tennessee.</p> <p>US Citizenship is required to practice before the US Patent and Trademark Office</p> <p>For the following jurisdiction, the following commitments apply: Alaska¹</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>4) In-state or US residency is required for licensure in: Hawaii, Iowa, Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New Jersey, New Hampshire, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming.</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>a) Practice of international law: permitted, provided foreign legal consultant (FLC) is competent.</p> <p>b) Practice of 3rd-country law: permitted provided that FLC obtains written legal advice from an attorney licensed in that jurisdiction.</p> <p>c) Practice of host-country law: permitted provided that FLC obtains written legal advice from an attorney licensed to practice in that jurisdiction.</p>

¹ The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant (FLC) in Alaska. Licensure is subject to meeting requirements of registration, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), certification of registration and good standing with home-country bar, meeting the professional liability insurance requirement, and agreement to be bound by the Rules of Disciplinary Enforcement, Ethics Opinions adopted by the Board of Governors of the Alaska Bar Association, and the Code of Professional Responsibility. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>ii) preparing any instrument effecting the transfer or registration of title to real estate located in the United States of America; iii) preparing any will or trust instrument effecting the disposition on death of any property located in the United States of America and owned by a resident thereof, or any instrument relating to the administration of a decedent's estate in the United States of America; and iv) preparing any instrument in respect of the marital or parental relations, rights or duties of a resident of the United States of America, or the custody or care of the children of such a resident.)</p>			<p>d) Association with local lawyers: partnerships with local lawyers permitted. e) Employment of local lawyers: permitted. f) Use of firm name: permitted. g) Other: n/a.</p>

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: California²</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>a) Practice of international law: permitted to the extent incorporated in home-country law.</p> <p>b) Practice of 3rd-country law: not permitted.</p> <p>c) Practice of host-country law: not permitted.</p> <p>d) Association with local lawyers: partnership with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a.</p>

² The following information is provided for transparency purposes only. A supplier regularly providing services is required to be licensed as a foreign legal consultant in California. Licensure is subject to meeting requirements of registration, an experience requirement (4 of the 6 years preceding registration must have been spent practicing law), certification of registration and good standing with home-country bar, meeting the professional liability insurance requirement, and agreement to be bound by the requirements of the State Bar of California. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: Connecticut³</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>a) Practice of international law: permitted to the extent incorporated in home-country law.</p> <p>b) Practice of 3rd-country law: permitted provided FLC first obtains advice from an attorney licensed in that jurisdiction.</p> <p>c) Practice of host-country law: not permitted.</p> <p>d) Association with local lawyers: partnership with local attorneys permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a.</p>

³ The following information is provided for transparency purposes only. A supplier regularly providing services is required to be licensed as a foreign legal consultant in Connecticut. Licensure is subject to meeting requirements of registration, a minimum age of 26 years, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), certification of registration, meeting the professional liability insurance requirement, an overdraft notification, good standing with home-country bar, and a written commitment to observe the Connecticut Rules of Professional Conduct. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: District of Columbia⁴</p> <p>1) None</p> <p>2) None</p> <p>3) In-state office required</p> <p>4) Unbound, except as indicated in the horizontal section. Additionally, an in-state office is required.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>a) Practice of international law: permitted, provided FLC is competent.</p> <p>b) Practice of 3rd-country law: permitted, provided FLC is competent.</p> <p>c) Practice of host-country law: permitted provided FLC first obtains advice from an attorney licensed in that jurisdiction and identifies the person to the client.</p> <p>d) Association with local lawyers: partnership with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a.</p>

⁴ The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in the District of Columbia. Licensure is subject to meeting requirements of registration, a minimum age of 26 years, an experience requirement (5 of the 8 years preceding registration must have been spent practicing law), certification of registration and good standing with home-country bar, meeting the professional liability insurance requirement, and a written commitment to be bound by the Code of Professional Responsibility of the American Bar Association. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: Florida⁵</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>a) Practice of international law: permitted to the extent incorporated in home-country law.</p> <p>b) Practice of 3rd-country law: not permitted.</p> <p>c) Practice of host-country law: not permitted.</p> <p>d) Association with local lawyers: partnerships with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a.</p>

⁵ The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in Florida. Licensure is subject to meeting requirements of registration, a minimum age of 26 years, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), certification of registration and good standing with home-country bar, and a sworn statement to abide by the Rules of Professional Conduct. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: Georgia⁶</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>a) Practice of international law: permitted to the extent incorporated in home-country law.</p> <p>b) Practice of 3rd-country law: not permitted.</p> <p>c) Practice of host-country law: not permitted.</p> <p>d) Association with local lawyers: partnership with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a</p>

⁶ The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in Georgia. Licensure is subject to meeting requirements of registration, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), certification of registration and good standing with home-country bar, and a commitment to observe the Rules of Professional Responsibility and Disciplinary Rules applicable to members of the State Bar of Georgia. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: Hawaii⁷</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>a) Practice of international law: permitted, provided FLC is competent.</p> <p>b) Practice of 3rd-country law: permitted provided FLC obtains advice from an attorney licensed in that jurisdiction and identifies that person to the client.</p> <p>c) Practice of host-country law: permitted provided FLC obtains advice from an attorney licensed in that jurisdiction and identifies that person to the client.</p> <p>d) Association with local lawyers: partnership with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a.</p>

⁷ The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in Hawaii. Licensure is subject to meeting requirements of registration, a minimum age of 26 years, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), and certification of registration and good standing with home-country bar. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: Illinois⁸</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p> <p>For the following jurisdiction, the following commitments apply: Michigan⁹</p> <p>1) None</p> <p>2) None</p> <p>3) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p> <p>1) None</p> <p>2) None</p> <p>3) In-state residency required</p>	<p>a) Practice of international law: permitted to the extent incorporated in home-country law.</p> <p>b) Practice of 3rd-country law: not permitted.</p> <p>c) Practice of host-country law: not permitted.</p> <p>d) Association with local lawyers: partnership with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a</p> <p>a) Practice of international law: permitted to the extent incorporated in home-country law.</p> <p>b) Practice of 3rd-country law: not permitted.</p>

⁸The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in Illinois. Licensure is subject to meeting requirements of registration, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), meeting the professional liability insurance requirement, a written commitment to observe the Rules of Professional Conduct, and certification of registration and good standing with home-country bar. Professional privileges apply to all foreign lawyers.

⁹The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in Michigan. Licensure is subject to meeting requirements of registration, a minimum age of 18 years, an experience requirement (3 of the 5 years preceding registration must have been spent practicing law), and certification of registration and good standing with home-country bar. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>4) Unbound, except as indicated in the horizontal section</p> <p>For the following jurisdiction, the following commitments apply: Minnesota¹⁰</p> <p>1) None</p> <p>2) None</p> <p>3) In-state office required</p> <p>4) Unbound, except as indicated in the horizontal section. Additionally, an in-state office is required.</p>	<p>4) In-state residency required</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>c) Practice of host-country law: not permitted.</p> <p>d) Association with local lawyers: partnership with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a.</p> <p>a) Practice of international law: permitted to the extent incorporated in home-country law.</p> <p>b) Practice of 3rd-country law: not permitted.</p> <p>c) Practice of host-country law: not permitted.</p> <p>d) Association with local lawyers: partnership with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a</p>

¹⁰ The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in Minnesota. Licensure is subject to meeting requirements of registration, a minimum age of 26 years, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), certification of registration and good standing with home-country bar, and are subject to the Minnesota Rules of Professional Conduct. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: New Jersey¹¹</p> <p>1) None</p> <p>2) None</p> <p>3) In-state office required</p> <p>4) Unbound, except as indicated in the horizontal section. Additionally, an in-state office is required.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>a) Practice of international law: permitted to the extent incorporated in home-country law.</p> <p>b) Practice of 3rd-country law: permitted provided FLC obtains advice from an attorney licensed in that jurisdiction and identifies that person to the client.</p> <p>c) Practice of host-country law: permitted provided FLC obtains advice from an attorney licensed in that jurisdiction and identifies that person to the client.</p> <p>d) Association with local lawyers: partnership with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a.</p>

¹¹ The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in New Jersey. Licensure is subject to meeting requirements of registration, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), meeting the professional liability insurance requirement, certification of registration and good standing with home-country bar, and shall observe the Rules of Professional Conduct of the American Bar Association. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: New York¹²</p> <p>1) None</p> <p>2) None</p> <p>3) In-state office required</p> <p>4) Unbound, except as indicated in the horizontal section. Additionally, an in-state office is required.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>a) Practice of international law: permitted, provided FLC is competent.</p> <p>b) Practice of 3rd-country law: permitted, provided FLC is competent.</p> <p>c) Practice of host-country law: permitted to practice NY and federal law provided FLC relies on advice from a person duly qualified and entitled to render professional legal advice on NY or US law. Permitted to practice law of other US states, provided FLC is competent.</p> <p>d) Association with local lawyers: partnership with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: unrestricted.</p> <p>g) Other: n/a.</p>

¹² The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in New York. Licensure is subject to meeting requirements of registration, a minimum age of 26 years, an experience requirement (3 of the 5 years preceding registration must have been spent practicing law), certification of registration and good standing with home-country bar, meeting the professional liability insurance requirement, and agreement to be bound by the New York Bar Code of Ethics. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: Ohio¹³</p> <p>1) None</p> <p>2) None</p> <p>3) In-state office required</p> <p>4) Unbound, except as indicated in the horizontal section. Additionally, an in-state office is required.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>a) Practice of international law: permitted.</p> <p>b) Practice of 3rd-country law: permitted if FLC obtains advice from an attorney licensed in that jurisdiction and identifies that person to the client.</p> <p>c) Practice of host-country law: permitted if FLC obtains advice from an attorney licensed in that jurisdiction and identifies that person to the client.</p> <p>d) Association with local lawyers: partnership with local lawyers not permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a.</p>

¹³ The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in Ohio. Licensure is subject to meeting requirements of registration, a minimum age of 21 years, an experience requirement (4 of the 6 years preceding registration must have been spent practicing law), certification of registration and good standing with home-country bar, meeting the professional liability insurance requirement, and being subject to the Ohio Code of Professional Responsibility and the disciplinary procedural rules set forth in Gov. Bar R.V. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: Oregon¹⁴</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>a) Practice of international law: permitted to the extent incorporated in home-country law.</p> <p>b) Practice of 3rd-country law: permitted if FLC obtains advice from an attorney licensed in that jurisdiction and identifies that person to the client.</p> <p>c) Practice of host-country law: permitted if FLC obtains advice from an attorney licensed in that jurisdiction and identifies that person to the client.</p> <p>d) Association with local lawyers: partnership with local lawyer permitted.</p> <p>e) Employment of local lawyers: permitted</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a.</p>

¹⁴ The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in Oregon. Licensure is subject to meeting requirements of registration, a minimum age of 18 years, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), and certification of registration and good standing with home-country bar, meeting the professional liability insurance requirement, and agreement to comply with ORS Chapter 9, the Oregon Code of Professional Responsibility and the Oregon State Bar's Rules of Procedure. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: Texas¹⁵</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) In-state residency required</p> <p>4) In-state residency required</p>	<p>a) Practice of international law: permitted to the extent incorporated in home-country law.</p> <p>b) Practice of 3rd-country law: not permitted.</p> <p>c) Practice of host-country law: not permitted.</p> <p>d) Association with local lawyers: partnership with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a.</p>

¹⁵ The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in Texas. Licensure is subject to meeting requirements of registration, a minimum age of 26 years, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), meeting the professional liability insurance requirement, certification of registration and good standing with home-country bar, and taking an oath to abide by the State Bar Act, the State Bar Rules, and the Texas Disciplinary Rules of Professional Conduct. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: Washington¹⁶</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) In-state residency required at time admitted</p> <p>4) In-state residency required at time admitted</p>	<p>a) Practice of international law: permitted to the extent incorporated in home-country law.</p> <p>b) Practice of 3rd-country law: not permitted.</p> <p>c) Practice of host-country law: not permitted.</p> <p>d) Association with local lawyers: partnerships with local lawyers permitted.</p> <p>e) Employment of local lawyers: permitted.</p> <p>f) Use of firm name: permitted.</p> <p>g) Other: n/a.</p>

¹⁶ The following information is provided for transparency purposes only. A supplier regularly providing services in the jurisdiction is required to be licensed as a foreign legal consultant in Washington. Licensure is subject to meeting requirements of registration, an experience requirement (5 of the 7 years preceding registration must have been spent practicing law), and certification of registration and good standing with home-country bar, and agreement to be bound by the Discipline Rules for Lawyers and the Rules of Professional Conduct. Professional privileges apply to all foreign lawyers.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>For the following jurisdiction, the following commitments apply: Other States</p> <p>1) None</p> <p>2) None</p> <p>3) Unbound for Alabama, Arizona, Arkansas, Colorado, Delaware, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, Wyoming.</p> <p>4) Unbound for Alabama, Arizona, Arkansas, Colorado, Delaware, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, Wyoming.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	