Reference material 2

Reference cases of application for approval (Reference examples of application documents)

This section explains virtual applicant examples to illustrate what kind of certificates you should have while applying for approval as a GJB.

As this section only describes frequently seen deliverables, you may submit a document other than the documents stated in this section in some cases.

You might have to submit other documents, depending on your personal background.

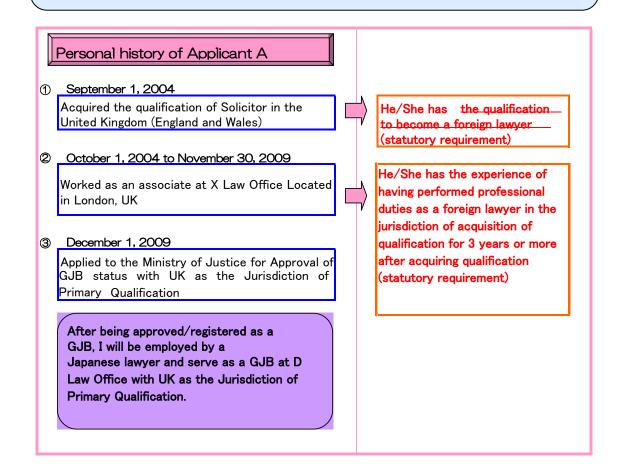
Case #1

Applicant: A

Nationality: The United Kingdom

Foreign Jurisdiction in which the applicant qualifies as lawyer (the

Jurisdiction of Primary Qualification): The United Kingdom



(Reference) Case #1 List of deliverables for Examination of application for approval

	Approval application form (with photo and revenue stamps worth ¥27,500 affixed)				
#	Fill out the format after downloading it from the Ministry of Justice's website				
	Statement				
-	Fill out the format after downloading it from the Ministry of Justice's website				
Ø	Curriculum vitae				
	Passport or a copy of another kind of document for ID purpose				
4	Photocopy of related section of the passport issued by the UK government				
	Document that certifies that the applicant qualifies for a foreign lawyer				
4	Certificate of Good Standing issued by the SRA.				
#	Extract from the Roll of Solicitors issued by the SRA.				
	Document that certifies the applicant's work experiences as a foreign lawyer				
#	Extract from the Roll of Solicitors issued by the SRA. Work certificate prepared by the representative of X Law Office or Applicant A's				
_	work certificate prepared by the representative of A Law Office of Applicant As supervisor				
\square	•	at certifies the applicant's plan to appropriately and surely perform his/her			
	luties (in the case of an employee)				
4	Copy of employment contract between D Law Office and Applicant A				
4	Document describing D Law Office's business operations and other business outline				
4		e agreement of D Law Office			
4	Written statement prepared by the employer				
	(Audit firm's letter evaluating D Law Office's financial position) Document that certifies that the applicant keeps his/her residence				
4		ement specifically describing that D Law Office will provide A's residence			
		s approved as a GJB			
	Document th	at certifies financial basis			
4		ertificate describing that D Law Office will support A's stay in Japan as			
	long as A is 6				
4		letter evaluating D Law Office's financial position			
4		at certifies the ability to compensate for damages ertificate that D Law Office will pay for possible damages in place of A if A			
		ompensatory damages resulting from A's duties in Japan			
4	Audit firm's letter evaluating D Law Office's financial position				
		Document that the applicant swears he/she does not fall under any item			
Do	cuments that	of Article 7 of Bengoshi Act			
wil	l be read out				
	d signed at	Document that the applicant swears he/she does not fall under (a) to (d),			
the time of		Item 2, Paragraph 1, Article 10 of the GJB Act			
filing an application and					
swearing an		Document that the applicant swears he/she will faithfully perform his			
oat	_	/her duties			

Applicant: B

Nationality: The United States of America

Foreign Jurisdiction in which the applicant qualifies as lawyer (the

Jurisdiction of Primary Qualification):

State of New York, the United States of America

Personal history of Applicant B

(1) September 30, 2006

Acquired the qualification of Attorney and Counselor at law in New York State, USA

October 1, 2006 to October 31, 2008

Worked as an associate at Y Law Office located in New York State

(3) November 1, 2008 to November 30, 2009

Got employed by a Japanese lawyer (as attorney at law) at Z Law Office in Tokyo, Japan, and provided labor services based on the knowledge as Attorney and Counselor at law of New York State

② December 1, 2009

Applied to the Ministry of Justice for approval of a GJB status with New York State as the Jurisdiction of Primary Qualification

After being approved/registered as a GJB, I will start a GJB office on my own with New York State as the Jurisdiction of Primary Qualification.

He/She has the qualification to become a foreign lawyer (statutory requirement)

He/She has the experience of having performed professional duties as a foreign lawyer in the jurisdiction of acquisition of qualification for <u>2</u> <u>years and more</u> after acquiring qualification.

The provision of his/her services to the attorney at law, the legal professional corporation, based on his/her knowledge concerning the laws of the jurisdiction of acquisition of qualification, shall be deemed to be experience of having performed professional duties as a foreign lawyer in the jurisdiction of acquisition of qualification, to the extent of one year in total.

- * above-stated experience for 2 years and more in New York State
- * above-stated experience for 1 year in Japan

He/She has the experience of having performed professional duties as a foreign lawyer for 3 years or more after acquiring qualification (statutory requirement)

(Reference) Case #2 List of deliverables for Examination of application for approval

☑ ♣	Approval application form (with photo and revenue stamps worth ¥27,500 affixed) Fill out the format after downloading it from the Ministry of Justice's website			
☑ ♣	Statement Fill out the format after downloading it from the Ministry of Justice's website			
	Curriculum	Curriculum vitae		
☑ ♣	Passport or a copy of another kind of document for ID purpose Photocopy of related section of the passport issued by the US government			
☑ ♣	Document that certifies that the applicant qualifies for a foreign lawyer Qualification certificate issued by the New York State Supreme Court			
#	Document that certifies the applicant's work experience as a foreign lawyer Work certificate prepared by the representative of Y Law Office or Applicant B's supervisor Work certificate prepared by Mr./Ms. B's employer lawyer about the fact B worked for Z Law Office			
	- P			
∠	Document that certifies that the applicant keeps his/her residence Copy of lease agreement			
☑ ♣	Document that certifies financial basis B's deposit balance certificate			
#	Document that certifies the ability to compensate for damages Copy of the lawyer's liability insurance policy that designates B as the insured			
wil and the	ocuments that Il be read out ad signed at e time of ing an plication and rearing an th	Document that the applicant swears he/she does not fall under any item of Article 7 of Bengoshi Act Document that the applicant swears he/she does not fall under (a) to (d), Item 2, Paragraph 1, Article 10 of the GJB Act		
apı		Document that the applicant swears he/she will faithfully perform his /her duties		

Applicant: C

Nationality: China (Hong Kong SAR)

Foreign Jurisdiction in which the applicant qualifies as lawyer (the

Jurisdiction of Primary Qualification): The United Kingdom

Personal history of Applicant C

① September 1, 2006

Acquired the qualification of Solicitor in the United Kingdom (England and Wales)

September 1, 2006 to August 31, 2007

Worked as an associate at X Law Office located in London, UK

3 September 1, 2007 to August 31, 2009

Worked as an associate at Hong Kong branch of X Law Office located in China (Hong Kong) (also was registered as a foreign lawyer in Hong Kong), based on the Solicitor for UK law

② October 1, 2009

Applied to the Ministry of Justice for approval of GJB status, with UK as the Jurisdiction of Primary Qualification

After getting approved/registered as a GJB, I will be employed by a GJB and serve as a GJB at X GJB Office with UK as the Jurisdiction of Primary Qualification.

He/She has the qualification to become a foreign lawyer (statutory requirement)

He/She has the experience of having performed professional duties as a foreign lawyer in the jurisdiction of acquisition of qualification for 1 year after acquiring qualification.

He/She has the experience of having engaged in the practice of providing legal services, in a foreign jurisdiction other than the jurisdiction of acquisition of qualification for 2years, concerning the laws of the jurisdiction of acquisition of qualification on the basis of the qualification to become a foreign lawyer.

* above-stated experience for 1 year in United Kingdom

* above-stated experience for 2 years in China (Hong Kong)

He/She has the experience of having performed professional duties as a foreign lawyer for 3 years or more after acquiring qualification

(statutory requirement)

(Reference) Case #3 List of deliverables for Examination of application for approval

- ☑ Approval application form (with photo and revenue stamps worth ¥27,500 affixed)
- Fill out the format after downloading it from the Ministry of Justice's website
- **✓** Statement
- Fill out the format after downloading it from the Ministry of Justice's website
- ☑ Curriculum vitae
- **☑** Passport or a copy of another kind of document for ID purpose
- Photocopy of related section of the passport issued by the Chinese (Hong Kong SAR) government
- ☑ Document that certifies that the applicant qualifies for a foreign lawyer
- Certificate of Good Standing issued by the SRA.
- **Extract** from the Roll of Solicitors issued by the SRA.
- ☑ Document that certifies the applicant's work experiences as a foreign lawyer
- **♣** Extract from the Roll of Solicitors issued by the SRA.
- Work certificate prepared by the representative of X Law Office or Applicant C's supervisor about the fact C worked for X Law Office
- Work certificate prepared by the representative of X Law Office, the head of the Hong Kong branch of X Law Office, or C's supervisor about the fact C worked for the Hong Kong branch of X Law Office
- ♣ Foreign lawyer registration certificate issued by the Hong Kong Lawyers Association
- ☑ Document that certifies the applicant's plan to appropriately and surely perform his/her duties (in the case of an employee)
- Copy of employment contract between X GJB Office and Applicant C
- ♣ Document describing X GJB Office's business operations and other business outline
- Copy of lease agreement of X GJB Office
- ♣ Written statement prepared by the employer
- ♣ (Audit firm's letter evaluating X GJB Office's financial position)
- ☑ Document that certifies that the applicant keeps his/her residence
- ♣ Written statement specifically describing that X GJB Office will provide C's residence before C gets approved as a GJB
- **☑** Document that certifies financial basis
- ♣ Guarantee certificate describing that X GJB Office will support C's stay in Japan as long as C remains employed
- ♣ Audit firm's letter evaluating X GJB Office's financial position
- **☑** Document that certifies the ability to compensate for damages
- ♣ Copy of the lawyer's liability insurance policy that designates C as the insured

	Document that the applicant swears he/she does not fall under any item
Documents that	of Article 7 of Bengoshi Act
will be read out	
and signed at	Document that the applicant swears he/she does not fall under (a) to
the time of	(d), Item 2, Paragraph 1, Article 10 of the GJB Act
filing an	
application and	
swearing an	Document that the applicant swears he/she will faithfully perform his
oath	/her duties

Applicant: D

Nationality: The United States of America

Foreign Jurisdiction in which the applicant qualifies as lawyer (the Jurisdiction of Primary

Qualification): State of New York, the United States of America

Specified Foreign Law designated: The District of Columbia law, USA

Personal history of Applicant D

① September 1, 2006

Acquired the qualification of Attorney and Counselor at law in New York State, USA

September 1, 2006 to March 31, 2008

Worked as an associate at X Law Office located in New York State

3 April 1, 2008 to October 31, 2008

Worked as an associate at Y Law Office located in District of Colombia, based on the Attorney and Counselor at law of New York State

4 November 1, 2008

Acquired the qualification of Attorney and Counselor at law in District of Colombia, USA

© December 1, 2008 to November 30, 2009
Got employed by a GJB (as attorney at law) at Z
GJB Office in Tokyo, Japan, and provided labor
services based on the knowledge as Attorney
and Counselor at law of New York State and

District of Colombia.

⑥ December 1, 2009

Applied to the Ministry of Justice for approval and designation, with New York State as the Jurisdiction of Primary Qualification, and District of Columbia law as the law of Specified Foreign Jurisdiction.

After getting approved/designated/registered as a GJB, I will continue to serve for Z GJB Office as a partner lawyer.

He/She has the qualification to become a foreign lawyer (statutory requirement)

He/She has the experience of having performed professional duties as a foreign lawyer in the jurisdiction of acquisition of qualification for <u>1year</u> and 7months after acquiring qualification.

He/She has the experience of having engaged in the practice of providing legal services, in a foreign jurisdiction other than the jurisdiction of acquisition of qualification for 7months, concerning the laws of the jurisdiction of acquisition of qualification on the basis of the qualification to become a foreign lawyer.

He/She has the qualification to become a foreign lawyer of the specified foreign jurisdiction. (statutory requirement)

The provision of his/her services to the registererd foreign lawyer, based on his/her knowledge concerning the laws of the jurisdiction of acquisition of qualification, shall be deemed to be experience of having performed professional duties as a foreign lawyer in the jurisdiction of acquisition of qualification, to the extent of one year in total.

* above-stated experience for 1 year and 7months in New York State

* above-stated experience for 7 months in District of Coronbia

* above-stated experience for 1 year in Japan

He/She has the experience of having performed professional duties as a foreign lawyer for 3 years or more after acquiring qualification (statutory requirement)

(Reference) Case #4 List of deliverables for Examination of application for approval

- ☑ Approval application form (with photo and revenue stamps worth ¥27,500 affixed)
- **☑** Designation application form (with photo and revenue stamps worth ¥13,400 affixed)
- Fill out the format after downloading it from the Ministry of Justice's website
- **☑** Statement
- Fill out the format after downloading it from the Ministry of Justice's website
- **☑** Curriculum vitae
- **☑** Passport or a copy of another kind of document for ID purpose
- ♣ Photocopy of related section of the passport issued by the US government
- ☑ Document that certifies that the applicant qualifies for a foreign lawyer
- Qualification certificate issued by the New York State Supreme Court
- 4 Qualification certificate issued by the Court of Appeals, District of Columbia
- Document that certifies the applicant's work experiences as a foreign lawyer
- Work certificate prepared by the representative or supervisor of X Law Office about the fact that Applicant D worked for X Law Office
- Work certificate prepared by the representative or supervisor of Y Law Office about the fact that D worked for Y Law Office
- Document certifying that the applicant is able to lawfully serve as a New York State lawyer even in the District of Columbia (Certifying letter from the District of Columbia Bar Association, or written statement describing that the applicant is able to lawfully serve as a New York State lawyer in the District of Columbia)
- ♣ Work certificate prepared by Mr./Ms. D's employer GJB about the fact D worked for Z GJB Office
- **☑** Document that certifies the applicant's plan to appropriately and surely perform his/her duties (in the case of a joint venture)
- Document that certifies the conditions of the joint venture, such as distribution percentage of revenues and expenditures, jointly signed by joint partners
- ♣ Document describing the outline of Z GJB Office
- ♣ Copy of lease agreement about Z GJB Office
- Document that certifies that the applicant keeps his/her residence
- ♣ Registered matter certificate on the residence owned by D's spouse
- Marriage certificate for D and his/her spouse (Document that certifies the relationship between D and his/her spouse)
- ✓ Document that certifies financial basis
- ♣ Guarantee certificate that the home nation law firm of Z GJB Office will support D's stay in Japan and office operations
- Audit firm's letter evaluating financial position of the home nation law firm of Z GJB Office
- **☑** Document that certifies the ability to compensate for damages
- ♣ Guarantee certificate that the home nation law firm of Z GJB Office will pay for possible damages in place of D if D is sued for compensatory damages resulting from D's duties in Japan
- ♣ Audit firm's letter evaluating financial position of the home nation law firm of Z GJB Office

Documents that
will be read out
and signed at the
time of filing an
application and
swearing an oath

Document that the applicant swears he/she does not fall under any item of Article 7 of Bengoshi Act

Document that the applicant swears he/she does not fall under (a) to (d), Item 2, Paragraph 1, Article 10 of the GJB Act

Document that the applicant swears he/she will faithfully perform his/her duties

Applicant: E

Nationality: China (Hong Kong SAR)

Foreign Jurisdiction in which the applicant qualifies as a lawyer (the Jurisdiction of Primary Qualification): The United Kingdom

Personal history of Applicant E

September 1, 2006

Acquired the qualification of Solicitor in the United Kingdom (England and Wales)

② October 1, 2006 to April 30, 2008

Worked as an associate at X Law Office located in London, UK

May 1, 2008 to September 30, 2009

Worked as an associate at Y Law Office located in the Kingdom of Belgium, based on the qualification of Solicitor for UK law

November 1, 2009

Applied to the Ministry of Justice for approval of GJB status, with UK as the Jurisdiction of Primary Qualification

After being approved/registered as a GJB, I will be employed by a GJB and serve as a GJB at Z GJB Office with as the Jurisdiction of Primary Qualification.

He/She has the qualification to become a foreign lawyer (statutory requirement)

He/She has the experience of having performed professional duties as a foreign lawyer in the jurisdiction of acquisition of qualification for <u>1year</u> and 7months after acquiring qualification.

He/She has the experience of having engaged in the practice of providing legal services, in a foreign jurisdiction other than the jurisdiction of acquisition of qualification for 1 year and 5 months concerning the laws of the jurisdiction of acquisition of qualification on the basis of the qualification to become a foreign lawyer.

* above-stated experience for 1 year and 7months in United Kingdom

* above-stated experience for 1 year and 5 months in the Kingdom of Belgiumin

He/She has the experience of having performed professional duties as a foreign lawyer for 3 years or more after acquiring qualification (statutory requirement)

(Reference) Case #5 List of deliverables for Examination of application for approval

- \blacksquare Approval application form (with photo and revenue stamps worth \$27,500 affixed)
- Fill out the format after downloading it from the Ministry of Justice's website
- **✓** Statement
- Fill out the format after downloading it from the Ministry of Justice's website
- ☑ Curriculum vitae
- **☑** Passport or a copy of another kind of document for ID purpose
- Photocopy of related section of the passport issued by the Chinese (Hong Kong) government
- ☑ Document that certifies that the applicant qualifies for a foreign lawyer
- Certificate of Good Standing issued by the SRA.
- **Extract** from the Roll of Solicitors issued by the SRA.
- Document that certifies the applicant's work experiences as a foreign lawyer
- **♣** Extract from the Roll of Solicitors issued by the SRA.
- Work certificate prepared by the representative of X Law Office or Applicant E's supervisor about the fact E worked for X Law Office
- Work certificate prepared by the representative of Y Law Office or E's supervisor about the fact E worked for Y Law Office
- Letter from the Belgium Bar Association certifying that the applicant get registered at local bar association in the Kingdom of Belgium (document certifying that the applicant was able to serve as a UK lawyer in the Kingdom of Belgium)
- ☑ Document that certifies the applicant's plan to appropriately and surely perform his/her duties (in the case of an employee)
- ♣ Copy of employment contract between Z GJB Office and Applicant E
- ♣ Document describing Z GJB Office's business operations and other business outline
- **♣** Copy of lease agreement of Z GJB Office
- ♣ Written statement prepared by the employer
- ♣ (Audit firm's letter evaluating Z GJB Office's financial position)
- **☑** Document that certifies that the applicant keeps his/her residence
- ♣ Written statement specifically describing that Z GJB Office will provide E's residence before E gets approved as a GJB
- ✓ Document that certifies financial basis
- ♣ Guarantee certificate describing that Z GJB Office will support E's stay in Japan as long as E remains employed
- ♣ Audit firm's letter evaluating Z GJB Office's financial position
- **☑** Document that certifies the ability to compensate for damages
- Copy of the lawyer's liability insurance policy that designates E as insured

Documents that	Document that the applicant swears he/she does not fall under any item of
will be read out	Article 7 of Bengoshi Act
and signed at	Document that the applicant swears he/she does not fall under (a) to (d),
the time of filing	Item 2, Paragraph 1, Article 10 of the GJB Act
an application	Document that the applicant swears he/she will faithfully perform his/her duties
and swearing an	duties
loath	duties