



FEDERATION DES BARREAUX D'EUROPE
EUROPEAN BARS FEDERATION
VERBAND EUROPÄISCHER RECHTSANWALTSKAMMERN
FEDERACION DE LOS COLEGIOS DE ABOGADOS DE EUROPA
FEDERAZIONE DEGLI ORDINI FORENSI D'EUROPA

Access to Justice – Commission

MEETING MINUTE

Luxembourg, October 13th, 2016

Present members

LUCHERINI	Michele	Lucca	
STERN	Susanne	Celle - Hannover	
LATTANZI	Enrico	Lucca	
TANTINI	Camilla	Verona	
BRIZIO	Roberto	Torino	
IUGA	Viorel Calin	Cluj	
PULLES	Gerrit Jan	Amsterdam	
ANTON BOIX	Josè Ramon	Madrid	excused
PERZANOWSKI	Dariusz	Zielona Góra	excused



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COMMISSION ACTIVITY - UPDATE

1. We have completed a comprehensive revision of our member list.
2. We have looked for new interested member asking them to join us.
3. We have reached the number of 9 members (coming from Italy, Spain, Romania, Germany, Holland and Poland).
4. We have prepared and sent to our members Tables to be filled, in order to help colleagues explaining their situation in a clear and uniform manner.

The outline includes: a) introduction costs of litigation + taxes on the decision b) defence costs c) legal aid system.

The exam covers different legal fields: civil, criminal, administrative, fiscal, mediation, arbitration.

5. Some members have already sent the completed form.

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6. During the meeting we particularly focused our discussion on mediation issue which has not been included in our first tables.
7. We compared different solutions chosen in other countries - particularly Italy Germany and Romania - trying to understand advantages and drawback of them both.

8. Different solutions:

- in Germany a court is always needed,
- in Italy the settlement can take place out of court but some court cases required compulsory mediation first,
- in Romania the judge seems to have relevant power to intervene in the relationship amongst parties.

Some ideas were suggested (add more straightforward questions in the form such as: legal aid in your country has been authorized to private person only or also to legal entity? Citizen only or to foreign as well? Etc...).

9. We also wonder whether it would be wiser to relate the indicated cost



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of access to justice to the effective cost of life in different countries.

Timetable

10. We have decided to carry on our activity collecting some other experiences (i.e. Spain, Northern Europe).
11. We plan to eventually coordinate them all in a short booklet to be published in The Hague Conference.

* * *

It has been an interesting discussion on access to justice in different legal systems.

Secretary of the Commission

Enrico Lattanzi

President of the Commission

Michele Lucherini