

Measures taken in the judicial system and the bar associations to ensure the normal functioning of the judicial system during the declared state of emergency to prevent the spread of COVID-19

A number of measures have been taken during the declared state of emergency in order to continue the normal functioning of both the judicial authorities and the bar.

From March 13, 2020 until the end of the declared state of emergency, the proper time limits for court, arbitration and enforcement proceedings are suspended, but exceptions have been introduced by law and its amendment for 21 criminal, 7 civil and commercial and 16 administrative cases. It is within the discretion of the administrative heads of courts to decide whether other cases that are not matter of urgency can be administered, scheduled and revised.

The law establishes the possibility, during a state of emergency, that the court holds open proceedings undertaken remotely /e.g. at home or place of work/ after the parties have been duly notified.

The service of summons, any type of written notices and court papers in all cases was suspended, with exception for the mentioned 21 types of criminal, 7 types of civil and commercial and 16 types of administrative cases and those cases that are matter of urgency during the declared state of emergency. Summons and any type of other written notices for cases that are matter of urgency during a state of emergency shall be made by telephone or electronic means.

Access to court buildings is restricted for the purpose of protecting the lives and health of parties, experts, employees, magistrates and lawyers and all other type of persons, with exception for those who are summoned in the types of cases already initiated and scheduled for trial. Submission of any kind of documents shall be done by mail or transmitted in an electronic way.

Following the introduction of an initial prohibition on the opening of new proceedings, the ban on the entry of documents initiating court proceedings was later dropped.

Information about cases can be obtained only on the phones that are announced on the websites of the courts or electronically connecting through the email addresses they have published also there on the website.

The Supreme Bar Council and the Sofia Bar Association released the lawyers from the obligation to pay a monthly fee for a period of three months from 01.03.2020 to 31.05.2020. The regular sessions of the Sofia Bar Council are currently held in an electronic way, through conference and videoconference. The Advocacy Training Center continues its activities online by hosting various seminars broadcast live on its official website.

The Sofia Bar Council made a proposal to amend the tax legislation and alleviate the economic situation of the lawyers, deducting from the achieved income bigger amount of legal expenses – the percentage to increase from 25% to a 40%.

The Sofia Bar Council has adopted a decision to open a bank account to raise funds to help lawyers infected with the coronavirus infection.

The library areas of the Bar Councils are restricted for visitors. All seminars, conferences, and other forms of mass gatherings were abolished to avoid clustering. Recommendations were made by the Bar Councils, recommending remote counseling, providing a distance between attorneys, visitors and associates working in law firms, as well as providing a high level of hygiene.