

ATTACH ID PHOTO

**EASTERN CAPE SOCIETY OF ADVOCATES: GRAHAMSTOWN
AND PORT ELIZABETH
APPLICATION FOR PUPILLAGE**

The schedule entitled "Information for Applicants" constitutes an integral part of this application form. The information schedule sets out necessary requirements for the proper completion of this form. It is accordingly **essential** that you read and understand its content. Kindly do so before you start filling in this form and before you direct any questions to the Honorary Secretary about the application process.

The Marginal notes next to certain questions in this form refer you to specific paragraphs in the information schedule. You have the duty to familiarize yourself with the pupillage requirements as provided for by the Legal Practice Act.

I hereby apply for pupil membership of the following Bar(s)
..... In this form 'the Bar' and 'Bar Council' refer
to the Bar(s) to which you apply for membership.

TO : The Eastern Cape Society of Advocates: Grahamstown
 C/O The Honorary Secretary
 St George's Chambers
 108 High Street
 GRAHAMSTOWN
 6139

OR TO : The Eastern Cape Society of Advocates : Port Elizabeth
C/O The Assistant Honorary Secretary
Club Chambers
Bird Street
Central
PORT ELIZABETH
6001

I hereby apply for pupil membership of your Society.

About the applicant

1. Full name :

.....

2. Home address :

.....

.....Postal code :

Phone No. :Cell :

Fax No. :

E-mail address :

3. Work address :

.....

.....Phone No. :

4. Date of birth :

Identity Number :

5. Nationality :

5.1 If you are a South African citizen, how did you obtain South African citizenship? [] by birth or descent [] by naturalization.

5.2 If you are a South African citizen by naturalization, on what date did you obtain South African citizenship?

5.3 If you are not a South African citizen, provide full particulars of your immigration status and your right to reside in South Africa :

.....

6. Race : African Coloured Indian White

7. Sex : Female Male

8. Are you disabled? Yes No

If so, provide details :

9. Do you need this application to be treated as confidential? Yes No

Academic qualifications and achievements

10. Provide the following details of your tertiary academic qualifications :

Degree / other qualification	Name of university/ other institution	Date of graduation

11. Provide details of any academic publications or any other academic achievements :

.....

12. If you have not yet obtained your LLB degree, provide full disclosure of all subjects still to be passed or other requirements to be met :

.....

.....

Previous experience

13. Provide the following details, in chronological order, of all your activities since leaving high school (including study, employment, occupation, travelling, unemployment, etc.):

Institution/ organization/firm/ company	Activity/posit ion Also state whether full time (FT) or part time (PT)	Dates From (yyyy- mm)	To (yyyy- mm)	Durati on (eg. 3y 2m)

14. Provide details of any previous legal experience other than that set out in the above table:

.....

15. If you were a practicing attorney, estimate what percentage of your practice involved litigation: %

16. Will you still be in the employ of any person/institution at the commencement of pupillage? [] Yes [] No

If so, furnish full particulars (including any remuneration receivable by you and the date upon which your employment will finally terminate).

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Admission as an advocate / other Pupillage

17. Date of and division where you were admitted as an advocate:

.....
.....

18. If not admitted, what date and which division of the High Court will you lodge your application for admission?

.....

19. Give particulars of any previous:

19.1 Admission as an advocate or application for admission as an advocate

.....
.....

19.2 Membership of any Bar or application for membership of any Bar:

.....

19.3 Pupillage served at any Bar or pupillage applied for at any Bar:

.....

20. Give particulars of any other applications for pupillage next year which you have made or intend to make:

.....
.....
.....

Applicants who are or were attorneys

21. Are you presently on the roll of attorneys? [] Yes [] No

If so, when do you intend to apply for the removal of your name?

.....

22. Were you ever previously on the roll of attorneys? [] Yes [] No

If so, give particulars of the circumstances of and the reason for the removal of your name from the roll:

.....

.....

23. Furnish full particulars including the name(s) of the firm(s) with which you were associated as an attorney:

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24. What arrangements have been made for any firm of attorneys which practices under a name which includes yours to cease using your name?

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25. Are you entitled to any payment in respect of goodwill? If so, give full particulars:

.....

.....

Applicants who are or were candidate attorneys

26. Are you presently a candidate attorney? [] Yes [] No

If so, furnish full particulars of the dates involved, name of the attorney and name of firm:

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.....

27. Were you ever previously a candidate attorney / articled clerk?

Yes No

If so, furnish full particulars of the dates involved, name(s) of the attorney(s) and name of the firm(s):

.....
.....

28. Have you successfully completed you Attorneys Admission Examinations (or equivalent)? Yes No

If you have not done so, provide full disclosure of all subjects still to be passed or other requirements to be met:

.....
.....

Pupilage

29. Do you wish to apply for exemption from any of the ordinary requirements of pupilage?

Yes No

30. Do you have any preference as to who your pupil mentor should be?

Yes No

30.1 If so, give his/her name:

30.2 Motivate your reason for wanting to do pupilage with this particular advocate (include information about any professional or other relationship):

.....

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31. What financial arrangements have you made for your pupillage?
.....
.....

32. Do you intend the Bar to provide you with any financial assistance?

[] Yes [] No

After Pupilage

33. Do you intend to practice on completion of your pupilage?

[] Yes [] No

33.1 If the answer is "no", set out details of what you propose to do:

.....

33.2 If the answer is "yes", when do you intend to start practice and where:

.....

.....

.....

References

34. Please furnish the name and contact details of two persons (preferably local persons) to whom the Bar Council can refer:

34.1 Name:

Address:

.....

Phone No.:

E-mail:

34.2 Name:

Address:

.....

Phone No.:

E-mail:

35. You are required to attach a reference/s from your previous employer/s and/or your institution of learning. If it is not possible to obtain such testimonial or certificate, you are required to state the reason for your inability to obtain it and this requirement may be waived by the Bar.

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Further information

36. Have you ever been investigated for or faced charges of misconduct, dishonesty or other improper conduct *inter alia* in relation to your employment, profession or university studies or have you ever been investigated for or faced criminal charges or have you ever been arrested or paid an admission of guilt fine (other than for minor traffic violations such as speeding or has any hearing, tribunal or court ever made a finding against you? [] Yes [] No

If so, give details:

.....

37. Make full disclosure of all further facts, circumstances or information including any health issues which may adversely affect your fitness to undertake pupillage or to practice as an advocate or which the Bar should have in order to consider your application.

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Motivation

38. In fewer than 150 words, explain your reasons for applying for pupillage in order to pursue a career at the bar.

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Declarations and undertakings

39. I declare that :

39.1 The information provided in this application is true and correct.

39.2 I have not been guilty of any dishonest or improper conduct or other conduct which will render me unsuitable or disqualify me from being admitted as an advocate or being admitted as a member of the Eastern Cape Society of Advocates. No investigation relating to any such conduct is being considered or is pending.

39.3 No fact, circumstances or information which ought to be considered by the Eastern Cape Society of Advocates in order to enable it to decide upon my fitness to be admitted as a pupil member has been withheld by me.

39.4 I have read and understood the information contained in the attached information schedule.

39.5 I accept and agree to be bound by the conditions and requirements of application for pupillage that the Eastern Cape Society of Advocates and the General Council of the Bar of South Africa have set, including those contained in this application form and the attached information schedule.

40. I undertake that :

40.1 During my pupil membership I will abide the rules of the Eastern Cape Society of Advocates and any directions and decisions of the Bar Council and the General Council of the Bar of South Africa and the National Bar Examination Board.

40.2 Save to the extent that I may in law be compellable to do so, I will not, during or after the period of my pupillage, disclose to any person any information obtained by me during the course of my pupillage concerning the affairs of my mentor or any other advocate with whom I might work as a pupil, or concerning the affairs of any client.

.....
SIGNATURE OF APPLICANT

DATE

SCHEDULE : INFORMATION FOR APPLICANTS
("the information schedule")

Schedule 1

Completion and submission of applications

41. You are requested, but not required, to complete the application form in bold typewriting on a word processor (Microsoft Word).
42. If you are completing the application form on a word processor and the form does not provide enough space for you to fully answer any particular question then continue typing each answer until it is complete and delete the dotted lines.
43. If you are completing the application form by hand and the form does not provide enough space for you to fully answer any particular question then use a separate page. If you use a separate page, ensure that (a) this fact is clearly stated under the relevant question on the application form itself and (b) the answer on the separate page is headed with the corresponding question number.
44. The following annexures must be attached to this application, **failing which your application will not be considered** :
 - 44.1 A recent passport photograph securely glued to the designated space on page 1;
 - 44.2 A certified copy of your identification document or passport;
 - 44.3 A certified copy of your degree certificate(s) (if you have graduated);
 - 44.4 A certified copy of your **academic record** showing all marks or other results obtained towards your LLB degree. This record must be provided irrespective of whether or not you have graduated or when you graduated. If your degree is incomplete then provide your academic record with the latest available results. Unlike your degree certificate or a transcript of academic results, an academic record shows all your university results including, for example, those results for subjects that you may have initially failed but which you subsequently passed. If you have obtained credits towards your LLB from courses done while studying for another degree or from a different university then attach academic records in respect of such other degree or other university. Without this information, the Bar will not be able to assess your application.

- 44.5 A reference from a previous employer and/or referee of your choosing and/or a certificate of good conduct from the law faculty you attended unless you have applied for the Bar to waive this requirement.
- 44.6 A certified copy of the court order admitting you as an advocate of the High Court (if you have been admitted).
- 44.7 If you are a South African citizen by naturalization, a certified copy of the document(s) that prove the date that you obtained South African citizenship.
- 44.8 If you are not a South African citizen, a certified copy of the document(s) that prove your immigration status (eg. permanent residence).
- 44.9 A certified copy of any certificate of completion of the programme in Legal Practice at the School for Legal Practice;
- 44.10 A certified copy of your certificate(s) showing successful completion of any Attorneys Admission Examinations (or equivalent).
- 45. An application will only be considered if it is received in hard copy (i.e. **not by fax or e-mail**). The application form is required in hard copy, *inter alia*, to ensure the authenticity of your signature, quality of your photo and to provide the Bar with the necessary number of copies.
- 46. **The original application must be accompanied by four identical photocopies of the full application including all annexures (ie.five in total).**
- 47. The closing time for application is 16:30 on 30 September of the year preceding the year of pupillage. If 30 September falls on a Saturday, Sunday or public holiday then the closing time is 16:30 on the **preceding business day**.
- 48. **Save in exceptional circumstances, no application received after the closing time will be considered.** It is therefore in your interests not to leave the completion and submission of your application to the last minute.

Notification of any change to contact details

- 49. You are required to immediately notify the Honorary Secretary of any changes to your contact details (address, phone number(s), fax number and e-mail address).

50. You will be deemed to have received a communication sent to your address, fax number or e-mail address on record. For example, after a notice of the date, time and venue for any interview has been sent to your address, fax number or e-mail address on record, the Eastern Cape Society will not follow up with you to check whether or not you in fact received such notice.
51. Your duty to immediately notify the administrative officer of the Bar of any changes to your contact details lasts throughout your period of pupillage, should your application be successful.

Assessment of applications

52. The timely submission of a complete application form does not guarantee that the Eastern Cape Society will necessarily accept your application :
 - 52.1 If the number of applications for pupil membership of the Eastern Cape Society exceeds the number of available places in any particular year, then some applications will, unfortunately, be turned down.
 - 52.2 The application of the abovementioned criteria will be at the discretion of the Eastern Cape Society.
 - 52.3 Irrespective of the number of available places, the Eastern Cape Society may turn down your application if it decides that you are not a suitable candidate for pupillage.
 - 52.4 To promote the transformation of the Eastern Cape Society to better reflect the composition of society, preference may be given to applicants who are (a) African, Coloured or Indian; (b) female; or (c) disabled, provided that such applicants are South African citizens by (i) naturalization before 27 April 1994; or (ii) birth or descent.
 - 52.5 You are required to disclose your nationality, race, sex and disability status to enable the Eastern Cape Society to apply its policy of preferring historically disadvantaged individuals.
53. The Bar may require you to be interviewed prior to taking a decision on your application and your failure to attend an interview will be regarded as a withdrawal of your application. The interview will form an important part of the assessment process and usually takes place during the month of October. An audio recording of the interview may be made without further notice.

54. The Bar will inform you of the outcome of your application by the end of November.

Duration of pupillage

55. Unless you are granted an exemption, pupillage commences on 15 January of each year (or the following business day if 15 January falls on a Saturday, Sunday or public holiday). Pupillage terminates on 31 December of each year or on such date in December as the Bar may determine.

56. Should you be admitted to the pupillage programme but not fulfill the requirements of the programme, the pupillage committee of the Bar may extend the period of your pupillage.

57. On recommendation of its pupillage committee, the Bar Council may terminate the pupillage of a pupil for any good reason, including:

57.1 misconduct or inappropriate conduct;

57.2 a failure to meet the compulsory requirements of the pupillage program;
or;

57.3 other conduct (whether or not such conduct constitutes a disciplinary offence) which disrupts, disturbs or interferes with the functioning or work of a court, the Bar or the pupillage programme or any person including the pupil's mentor, another member of the Bar or another pupil.

Exemption from pupillage

58. If you wish to apply for exemption, state on a separate page the exemption requested and fully motivate all the facts relied upon to support your application.

59. For your information :

59.1 Exemptions are granted sparingly.

59.2 In principle, the period of a programme for pupillage will be the same for pupils who have not yet qualified as legal practitioners viz. 12 months.

59.3 Provision for partial exemption from this requirement is as follows :

- 59.3.1 No-one may be exempted from any of the requirements of pupillage if he or she has not practiced as a legal practitioner for at least 4 years.
- 59.3.2 A legal practitioner who has practiced as such for a period of at least 4 years may apply for partial exemption from the requirements of pupillage provided that the Council may not exempt anybody from the requirements of having to:
- 59.3.2.1 pass the National Bar Examination; or
- 59.3.2.2 satisfactorily attend practical advocacy training.
- 59.4 Notwithstanding anything contained above, the Annual General Meeting of the General Council of the Bar (GCB) has the power to exempt any person from the requirements of pupillage.
60. In special circumstances, the Bar may allow you to commence pupillage before you file your application for admission as an advocate of the High Court, provided that in all cases:
- 60.1 you must make a motivated application for exemption from this requirement when you apply for pupillage and you must receive permission from the Bar in writing;
- 60.2 you must be admitted as an advocate at least 30 days before writing the final NBE examinations; and
- 60.3 if you are not so admitted or your application for admission is unsuccessful, your pupillage will terminate immediately.

Admission as an advocate

61. Once admitted, you must hand a copy of your admission certificate (as proof of admission as an advocate) to the Honorary Secretary of the Eastern Cape Society no less than 30 days before the date of the first examination.

Pupil mentor

62. You are encouraged to ascertain if a member would be willing to be your mentor in the event that your application succeeds. Note that senior counsel are never appointed as mentors and that, absent prior relevant experience, members of less than five years standing are generally not appointed as mentors.

63. The decision on the allocation of your mentor rests with the Eastern Cape Society and while your preference, if any, will be taken into account, the fact that a member may be willing to be your mentor does not necessarily mean that you will be allocated to that member. Likewise, the fact that a member may be willing to be your mentor does not necessarily mean that you will be offered a place in the pupillage programme.
64. It is **not** essential that you arrange for someone to be your mentor. If you do not or cannot arrange for an advocate to be your prospective mentor, the Eastern Cape Society will allocate a suitable member to be your mentor.

Full disclosure requirements and investigations by the Bar

65. You must make full disclosure of each particular matter mentioned in paragraphs 36 to 38, of any further facts, circumstances or information which may have a bearing upon your fitness to undertake pupillage or to practice as an advocate or which the Bar should have in order to consider your application. You must disclose any traffic-related offences for which term of imprisonment without the option of a fine could have been (but was not necessarily) imposed. This includes driving under the influence of alcohol or drugs, driving with excessive alcohol in the blood and negligent or reckless driving.
66. The Bar may seek to verify any information contained in this form and may investigate any matters about which, in the view of the Bar, disclosure ought to be made. Such investigations may extend beyond the references that you provide. By making this application you consent to any such investigation and authorize the disclosure to the Bar of your personal information. The Bar will treat any personal information disclosed to it confidentially.
67. Your duty to make full disclosure is taken very seriously. Should it be found that you failed to make full disclosure, your application may be dismissed or your pupillage may be terminated for that reason alone.

PARTICULAR APPLICATION REQUIREMENTS OF INDIVIDUAL BARS

THE EASTERN CAPE BAR

68. Applications for pupillage at the Eastern Cape Bar, Grahamstown must be directed to :

The Secretary
Eastern Cape Society of Advocates
St Georges Chambers
108 High Street
Grahamstown
6139

Applications for pupillage at the Eastern Cape Bar, Port Elizabeth must be directed to:

The Assistant Secretary
Eastern Cape Society of Advocates
Club Chambers
12 Bird Street
Central
Port Elizabeth
6001

69. An application will be considered by the Eastern Cape Bar only if the required number of copies are received in hard copy (i.e. not by fax or email) with all required annexures at the above office at or before the closing time stated in paragraph 47 above.