



## Attorney General's Guidance

### Applications for admission as a Jersey Advocate or Solicitor

For admission as an advocate or solicitor, an application must be made in writing to the Attorney General, as per Article 8 of the [Advocates and Solicitors \(Jersey\) Law 1997](#) (“**the Law**”). Please note that on Friday 28 October 2016, the [Advocates and Solicitors \(Amendment No.6\) \(Jersey\) Law 2016](#) came into force, and any references to the Law are references to the Law as amended by the Amendment No. 6 Law.

If the Attorney General is satisfied that a candidate meets the criteria set out in the Law, he or the Solicitor General will move conclusions to that effect to the Superior Number of the Royal Court.

Template covering letters which include the required declaration for the purposes of the fit and proper person requirement (pursuant to Articles 3(1) and 4(1) of the Law) are included at **Appendices 1 and 2**. Candidates should complete the letter at Appendix 1 if seeking to qualify through Advocate Route 1 or Solicitor Route 1. Candidates seeking to qualify through Advocate Route 2 should complete the letter at **Appendix 2**. Candidates should delete parts or modify where appropriate and send the letter as a covering letter for the documents detailed below.

This Guidance Note has been produced by the Law Officers' Department and candidates should follow the requirements of it to avoid their application being delayed. The Guidance Note is intended to complement the Law. Where there is any conflict between this Guidance Note and the Law (and underlying subordinate legislation), the legislation shall prevail.

### Applying for admission as an advocate

#### *Advocate Route 1*

If you are not currently admitted as a Jersey solicitor/écrivain and you are seeking admission as an advocate, you must apply under Advocate Route 1

If you are applying for admission as an advocate under Advocate Route 1, you need to provide the following documentation in support of your application (Articles 3(2) and 4A of the Law):

- 1) a certified copy of your passport or driving licence;
- 2) a certified copy of evidence demonstrating that you have passed the qualifying exams for being admitted as a barrister or solicitor in England & Wales (or equivalent profession in another specified jurisdiction). This can be evidenced by **either**:
  - a) a certificate establishing that you have passed the Legal Practice Course/Law Society Finals or the Bar Vocational Course/Bar Professional Training Course;
  - b) a certificate showing that you have been admitted to an Inn of Court or as a solicitor of the senior courts of England and Wales;
  - c) a current and valid practising certificate; **or**
  - d) if you have passed such other examinations or assessments from other specified jurisdictions (Scotland, Northern Ireland, New Zealand or Australia) as specified under the [Advocates \(Specified Examinations and Assessments\) Rules 2013](#), then you will need to produce certified evidence that you have passed such exams, or that you have been admitted or are currently certified to practice in those jurisdictions;
- 3) a certified copy of a certificate from the Deputy Bailiff confirming that you have passed the local qualifying examination; and
- 4) a letter from your employer (and/or any former employers if required) confirming that you have been employed in a legal role in an advocate's or solicitor's office in Jersey, the Judicial Greffe or the Law Officers' Department for a period(s) totalling two years out of the four years immediately preceding the date your application will be considered by the Superior Number. In order to be able to qualify you must have either worked full time for a period(s) totalling at least two years in the last four year window or worked part time and completed the equivalent of at least two years' full time in that period.

**Please ensure that the letter from your office:**

- is signed by an advocate or solicitor of the Royal Court;
- specifies the role that you have been employed in;
- confirms that you have been employed on a contractual full time basis (at least 32 hours a week) or if part time then please provide a full breakdown of your contractual hours;
- confirms the period of employment with that office (whether continuing or not);
- provides full details, if applicable, of any absence from the office for a period exceeding six calendar weeks during the last four years, other than leave provided to study for the qualifying examination; and

- provides details, if applicable, of any time spent in an overseas office of a Jersey advocate's or solicitor's office during the last four years and whether or not you were engaged predominantly in matters of Jersey law.

Please note that any letters signed by a non Jersey lawyer (e.g. human resources officer) or which do not provide the details above will not be accepted and may cause your application to be delayed.

If you have completed the necessary two years in a relevant office but not within the prescribed window period of four years, you may apply to the Attorney General for an extension of the window period, which he is empowered to do if there are exceptional circumstances and you would otherwise be caused hardship if the window period was not extended.

Should any of the above documents be in a different name (e.g. a maiden name) please also provide certified evidence of your change of name (e.g. if changed by reason of marriage, a marriage certificate shall suffice). It is permissible for example for advocates to be admitted in either their maiden or married name, the choice is theirs but this must be the name that the advocate intends to practise under.

#### *Advocate Route 2*

If you are admitted as a Jersey solicitor and wish to convert to be an advocate, you must apply under Advocate Route 2.

If you are applying for admission as an advocate under Advocate Route 2, you need to provide the following documentation in support of your application (Articles 3(3) and 4A of the Law):

- 1) a certified copy of your passport or driving licence;
- 2) a certified copy of an Act of Court showing you have been admitted as a Jersey solicitor; and
- 3) **Either:**
  - a) a certified copy of evidence demonstrating that you have passed the qualifying exams for being admitted as a barrister or solicitor in England & Wales (or other equivalent profession in another specified jurisdiction). This can be evidenced by **either:**
    - i) a certificate establishing that you have passed the Legal Practice Course/Law Society Finals or the Bar Vocational Course/Bar Professional Training Course;
    - ii) a certificate showing that you have been admitted to an Inn of Court or as a solicitor of the senior courts of England and Wales;
    - iii) a current and valid practising certificate; **or**

iv) if you have passed such other examinations or assessments from other specified jurisdictions (Scotland, Northern Ireland, New Zealand or Australia) as specified under the [Advocates \(Specified Examinations and Assessments\) Rules 2013](#), then you will need to produce certified evidence that you have passed such exams, or that you have been admitted or are currently certified to practice;

**or**

b) a letter from your employer (and/or any former employers if required) confirming that you have been employed as, or have practised as, a solicitor in an advocate's or solicitor's office in Jersey, the Judicial Greffe or the Law Officers' Department for a period(s) totalling three years out of the six years immediately preceding the date your application will be considered by the Superior Number. In order to be able to qualify you must have either worked full time for a period(s) totalling at least three years in the last six year window or worked part time and completed the equivalent of at least three years' full time in that period. If you have been a self-employed solicitor, you may apply on the basis of having practised as a solicitor.

**Please ensure that the letter from your office:**

- is signed by an advocate or solicitor of the Royal Court. If you have been self-employed, your application will need to be independently verified by another advocate or solicitor;
- specifies the role that you have been employed or practised in;
- confirms that you have been employed on a contractual full time basis (at least 32 hours a week) or if part time then please provide a full breakdown of your contractual hours;
- confirms the period of employment with that office (whether continuing or not);
- provides full details, if applicable, of any absence from the office for a period exceeding six calendar weeks during the last four years; and
- provides details, if applicable, of any time spent in an overseas office of a Jersey advocate's or solicitor's office during the last six years and whether or not you were engaged predominantly in matters of Jersey law.

Please note that any letters signed by a non Jersey lawyer (e.g. human resources officer) or which do not provide the details above will not be accepted and may cause your application to be delayed.

If you have completed the necessary three years in a relevant office but not within the prescribed window period of six years, you may apply to the Attorney General for an extension of the window period, which he is empowered to do if there are exceptional circumstances and you would otherwise be caused hardship if the window period was not extended.

Should any of the above documents be in a different name (e.g. a maiden name) please also provide certified evidence of your change of name (e.g. if changed by reason of marriage, a marriage certificate shall suffice). It is permissible for example for advocates to be admitted in either their maiden or married name, the choice is theirs but this must be the name that the advocate intends to practise under.

## **Applying for admission as a solicitor**

### *Solicitor Route 1*

If you have a law degree from a British university or such other approved University/institution, or you have completed a Graduate Diploma in Law or any course validated by the Common Professional Examination Board in England and Wales, you must apply under Solicitor Route 1.

If you are applying for registration as a solicitor/écrivain under Solicitor Route 1, you need to provide the following documentation in support of your application (Articles 4(2) and 4A of the Law):

- 1) a certified copy of your passport or your driving licence;
- 2) a certified copy of a certificate etc. showing that you have a law degree from a British university or such other university as the Board approves (if the latter please provide evidence of the confirmation that the Board has approved the degree) or showing that you have passed the Graduate Diploma in Law or any examinations and assessments included in any course validated by the Common Professional Examination Board in England and Wales;
- 3) a certified copy of a certificate from the Deputy Bailiff confirming that you have passed the qualifying examination; and
- 4) a letter from your employer/former employer confirming that you have been employed in a legal role in an advocate's or solicitor's office in Jersey, the Judicial Greffe, or the Law Officers' Department for a period(s) totalling three years out of the six years immediately preceding the date your application will be considered by the Superior Number. In order to be able to qualify you must have either worked full time for a period(s) totalling at least three years in the last six years or worked part time and completed the equivalent of at least three years' full time in that period

**Please ensure that the letter from your office:**

- is signed by an advocate or solicitor of the Royal Court;
- specifies the role that you have been employed in;

- confirms that you have been employed on a contractual full time basis (at least 32 hours a week) or if part time then please provide a full breakdown of your contractual hours;
- confirms the period of employment with that firm (whether continuing or not);
- provides details, if applicable, of any absence from the office for a period exceeding 6 calendar weeks during the last six years, other than leave provided to study for the qualifying examination; and
- provides details, if applicable, of time spent in an overseas office of a Jersey advocate's or solicitor's office during the last six years and whether or not you were engaged predominantly in matters of Jersey law.

Please note that any letters signed by a non Jersey lawyer (e.g. human resources officer) or which do not provide the details above will not be accepted and may cause your application to be delayed.

If you have completed the necessary three years in a relevant office but not within the prescribed window period of six years, you may apply to the Attorney General for an extension of the window period, which he is empowered to do if there are exceptional circumstances and you would otherwise be caused hardship if the window period was not extended.

Should any of the above documents be in a different name (e.g. a maiden name) please also provide certified evidence of your change of name (e.g. if changed by reason of marriage, a marriage certificate shall suffice). It is permissible for example for solicitors to be admitted in either their maiden or married name, the choice is theirs but this must be the name that the solicitor intends to practise under.

### *Solicitor Route 2*

If you are seeking to qualify as a solicitor and you do not have a law degree from a British/approved university or the Graduate Diploma in Law or any examinations and assessments included in any course validated by the Common Professional Examination Board in England and Wales, you must apply under Solicitor Route 2.

If you are applying for registration as a solicitor/écrivain under Solicitor Route 2, please contact [s.meiklejohn@gov.je](mailto:s.meiklejohn@gov.je) to obtain a template letter.

If you are applying for registration as a solicitor/écrivain under Solicitor Route 2, you need to provide the following documentation in support of your application (Articles 4(3) and 4A of the Law):

- 1) a certified copy of your passport or your driving licence;

- 2) a certified copy of a certificate showing that you have passed the “preliminary examination” as defined in Rule 3 of the [Advocates and Solicitors \(Qualifying Examinations\) \(Jersey\) Rules 1997](#);
- 3) a certified copy of a certificate from the Deputy Bailiff confirming that you have passed the final/qualifying examination; and
- 4) a letter from your employer/former employer confirming that you have been employed in a legal role in an advocate’s or solicitor’s office in Jersey, the Judicial Greffe, or the Law Officers’ Department for a period(s) totalling five years out of the ten years immediately preceding the date your application will be considered by the Superior Number. In order to be able to qualify you must have either worked full time for a period(s) totalling at least five years in the last ten years or worked part time and completed the equivalent of at least five years’ full time in that period. It is also a requirement that in the four years immediately preceding your application date you must have been employed in a legal role for the equivalent of two years’ full time.

**Please ensure that the letter from your firm:**

- is signed by an advocate or solicitor of the Royal Court;
- specifies the role that you have been employed in;
- confirms that you have been employed on a contractual full time basis (at least 32 hours a week) or if part time then please provide a full breakdown of your contractual hours;
- confirms the period of employment with that firm (whether continuing or not);
- provides details, if applicable, of any absence from the office for a period exceeding six calendar weeks during the last ten years, other than leave provided to study for the qualifying examination; and
- provides details, if applicable, of time spent in an overseas office of a Jersey advocate’s or solicitor’s office during the last ten years and whether or not you were engaged predominantly in matters of Jersey law.

Please note that any letters signed by a non Jersey lawyer (e.g. human resources officer) or which do not provide the details above will not be accepted and may cause your application to be delayed.

If you have completed the necessary five and two years in a relevant office but not within the prescribed window periods of ten and four years respectively, you may apply to the Attorney General for an extension of those window periods, which he is empowered to do if there are exceptional circumstances and you would otherwise be caused hardship if the window period was not extended.

Should any of the above documents be in a different name (e.g. a maiden name) please also provide certified evidence of your change of name (e.g. if changed by reason of marriage, a marriage certificate shall suffice). It is permissible for example for solicitors to

be admitted in either their maiden or married name, the choice is theirs but this must be the name that the solicitor intends to practise under.

## **Timing**

Applications should be made promptly and should be received by the Law Officers' Department no later than four weeks prior to the application date unless exceptional circumstances apply. Failure to meet this requirement may result in your application being delayed and you having to wait until the next available swearing-in.

## **Questions**

Should anyone have any questions regarding this Guidance Note or what is required for admission, they may contact Advocate Steven Meiklejohn at [s.meiklejohn@gov.je](mailto:s.meiklejohn@gov.je).

Law Officers' Department  
January 2021

## APPENDIX 1

### [Applicant's home address and contact details]

HM Attorney General  
Law Officers' Department  
Morier House  
St Helier  
JE1 1DD

[date]

Dear Attorney General,

#### **Advocates and Solicitors (Jersey) Law 1997 ("the Law")**

- 1) I am writing to you to apply for [admission to the Jersey Bar] or [admission as a solicitor], pursuant to Article 8 of the Law.
- 1) Please find enclosed a certified copy of my [passport] or [driving licence].
- 2) In satisfaction of [Article 3(2)(a)] or [4(2)(a) and (b)] of the Law, please also find enclosed certified copies of the following documents;
  - a) a certified copy of [evidence showing you have passed the professional exams in England and Wales or other specified jurisdiction] or [evidence that you have a law degree/GDL from a British university or another approved university]; and
  - b) a certified copy of a certificate from the Deputy Bailiff confirming that I have passed the qualifying examination.
- 3) In satisfaction of [Articles 3(2)(b) and 4A] or [Article 4(2)(c) and 4A] of the Law, please also find enclosed a letter from [name of advocate/solicitor] to you of [date] confirming that I [was employed]/[have been continuously employed] within [name of office] in the role of [specify role] from [start date] until [present]/[end date]. My employment [has been]/[was] on a [full time basis or part time basis], working a contractual [•] hours a week.

[If more than one office please provide details and if part time please provide breakdown of hours]

- 4) In accordance with [Article 3(1)(c) or Article 4(1)(c)] of the Law i.e. the requirement for the Court to be satisfied that I am a fit and proper person to be admitted, and your immediate predecessor's associated letter to the then Manager of the Institute of Law on 29 February 2012, I declare that:
- a) I have not been convicted of any criminal offence in any jurisdiction nor am I charged with any criminal offence in any jurisdiction nor so far as I am aware am I subject to investigation in respect of any criminal offence in any jurisdiction [or give full details of any previous criminal convictions, current charges or investigations];
  - b) I have not been found guilty of any breach of code of conduct or disciplinary code of any professional or service body and that no matter of a disciplinary nature remains outstanding [or give details of any breaches of a code of conduct or disciplinary code or outstanding matters]; and
  - c) I consent to a criminal records check.
- 5) I trust this provides sufficient evidence that I fulfil the requirements to be admitted [to the Bar] or [as a solicitor] pursuant to Article [3 or 4] of the Law.
- 6) Thank you for your consideration of this application.

Yours sincerely,

Encl.

## APPENDIX 2

[Applicant's home address and contact details]

HM Attorney General  
Law Officers' Department  
Morier House  
St Helier  
JE1 1DD

[date]

Dear Attorney General,

### **Advocates and Solicitors (Jersey) Law 1997 ("the Law")**

- 1) I am writing to you to apply for admission to the Jersey Bar, pursuant to Article 8 of the Law.
- 2) Please find enclosed a certified copy of my passport.
- 3) In satisfaction of [Article 3(3)] of the Law, please also find enclosed certified copies of the following documents;
  - a) a certified copy of the Act of Court showing that I was admitted as a solicitor of the Royal Court on [admission date] and
  - b) either:
    - i) a letter from [name of advocate/solicitor] to you of [date] confirming that I [was employed]/[have been continuously employed] within [name of office] as a solicitor from [start date] until [present]/[end date]. My employment [has been]/[was] on a [full time basis or part time basis], working a contractual [\*] hours a week [If more than one office please provide details and if part time please provide breakdown of hours]; or
    - ii) a certified copy of [evidence showing you have passed the professional exams in England and Wales or other specified jurisdiction].

- 4) In accordance with Article 3(1)(c) of the Law i.e. the requirement for the Court to be satisfied that I am a fit and proper person to be admitted, and your immediate predecessor's associated letter to the then Manager of the Institute of Law on 29 February 2012, I declare that:
- a) I have not been convicted of any criminal offence in any jurisdiction nor am I charged with any criminal offence in any jurisdiction nor so far as I am aware am I subject to investigation in respect of any criminal offence in any jurisdiction [or give full details of any previous criminal convictions, current charges or investigations];
  - b) I have not been found guilty of any breach of code of conduct or disciplinary code of any professional or service body and that no matter of a disciplinary nature remains outstanding [or give details of any breaches of a code of conduct or disciplinary code or outstanding matters]; and
  - c) I consent to a criminal records check.
- 5) I trust this provides sufficient evidence that I fulfil the requirements to be admitted to the Bar pursuant to Article 3 of the Law.
- 6) Thank you for your consideration of this application.

Yours sincerely,

Encl.