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TRANSNATIONAL PRACTICE FOR THE LEGAL PROFESSION

FORUM

L'EXERCICE INTERNATIONAL DE LA PROFESSION D'AVOCAT

PARIS 9 & 10 NOV. 1998

Press release on the Forum on Transnational Practice for the Legal Profession

On the occasion of the third Workshop of the OECD on professional services, held in Paris on 20 and 21 February 1997, the subject of which was « favouring the liberalisation (of professional services) through regulatory reforms», it transpired that the profession of the lawyer raises specific problems not found in other professions.

Aware of the importance of Bars themselves taking the initiative in reflecting on professional practice in all its aspects at a time of global liberalisation, the American Bar Association, the Council of the Bars and Law Societies of the European Community, and the Japanese Federation of Bar Associations propose to call a *Forum on Transnational Practice for the Legal Profession* to be held in Paris on 9 and 10 November to which representatives of the Bars of each OECD country and representatives of the Bars of Africa, Asia, and South America will be invited.

The first objective of the *Forum* would be to create a platform for meetings and dialogue between Bar representatives and to emphasise the specific characteristics of the legal profession. The *Forum* will in this respect supplement the admirable efforts that international associations are now pursuing.

In addition it seems important to co-ordinate the self-scrutiny which is already taking place in the Bars themselves with a view to obtaining a consensus on the principles of liberalisation of services rendered by lawyers. This consensus could later on and, if necessary also serve as a guide to the Working Party for the Professional Services of the World Trade Organisation.

The provisional subjects for the *Forum* are as follows:

- A. Uniqueness and responsibilities of the legal profession: ethical issues connected with transnational practice; consumer protection regarding transnational practice; the social responsibility and the independence of the legal profession; particular problems presented by multidisciplinary practice.*

The secretariat of the Forum is undertaken by the CCBE (Bettina Czogalla-Smale).

All correspondence should be sent to the CCBE.

Le secrétariat du Forum est assuré par le CCBE (Bettina Czogalla-Smale).

Toute correspondance doit être adressée au CCBE.

- B. Measures that might be taken for the reduction of impediments to the ability of lawyers to practise in jurisdictions other than that of their original licensure, such as: ownership restrictions; restrictions on partnerships between foreign and locally qualified lawyers, including restrictions on partnership names; restrictions on scope of practice; educational requirements; local presence and nationality requirements; mutual recognition agreements.*
- C. Forms of licensure: membership of host bar; foreign legal consultant (or practitioner); other forms of licensure; use of home or host title.*

The ABA, the CCBE, and the JFBA will prepare reports on each of these subjects which will be sent to each delegation. Each delegation will then, if so desired, supply a written contribution on the subject of its choice.

Forum on Transnational Practice for the Legal Profession
9/10 November 1998
Programme

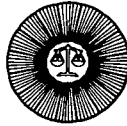


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L'Exercice International de la Profession d'Avocat
9/10 Novembre 1998
Programme

Lundi, 9 novembre 1998

- 08:00 Inscription
- 09:00 Accueil par *Mme Dominique de La Garanderie*, Bâtonnier du Barreau de Paris.
- 09:15 Allocution de *Mme Elizabeth Guigou*, Ministre de la Justice, Garde des Sceaux.
- 09:30 Introduction par *M. Shigeru Kobori*, Président du "Japan Federation of Bar Associations" (JFBA); *Mr Philip S. Anderson*, Président du "American Bar Association" (ABA) et *Mr Michel Gouy*, Président du Conseil des Barreaux de la Communauté Européenne (CCBE)
- 10:00 - 10:45 Introduction du premier sujet "*Uniqueness and responsibilities of the legal profession*".
 Présidé par: *Akira Kawamura*, Président "Council of International Affairs", Japan Federation of Bar Associations
- 10:30 Observations par ABA et CCBE
- 10:30 Pausse-café.
- 10:45 Discussion générale sur le premier sujet.
- 12:30 - 14:30 Déjeuner à la Maison du Barreau.
- 14:30 Introduction du deuxième sujet. "*Measures that might be taken for the reduction of impediments to the ability of lawyers to practice in jurisdictions other than that of their original licensure*".
 Présidé par: *Donald H. Rivkin*, Président, "International Legal Practice Committee", American Bar Association.
- Observations par CCBE et JFBA.
- 15:00 - 15:15 Pausse-café.
- 15:15 Discussion générale sur le deuxième sujet.
- 18:00 Fin de la discussion

Mardi, 10 novembre 1998

- 09:30 Introduction du troisième sujet "*Forms of Licensure*".
 Présidé par: *Carl Beverage*, Président du Comité ad hoc sur l'"Exercice International de la Profession d'avocat", Conseil des Barreaux de la Communauté Européenne.
- Observations par ABA et JFBA
- 10:15 - 10:30 Pausse-café.
- 10:30 Discussion générale sur le troisième sujet.
- 12:30 - 14:30 Déjeuner à la Maison du Barreau.
- 14:30 Discussion générale sur les trois sujets.
- Présidées par: *Akira Kawamura*, *Donald Rivkin* et *Carl Beverage*
- 17:30 Conclusions et derniers commentaires.
- 18:00 Clôture.

Monday, 9 November 1998

- 08:00 Registration
- 09:00 Opening remarks by *Mrs Dominique de La Garanderie*, Bâtonnier de Paris.
- 09:15 Address by *Mrs Elizabeth Guigou*, Ministre de la Justice, Garde des Sceaux.
- 09:30 Introduction by *Mr Shigeru Kobori*, President of the Japan Federation of Bar Associations (JFBA); *Mr Philip S. Anderson*, President of the American Bar Association (ABA) and *Mr Michel Gouy*, President of the Council of the Bars and Law Societies of the European Community (CCBE)
- 10:00 Introduction of the first subject: "*Uniqueness and responsibilities of the legal profession*".
 Moderator: *Akira Kawamura*, Chairman, "Council of International Affairs", Japan Federation of Bar Associations.
- 10:30 - 10:45 Observations by ABA and CCBE
- 10:30 Coffee-break.
- 10:45 General discussion of the first subject.
- 12:30 - 14:30 Luncheon at the "Maison du Barreau".
- 14:30 Introduction of the second subject: "*Measures that might be taken for the reduction of impediments to the ability of lawyers to practice in jurisdictions other than that of their original licensure*".
 Moderator: *Donald H. Rivkin*, Chair, "International Legal Practice Committee", American Bar Association.
- Observations by CCBE and JFBA.
- 15:00 - 15:15 Coffee-break.
- 15:15 General discussion of the second subject.
- 18:00 End of the discussion

Tuesday, 10 November 1998

- 9:30 Introduction of the third subject: "*Forms of Licensure*".
 Moderator: *Carl Beverage*, Chair of the ad hoc committee "Transnational Practice for the Legal Profession", Council of the Bars and Law Societies of the European Community.
- Observations by ABA and JFBA
- 10:15 - 10:30 Coffee-break.
- 10:30 General discussion of the third subject.
- 12:30 - 14:30 Luncheon at the «Maison du Barreau».
- 14:30 General discussion of the three subjects.
- Co-Moderators: *Akira Kawamura*, *Donald Rivkin* and *Carl Beverage*
- 17:30 Conclusions and final Comments.
- 18:00 Adjournment.



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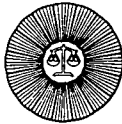


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PARIS 9 & 10 NOV. 1998

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LISTE DES PARTICIPANTS

The secretariat of the Forum is undertaken by the CCBE (Sophie Testaert).

All correspondence should be sent to the CCBE.

Le secrétariat du Forum est assuré par le CCBE (Sophie Testaert).

Toute correspondance doit être adressée au CCBE.

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Mr. Donald M. MAWHINNEY, Jr.
Mr. Thomas O. RICE

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IBA – International

Mr. Ben GREER

IPBA – Inter Pacific Bar Association

Mr. Dej-Udom KRAIRIT

UIA – Union Internationale des Avocats

Mr. Bernard CAHEN
Mr. Steven HAMMOND

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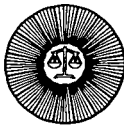


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PARIS 9 & 10 NOV. 1998

SOCIAL PROGRAMME / PROGRAMME SOCIAL

Monday, 9 November 1998
Lundi 9 novembre 1998

12:30-14:30 Luncheon at the "*Maison du Barreau*".
Déjeuner à la Maison du Barreau.

19:30-21:00 Cocktail Reception in the function room of the Inter-ministerial Delegation for the Liberal Professions ("*de Broglie Mansion House*", 35 rue Saint Dominique, 75007 Paris), in the company of Mr. Edouard de LAMAZE, the Inter-ministerial Delegate.
Réception dans les salons de la Délégation interministérielle aux professions libérales (l'Hôtel de Broglie, 35 rue Saint Dominique 75007 Paris) en présence de M. Edouard LAMAZE, Délégué interministériel.

Tuesday, 10 November 1998
Mardi 10 novembre 1998

12:30-14:30 Luncheon at the "*Maison du Barreau*" given by the President of the Paris Bar Association (Madame le Bâtonnier de Paris) and the members of the Bar Council.
Déjeuner à la Maison du Barreau offert par le Président du Barreau de Paris (Madame le Bâtonnier de Paris) et les membres du Conseil de l'Ordre.

18:00 Drinks reception at the "*Maison du Barreau*".
Cocktail de clôture à la Maison du Barreau.

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