



*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

London, November 7th, 2017

Present members

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



*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

COMMISSION ACTIVITY

The Commission has completed an outline of access to justice, examining how it has been ruled and guaranteed in different legal systems possibly to improve by comparing with other solutions.

We have already collected contributions from several countries focusing our attention on the following points.

LEGAL AID

With the help of Commission members we have pointed out which rule of law - if any - has introduced it in the respective legal systems providing a concise outline of it.

To that purpose we have asked our Colleagues to fill in a straightforward outline carrying on a comparative examination.

FÉDÉRATION DES BARREAUX D' EUROPE

www.fbe.org



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

LAWYER'S FEES

An outline of expenses due for proper defence in different countries has been completed.

During our meeting we have started an interesting discussion on fiscal treatments of Judge's decision in our respective legal systems (so far, Italy and Germany) which we plan to develop.

TIMETABLE

Furthermore, we have decided to address future works of the ATJ Commission on these further topics:

a) Further expenses (reimbursement)

We plan to make an overall examination on introductory fee and taxation on judgment decision.

b) Alternative dispute resolution (adr)

FÉDÉRATION DES BARREAUX D' EUROPE

www.fbe.org



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

We have underlined that alternative dispute resolution comes in different forms, according to the third party involvement:

- 1) in certain cases, the third party helps the parties come to an agreement without expressing an opinion on solutions and looking for a personalised solution which could match the real nature of dispute (which is not necessary the legal solution)
- 2) in some cases, it is the third party who finds the solution and suggests / proposes it to them
- 3) in other cases, the third party takes a decision to settle the dispute in accordance with rules of law (classical arbitration) or on an equitable basis (amicable arbitration).

c) Access to environmental justice

Having in mind the content of London conference meeting the Commission has expressed the intention to develop some considerations on ac-



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

cess to environmental justice according to the prescription of the Aarhus Convention (1998).

* * *

President of the Commission

Enrico Lattanzi