

**APPLICATION FOR PUPILAGE (EASTERN CAPE SOCIETY OF
ADVOCATES)**

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.

TO : The Honorary Secretary
 St George's Chambers
 108 High Street
 GRAHAMSTOWN

Or

Oasim South
Pearson Street
Central
PORT ELIZABETH

I hereby apply for ordinary/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 :

5. Nationality :

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

5.2 If you are a South African citizen by naturalisation, 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 :

Academic qualifications and achievements

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

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

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

-
11. 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 :

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Previous experience

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

Institution / organisation / firm / company	Activity / position. Also state whether full time (FT) or part time (PT)	Dates From (yyyy-mm)	Dates To (yyyy-mm)

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

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Admission as an advocate / other Pupillage

- 14. Date of and division where you were admitted as an advocate:
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- 15. If not admitted, what date and which division was or will your application for admission be lodged with the Registrar?
.....
- 16. Give particulars of any previous:
 - 16.1 Admission as an advocate or application for admission as an advocate
.....
 - 16.2 Membership of any Bar or application for membership of any Bar: ...
.....
 - 16.3 Pupillage served at any Bar or pupillage applied for at any Bar:
.....

Applicants who are or were attorneys

- 17. Are you presently on the roll of attorneys? [] Yes [] No
If so, when do you intend to apply for the removal of your name?
.....
- 18. 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:
.....
- 19. Furnish full particulars including the name(s) of the firm(s) with which you were associated as an attorney:
.....
- 20. What arrangements have been made for any firm of attorneys which practises under a name which includes yours to cease using your name?
.....

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

.....

Applicants who are or were candidate attorneys

22. 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:

.....

23. 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):

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Pupillage

24. Do you wish to apply for exemption from any of the ordinary requirements of pupillage? [] Yes [] No

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

[] Yes [] No

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

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After Pupillage

27. Do you intend to practise on completion of your pupillage?

[] Yes [] No

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

.....

.....

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

References

28. Please furnish the name and contact details of two persons who are to act as references:

28.1 Name:
Address:
.....
Phone No.:
E-mail:

28.2 Name:
Address:
.....
Phone No.:
E-mail:

29. You are required to attach a testimonial from the dean of the law faculty that you attended or a certificate of conduct from the said faculty. 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.
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Further information

30. 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:

.....

31. Make full disclosure of all further facts, circumstances or information which may have a bearing upon your fitness to undertake pupillage or to practise as an advocate.

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Declarations and undertakings

32. I declare that :

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

32.2 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.

32.3 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.

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

32.5 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.

33. I undertake that :

33.1 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.

33.2 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

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with whom I might work as a pupil, or concerning the affairs of any client.

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SIGNATURE OF APPLICANT

DATE

SCHEDULE : INFORMATION FOR APPLICANTS

(“the information schedule”)

Completion and submission of applications

1. If the application 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.
2. The following annexures must be attached to this application, **failing which your application will not be considered** :
 - 2.1 A certified copy of your degree certificate(s) (if you have graduated);
 - 2.2 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.
 - 2.3 A certified copy of your identification document or passport.
 - 2.4 A testimonial from the dean of the law faculty that you attended or a certificate of conduct from the said faculty unless you have applied for the Bar to waive this requirement.
 - 2.5 A certified copy of the court order admitting you as an advocate of the High Court (if you have been admitted).
 - 2.6 If you are a South African citizen by naturalisation, a certified copy of the document(s) that prove the date that you obtained South African citizenship.
 - 2.7 If you are not a South African citizen, a certified copy of the document(s) that prove your immigration status (eg. permanent residence).
3. An application will only be considered if it is received in hard copy (i.e. **not by fax or e-mail**) with all required annexures at St. George’s Chambers, 108

High Street, Grahamstown, or Oasim South, Pearson Street, Central, Port Elizabeth.

4. 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**.
5. **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

6. 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).
7. 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.

Assessment of applications

8. The timeous submission of a complete application form does not guarantee that the Eastern Cape Society will necessarily accept your application :
 - 8.1 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.
 - 8.2 The selection criteria include: university results and other academic achievements, relevant previous experience, aptitude to be an advocate, determination to be an advocate, nationality, race, sex and disability status. The order in which these criteria have been listed here do not necessarily indicate the weighting they will be given.
 - 8.3 The application of the abovementioned criteria will be at the discretion of the Eastern Cape Society.
 - 8.4 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.
 - 8.5 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) naturalisation before 27 April 1994; or (ii) birth or descent.

- 8.6 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.
9. 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.
10. The Bar will inform you of the outcome of your application by the end of November.

Duration of pupillage

11. 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.

Exemption from pupillage

12. 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.
13. For your information :
- 13.1 Exemptions are granted sparingly.
- 13.2 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.
- 13.3 Provision for partial exemption from this requirement is as follows :
- 13.3.1 No-one may be exempted from any of the requirements of pupillage if he or she has not practised as a legal practitioner for at least 4 years.
- 13.3.2 A legal practitioner who has practised 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:
- 13.3.2.1 pass the National Bar Examination; or
- 13.3.2.2 satisfactorily attend practical advocacy training.

- 13.4 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.

Admission as an advocate

14. Before you start your pupillage you must already be an advocate of the High Court or at least have made an application to be so admitted. Your application for admission as an advocate must be served on the Bar Council.
15. It is your responsibility to fully comply with the law governing the admission of advocates including the requirements of the Admission of Advocates Act No. 74 of 1964.
16. No pupil will be allowed to commence with pupillage without proof that they have been admitted as an advocate of the High Court or that their application for admission as an advocate has been served on the Bar Council and filed with the High Court on or before the last business day preceding the commencement of pupillage. (For example, if you are due to commence pupillage on 15 January and that day falls on a Monday, then your application for admission must be served and filed on or before the previous Friday.)
17. Only pupils who have been admitted as an advocate of the High Court will be permitted to write the National Bar Examinations.
18. 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 14 days before the date of the first examination.

Applicants who are or will become attorneys

19. Applicants who are or intend to become attorneys are advised that no person whose name appears on the roll of attorneys shall be eligible to be admitted as an advocate.
20. No pupil will be allowed to commence pupillage without proof that an application has already been filed for the removal of their name from the roll of attorneys and that the relevant Law Society has no objection thereto.

Pupil mentor

21. 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.
22. 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.

23. 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.