

European Presidential Conference 2023
Country Report – Slovenian Bar Association

Statistical data

The Slovenian Bar Association, on the basis of a public mandate in accordance with the Attorneys Act, maintains a directory of all lawyers practising in the Republic of Slovenia. In accordance with the Attorneys Act, lawyers are also obliged to join the Slovenian Bar Association. The same applies to lawyer candidates and trainee lawyers, so the number of lawyers, lawyer candidates and trainee lawyers is the same as the number of members of the Slovenian Bar Association.

As at 31 December 2022, the number of:

- 1,872 lawyers (980 lawyers and 892 trainee lawyers) were registered in the Directory of Lawyers, 16 more than at the beginning of 2022,*
- 21 lawyers (14 male and 7 female) registered in the Directory of Foreign Lawyers, 3 more than at the beginning of 2022,*
- 175 lawyer candidates (61 male and 114 female) registered in the Directory of Candidates for the Bar,*
- 224 trainee lawyers (83 male and 141 female trainee lawyers) registered in the directory of trainee lawyers.*

As at 31 December 2022, 262 law firms (11 more than at the beginning of 2022) and 19 civil law firms were actively operating in the Republic of Slovenia.

The number of lawyers in the Republic of Slovenia is still growing, but in recent years not as fast as in the years before the epidemic, when the average annual growth rate was 2.5%.

The work of the Slovenian Bar Association in 2022

The beginning of 2022 was still marked by the measures taken in the wake of the epidemic of the infectious disease COVID-19, which were also relaxed in the courts at the end of February 2022. Thus, the work of lawyers in representing clients in proceedings before the courts and administrative authorities largely returned to normal in 2022.

In 2022, the Bar Association recorded a number of successes that contributed to the improvement of the situation in the legal profession, and cooperation with the Ministry of Justice, as the Bar Association's key interlocutor in the justice system, also improved.

Below we highlight the key outcomes of the Slovenian Bar Association in 2022.

1. Improving the legal profession

- Amended Attorneys Act (abolition of half-payment of lawyers in cases of representation in free legal aid cases and ex officio representation)

The amendment to the Attorneys Act from 2015 onwards provides that an advocate in free legal aid and ex officio representation cases is only entitled to half-fee according to the Attorney's tariff. The Slovenian Bar Association has made significant progress in 2021 in relation to discrimination against lawyers in the payment of legal fees in cases where the State is the payer of legal fees for its clients, after many years of efforts and also filing lawsuits against the State. A working group of the Slovenian Bar Association and the Ministry of Justice has reached agreement on the text of draft legislative amendments towards the abolition of half-payment of lawyers in these cases. The agreed Draft Law (ZOdv-G) was submitted to the Government of the Republic of Slovenia for consideration in December 2021. Despite the Bar's expectation that the legislative amendments were imminent, consideration of the matter subsequently stalled until after the parliamentary elections.

In the spring of 2022, following the constitution of the new Parliament and Government, the Slovenian Bar Association renewed its efforts to ensure the early adoption of the amendments to the law that had been agreed with the previous Government. In September, the amendment to the amended Attorneys Act (ZOdv-G) was finally unanimously adopted in the National Assembly of the Republic of Slovenia.

Lawyers who provide pro bono legal aid to clients and represent clients ex officio will thus be entitled to 100% of the Attorney's Tariff from April 2023, when the amendment comes into force, after almost 8 years.

- Amendments and additions to the Attorney's Tariff

The Attorney's Tariff, which was adopted in 2015 by the General Assembly of the Slovenian Bar Association with the consent of the Minister of Justice, was outdated and inadequate due to changes in legislation, especially procedural laws, in recent years.

The Slovenian Bar Association has therefore embarked on a revision of the Tariff. Together with a working group of the Ministry of Justice, the Slovenian Bar Association successfully completed the project to renew the Attorney's Tariff in the spring of 2022, and the amendments and supplements to the Attorney's Tariff entered into force on 4 June 2022.

- Proposal for a new Attorneys Act (ZOdv-1)

In 2022, the Slovenian Bar Association actively continued its work on the draft of the new Attorneys Act.

The text of the Bill has been largely agreed with the Ministry of Justice and the Bar expects the Bill to be ready for the legislative process in 2023.

2. Training lawyers and networking with other stakeholders in Justice

- Lawyer' School 2022

On 1 and 2 April 2022, the Slovenian Bar Association and the Bar Academy of the Slovenian Bar Association held the traditional 23rd Law School, which featured excellent lectures in ten sections. The topics covered both classical areas of law as well as other topics in the fields of psychology, nutrition, modern technologies. The selection of lecturers was diverse and of high quality - from prominent lawyers, specialists in their respective fields, to judges, university professors, an Olympic gold medal winner and certified nutritional therapists.

The Law School was also honoured by a visit from the Director of the Centre for Judicial Education, which operates under the auspices of the Ministry of Justice, paving the way for cooperation between the National Training Centre and the

Lawyer Training Centre, with a view to joint training for all stakeholders in the judiciary.

- Joint training courses for the licence for juvenile defenders

The Ministry of Justice has also entrusted the Bar Academy with the training of defence lawyers in proceedings against minors. The Ministry has also regulated the financing of training for lawyers, as well as for other professions in the judiciary (judges, public prosecutors, police officers and settlement officers) in a systemic manner. The first training of lawyers was held very successfully in 2022, and in 2023 the Bar Academy and the Centre for Judicial Education of the Ministry of Justice are planning joint training for judges and lawyers involved in juvenile court proceedings.

- Participation of the Slovenian Bar Association in the 2022 Civil Judges' School

At the invitation of the Centre for Judicial Education, the President of the Slovenian Bar Association participated as a lecturer in the Civil Judges' School 2022, which was held in two sessions of two days each in April and May 2022. He lectured the audience - judges of the civil divisions of the courts - on the lawyer's view of the lawful judge.

The Slovenian Bar Association considers the invitation a great honour and a sign of better cooperation between the judicial professions in the field of education and training.

- Presentation of the activities of the Bar Academy as an example of good practice

The good performance of the Bar Academy has already been noted by other organisations outside Slovenia.

Upon the invitation of the organisers, at the end of February 2022 the Director of the Bar Academy presented the work of the Bar Academy and training of lawyers as an example of good practice at the European Judicial Training Conference (basic training for judges, prosecutors and lawyers). The conference was co-organised by the European Commission and the French Judicial School in Bordeaux.

3. Mediation Centre at the Slovenian Bar Association

The Mediation Centre successfully continued its activities in 2022 to realise its vision of becoming the largest private out-of-court mediation centre offered by any Slovenian institution. Through the Centre, the efforts of lawyers to promote a culture of peaceful and consensual dispute resolution, while potentially reducing the burden on the courts, are being realised. On the other hand, the Mediation Centre also offers the possibility of mediation for all those lawyers who are interested, and opens the door to a potentially new specialisation in work of lawyers.

4. Pro Bono Legal Aid Day

The traditional Day of Pro Bono Legal Aid has been held under the auspices of the Slovenian Bar Association continuously since 2010. On this day, lawyers across the country offer free legal assistance to clients and inform them about the services provided by lawyers. In 2022, the Pro Bono Legal Aid Day took place on 19 December and 266 lawyers took part. The majority of questions from clients are usually in the areas of civil law, family law, inheritance law and property law, with slightly fewer questions in the areas of labour law, criminal law, enforcement law and social security law, and the fewest questions in the areas of constitutional law, administrative law, criminal law, international law and tax law. The Pro Bono Legal Aid Day was again a great success in 2022, as was the public response.

5. Slovenian lawyers in the most prestigious positions at home and abroad

The Slovenian Bar Association can also boast an increasing number of lawyers who have been elected to prominent positions at home and abroad.

In November 2022, citizens directly elected Nataša Pirc Musar, a lawyer and member of the Management Board of the Slovenian Bar Association, as President of the Republic of Slovenia.

At the end of 2022, the former long-standing President of the Slovenian Bar Association, Roman Završek, was elected as the third Vice president of the CCBE.

From the ranks of the Bar come Rok Čeferin, Constitutional Court Judge and Vice-President of the Constitutional Court of the Republic of Slovenia, and Špelca Mežnar, Constitutional Court Judge.

Since 2016, the Slovenian lawyer Aleksander Čeferin has served as President of the European Union of Association Football (UEFA), and the two lawyers have served as President of the Athletics Federation of Slovenia and the Basketball Federation of Slovenia.

In 2022, lawyer Bojana Potočan was re-elected as a representative of independent professions in the National Council (the upper chamber of the Slovenian Parliament, which represents social, economic, professional and local interests).

The growing number of lawyers in prominent and important national and international positions is a source of pride for the Slovenian Bar Association and demonstrates that society is increasingly recognising the breadth and integrity of lawyers.

Janez Starman, President

