

CORT PÜ INALT DEL REGISPÄTS TALOSSAN

UPPERMOST CORT OF THE KINGDOM OF TALOSSA

In the Matter of CRESTI da ION
NOUACASTRA-LÄXHIRESU,
Petitioner.

MEMORANDUM & ORDER ON PETITION

Per Curium: -

Majority/Plurality: X

Dissent: -

Nonvoting/Not Participating: Cjantscheir, S.J.

Individual Judge:-

Petitioner Cresti da Ion Nouacastrea-Lăxhirescu petitioned the Uppermost Cort of the Kingdom of Talossa on 31 March 2021 for admission to the National Bar of Talossa (the “Bar”) and for all privileges, responsibilities, obligations, and duties accompanying said admission. For the reasons set forth below, the Cort grants the petition in its entirety and recognizes Cresti da Ion Nouacastrea-Lăxhirescu as an attorney admitted to the Bar in good standing and permitted to practice law before any national cort of the Kingdom of Talossa.

The petition contends that, pursuant to el Lexhatx § 2 *et seq.*, the Cort may grant admission to the Bar because of the lack of present or updated standards and procedure for admission. As evidence of their good character and qualifications requisite for admission, petitioner refences their two terms of service as Attorney-General to the Kingdom of Talossa; their bachelor’s degree in political science; and their present matriculation status to obtain a master’s degree in international relations. On 6 April 2021, the Cort entered an interim order that, *inter alia*, concluded that the petition was valid and proper.

The authority to admit individuals to practice law before the Uppermost Cort rests within the inherent discretion of the Cort (*see generally* Org.L.VIII.1). However, that discretion does not extend to all matters that may fall within the ambit of “to practice law” colloquially or statutorily. Licensure to practice law, as understood outside of the Kingdom of Talossa, may include the right to represent individuals before a court or tribunal, to negotiate contracts, to provide legal advice, etc. In some countries, licensure to practice law in a jurisdiction does not confer the privilege to practice law in another jurisdiction also within that country. Similarly, licensure to practice law in a jurisdiction does

not always mean ability to appear in all or some of the courts in that jurisdiction. Talossa may fall within the latter category—the license to practice law in the Kingdom of Talossa’s national courts may not extend to any provincial courts, all of which may choose, among other things, to recognize admission to the Bar as *de facto* authority to practice law in that province, or the province could require a separate grant and enact its own procedure and standards.¹

While recognizing that certain aspects within the meaning of the colloquial “to practice law” may be without the Court’s discretion, the Court sees no reason to opine on the parameters of such because the Ziu statutorily authorized the Court to regulate beyond the limits of its inherent discretion to encompass all aspects of “to practice law” before the national courts (*see* Lex.G.2.1-7; Lex.G.2.12). As such, admission to the Bar is appropriate where an applicant, being eligible to vote in national elections, meets the standards, character, and other requirements set by the Court (*see* Lex.G.2.12.2).

Initially, it is obvious that petitioner is eligible to vote in national elections. Next, the Court has not promulgated the standards, character, or other requirements necessary for admission. But it can be argued that the statute does not contain language that such are required to be promulgated, only that such criteria be reasonable.

Nevertheless, it now comes before the Court an applicant desiring to practice law before national courts in all aspects that will not offend the law (*see e.g.* Lex.G.2.12.4). The Court confronted with said petition and having not promulgated the standards for admission would be remiss to deny the petition based on its own oversight. To remedy the foregoing, the Court, having convened, determined that it shall use this occasion to set a minimum protocol for future admission within the statutory framework subject to revision upon promulgation of appropriate regulation.

First, the Court must be satisfied that the applicant satisfies the character and fitness necessary for admission. Petitioner’s service to the Kingdom of Talossa, including but not limited to his two terms as Attorney-General to the Kingdom of Talossa, evinces his good character and fitness.

Second, the Court must be satisfied that the applicant meets certain standards or other requirements for admission to the Bar. The Court determined that it needed to be particularly satisfied with petitioner’s understanding of Talossan law and, with petitioner’s acquiescence, administered a bar examination. The Court is pleased that petitioner passed said examination.

Accordingly, petitioner’s prior service to the Kingdom, *supra*, and educational background coupled with passing the bar examination satisfies the Court that petitioner meets the standards and other requirements for admission to the Bar.² In view of the foregoing, the Court grants Cresti da Ion

¹ This order employs the phrase “to practice law before the national courts,” or some variation thereof, to mean all aspects of the colloquial “to practice law” (i.e. give legal advice, represent a client, hold oneself out to be an attorney) for laws and courts at the national level and expressly excludes from that meaning the practicing of law at the provincial level.

² An applicant may petition the Court for a waiver to those requirements if they have (1) been admitted to practice law elsewhere, (2) completed one year of legal education elsewhere; (3) have completed one year of legal education as well as legal training (*see* Lex.G.2.12.3). Having held that petitioner established their credentials and good character for admission to the Bar (*see* Lex.G.2.12.2), the Court will not address whether petitioner’s prior education and two terms as Attorney-General of the Kingdom of Talossa would have qualified for such a waiver.

Nouacatra-Lăxhirescu admission to the National Bar of Talossa with all of the privileges, responsibilities, duties, and obligations of such admission attached.

ORDERED that the petition is granted in its entirety and Cresti da Ion Nouacatra-Lăxhirescu is hereby licensed to practice law before the national courts of the Kingdom of Talossa;

ORDERED that petitioner's name shall be entered as a member of the National Bar of Talossa; and

ORDERED that the foregoing shall be effective as of the entry date of this Memorandum and Order.

DECIDED & ENTERED: 30 April 2021