



*Secrétariat des Commissions*

## **REPORT ON FBE COMMISSIONS**

**Presidency Meeting - Paris, October, 22<sup>nd</sup> , 2018**

### **PERMANENT COMMISSIONS**

#### **COMMISSION ACCESS TO JUSTICE - LUCCA**

*President : Enrico Lattanzi - Vice President : Suzanne Stern - Secretary : Elena Picchetti*

There was no new information sent to the Secretariat of the Commissions (**hereafter SeCo**) since the Presidency meeting in Warsaw.

#### **HUMAN RIGHTS COMMISSION - POZNAN**

*President : Artur Wierzbicki - Vice President : Marc Wesser - Secretary : Renata Karbowska-Kuźma*

There was no new information sent to the Secretariat of the Commissions since the Presidency meeting in Warsaw.

#### **ETHICS COMMISSION – BILBAO**

*President : Michael Auer - Vice President : Rod Mole - Secretary : Nazario de Oleaga*

There was no information sent to the Secretariat of the Commissions since February 2018.



## LEGAL EDUCATION COMMISSION - MADRID

*President : Raúl Ochoa Marco - Vice President : To be determined - Secretary : Constance Lubet*

Following the Presidency meeting in Warsaw, Constance Lubet has sent a six months report of the activities of the commission :

### **ACTIVITES OF THE LEGAL EDUCATION COMMISSION**

- **Renewal of the Presidency and Promotion of the Commission**

*A letter from Raul Ochoa Marco, Board Member of the Madrid Bar Association responsible for Legal Education was sent to the FBE Presidency in order to be sent to the Bars members of the Federation.*

*The objective was to communicate the renewal of the Madrid Bar Association's Presidency, to promote the work of the Commission and to invite FBE members to participate.*

- **Discussion topics**

*From the Madrid Bar Association, we highlighted several legal education topics that we consider particularly relevant for our profession and that we would like to discuss with the members of the commission:*

- *The legal education provided by the law firms;*
- *The various models of access to the profession of lawyer in Europe and the non-existent but necessary harmonization of the criteria;*
- *Continuous legal education, in particular for Legal aid lawyers;*
- *Legal education for self-employment.*

*We consider this last topic to be particularly interesting. We have come to realize that the preparation of future lawyers was usually mostly oriented towards big law firms, even though they only represent a small percentage of the Legal professionals.*

*We consider that young lawyers would need an adequate legal education which would include some guidance as they start in this profession. In particular, it is essential that they reflect on the more relevant and specialized areas of Law in the current market.*

*We think that this legal education should be developed from the Bar associations, in order for the lawyers to benefit from a legal education which pave the way to the practise of Law as lawyers, and to be able to receive actual support depending on their situation, especially financially, for instance through agreements with the banks.*

*We believe that not only young lawyers but also older people who wish to join or rejoin the legal profession should have the possibility to be trained. In that sense for instance, at the Madrid Bar, we want to develop courses for older people that would be affordable and focused on areas that are especially relevant for them, areas that differ from those of the young graduates who, for example, do not need an additional legal education in the most basic fields of Law.*

*To exchange ideas and experiences with other European Bar Associations will provide us with a more global approach on those issues, allowing us to highlight the most efficient practices and design future projects, in order to facilitate the practise of Law by legal professionals and to offer the best service to the citizen.*

The minutes of the meeting of the commission in Warsaw have also been sent to SeCo :

#### **Members present:**

- Presidency of the Commission: Raúl Ochoa Marco - Madrid Bar Association
- Constance Lubet - Madrid Bar Association
- Aitzol Asla – Bilbao Bar Association
- Coral Hill – University of Law and City of Westminster and Holborn Law Society
- Georges Lekov – Sofia Bar Association

- Monika Calkiewicz - Warsaw Bar Association

### **Agenda**

*The members had received a copy of the letter that was sent to the Bar members of the FBE by the Madrid Bar to promote the Commission, as well as list of legal education topics that the Madrid Bar thought were interesting to discuss during the meeting.*

### **The meeting**

*The Madrid Bar started to present their view on Legal Education, stating that young lawyers were provided legal education from three different institutions: Universities, Bar Associations and Law firms.*

*The Madrid Bar also indicated that in their opinion, not only young lawyers but also older people should benefit from legal education, and that Bar associations should help both younger and older lawyers.*

*The Madrid Bar insisted that it was essential that the teachers of Bar Associations' legal education centres be of a good level.*

*They also mentioned that even though access to justice is different in every country, common principles exist, and those lawyers who provide legal aid should continuously update their knowledge on legal aid processes and benefit from legal education in that sense, especially since the trust relationship with the client is different.*

*The University of Law mentioned that in the United Kingdom, legal aid was very restricted in civil cases, unlike Spain where there is a constitutional right to representation. As a result, there are many specialised and sometimes unqualified people working pro bono for unrepresented individuals.*

*The Bilbao Bar mentioned it would be interesting to ask Bar associations on the different systems of Legal Education in their countries.*

*The Sofia Bar asked about the appointment of Legal aid lawyers in other countries and the Bars discussed the differences between their systems.*

*The Madrid Bar mentioned that the legal education of young lawyers should be focused on the increasing new challenges of the legal profession, for instance on new technologies.*

*They mentioned that lawyers who go to court are to be treated differently, and that their legal education should include instruments to help them to act in court, to manage their relationships with judges and clients etc...*

*They insisted on the fact that the role of Bar associations in legal education was essential.*

*The University of Law described the legal education system in the UK, and in particular the selection of Law professors, which is different from the Spanish system.*

*The Madrid Bar said it was important to find the common areas which correspond to the needs of the lawyer of the XI century.*

*They mentioned that one of the big issues at the Madrid Bar was self-employment, for which younger lawyers were not well-prepared.*

*The Warsaw Bar Association described the system in Poland, which include an apprenticeship. They recalled that there were two types of lawyers in Poland, for historical reasons, and that many advocates were self-employed.*

*The Warsaw Bar asked the Madrid Bar if they thought the "quality" of lawyers nowadays was better than before. The Madrid Bar answered that they thought it was the contrary and they debated on the subject.*

*The Sofia Bar indicated that in Bulgaria, most of the lawyers were self-employed. The University of Law said it was similar in the UK, and that the Bar was providing a specific service for those self-employed lawyers.*

### **Conclusion**

*The members will investigate on the principal legal education issues in each country, in order to exchange information and best practices, possibly through a questionnaire sent to Bar associations members of the FBE.*

*The Bilbao Bar offered to organize the 3<sup>rd</sup> edition of the FBE International Contract competition for young lawyers in Bilbao, suggesting that it be focused on the topic of new technologies.*

*The Madrid Bar suggested the organization of a Court skills competition, with the presentation of a case like in the same conditions as in Court, evaluating abilities that are essential when presenting a case to a judge.*

*They also mentioned the possibility of offering internships in Law firms abroad, using the relationship between the Bar members of the Commission and their contacts.*

## **AD HOC COMMISSIONS**

### **ARBITRATION COMMISSION - NAPOLI**

*President : Alessandro Senatore - Vice President : No information - Secretary : No information*

There was no information sent to the Secretariat of the Commissions since August 2017.

### **COMMISSION PROFESSIONAL INSURANCE - ANTWERP**

*President : Leo Bouteligier - Vice President : Luc De Somer - Secretary : Stefanie Verstraete*

There was no new information sent to the Secretariat of the Commissions since the Presidency meeting in Warsaw.

### **EASTERN BARS COMMISSION - CLUJ**

*President : Stanca Gidro - Vice President : Christoph Munz - Secretary : Diana Andrasoni*

There was no new information sent to the Secretariat of the Commissions since the Presidency meeting in Warsaw.

**MEDIATION COMMISSION - BARCELONA**

*President : Eugenia Gay - Vice President : No information - Secretary : No information*

There was no new information sent to the Secretariat of the Commissions since the Presidency meeting in Warsaw.

**COMMISSION ORGANISATION AND OPERATION  
OF THE BAR ASSOCIATIONS AND LAW SOCIETIES - FFM**

*President : Andrea Griem - Vice President : Rudolf Lauda - Secretary : Heike Steinbach-Rohn*

There was no new information sent to the Secretariat of the Commissions since the Presidency meeting in Warsaw.

**COMMISSION FUTURE OF THE PROFESSION – THE HAAGUE**

*President : Bas Martens - Vice President : David de Knijff - Secretary : Saskia van der Toorn*

There was no new information sent to the Secretariat of the Commissions since the Presidency meeting in Warsaw.

**COMMISSION NEW TECHNOLOGIES - WROCLAW**

*President : Iza Konopacka - Vice President : Franceso Tregnaghi - Secretary : Anna Materla*

President Iza Konopacka will represent the FBE the 30<sup>th</sup> of November in Lille for the conference on Artificial Intelligence organized by the CCBE.

**EQUALITY COMMISSION - PARIS**

*President : To be determined - Vice President : To be determined - Secretary : To be determined*

Information is awaited from the Paris Bar Association regarding the chair and the composition of the commission.

**COMMISSION LAW WITHOUT BORDERS - FFM**

*President : Rudolf Lauda - Vice President : Sergiusz Foltynowicz - Secretary : Tanja Wolf*

There was no new information sent to the Secretariat of the Commissions since the Presidency meeting in Warsaw.