

REPORT BY THE CROATIAN BAR ASSOCIATION

In its report for 2013 the Croatian Bar Association pointed out that there was a problem concerning the payment of fees for legal services provided by defense lawyers appointed ex officio and that the justice minister promised that such problem would be solved in 2014. It is with pleasure that we can state that at the end of 2014 the payment of fees for defense lawyers appointed ex officio started and we hope that there will be no delays in the payment in the future.

*The year 2014 was filled with numerous activities of the Croatian Bar Association, primarily in the legislative area, and this in an effort to improve the Croatian laws and align with the *acquis communautaire*. For this purpose, the Bar proposed to the Constitutional Court of the Republic of Croatia to institute proceedings to review the constitutionality of several laws, namely: the Law on Administrative Disputes (in relation to the provision stipulating that in an administrative dispute, each party shall bear its own costs), the Expropriation Act, the Enforcement Act, the Ordinance on compensation for the guardian ad litem, in the case of a lawyer who is designated guardian and in respect of the amount and method of determining the fee for their work, etc.*

The Bar intervened in relation to the manner of appointment of judges. In fact, under the current regulation lawyers can become judges only after the completion of the National School for Judges. In contrast, a lawyer may be appointed a judge of the Supreme Court or the Constitutional Court without attending this school. The Croatian Bar Association believes that the provision on attending the National School for Judges as a requirement for being appointed judge of the lower courts is an absurd provision, in particular when considering

that this requirement does not apply when a lawyer is appointment a judge of the Supreme Court or of the Constitutional Court. Last year, the new Act on the seats and territories of courts was adopted, in respect of which the Bar also provided its comments, because by means of such Act the number of first and second instance courts was reduced whereby access to justice is made more difficult for many citizens. We were also unhappy with the Regulation on the value of the amount of the lawyer's fees for the provision of secondary legal aid, and in collaboration with the Minister of Justice this regulation was modified in line the comments provided by the Croatian Bar.

The Declaration of Basic Principles of the European Legal Profession and the Code of Ethics of European lawyers were adopted.

Last year the Croatian Bar Association organized its 32nd Croatian Lawyers' Day and the topic of the round table discussion was: "The status of lawyers within the judiciary system – a comparative view". The speakers at the round table were: Antonin Mokry, Vice President of the Czech Bar Association, Friedrich Graph von Westphalen, Vice President of the Association of the Bar Associations of Germany, Peter Szabo, a member of the delegation of the Hungarian Bar Association at the CCBE, Leo Andreis, the former President of the Croatian Bar Association, Mladen Klasić, Vice President of the Croatian Bar Association, and Hrvoje Vukic, a member of the Professional Council of the Lawyers' Academy of the Croatian Bar Association. In the course of the 32nd Croatian Lawyers' Day the Agreement on Cooperation between the American Bar Association (ABA) and the Croatian Bar Association was signed.



The next, 33rd Croatian Lawyers' Day will be held on 19 and 20 March 2015 in Zagreb and we believe that many representatives of foreign bar associations will be our guests.

On the proposal of the CCBE, the Croatian Bar Association joined the celebration of the European Lawyers Day, which was then held at the premises of the Croatian Bar Association on 10 December 2014 with a panel discussion on the topic of confidentiality and protection of the confidential relationship between the lawyer and their clients. We are proud that the speakers on the subject were Mr. Ivo Josipovic, Croatian President, and Ms. Štefica Stažnik, Croatia's representative with the European Court of Human Rights.

The European Circuit of the Bar of England and Wales held in November 2014 its annual conference in Zagreb and the Croatian Bar Association had the honor to provide to its colleagues its premises for that conference.

The Lawyers' Academy of the Croatian Bar Association organized numerous seminars, round tables and trainings for the preparation of trainee lawyers for the bar exam.

Last year the Bar launched its new website with a more modern design and expanded content. Also, new lawyers' cards were issued whose content is provided both in the Croatian and the English languages, and by doing so the recommendations of the CCBE were followed.

The Bar was involved in the work of the UIA and IBA in their conferences during 2014, as well as in numerous other international

activities, such as the Presidential Conference in Vienna, the Conference du Stage in Paris, the Opening of the Legal Year in London, etc.

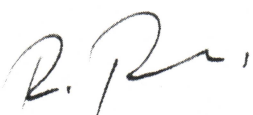
On 31/12/2014 in the List of Lawyers of the Croatian Bar Association a total of 4,487 lawyers were entered, whereas there were 1,662 trainee lawyers in the respective List of Trainee Lawyers of the CBA.

In the List of Foreign Lawyers six foreign lawyers were entered, and this as follows: one from Spain, two from Germany, two from Italy and one from Slovenia.

Pursuant to Directive 77/249 / EEC two lawyers requested permission to represent clients in legal proceedings - one from Britain and one from Germany.

Despite the numerous difficulties which we had, not only as a profession, but also because of the very poor economic situation in the country, we believe that 2014 was a satisfactory year for the legal profession. However, due to the numerous changes which aim at taking away part of the business activities to lawyers, or aim at affecting the independence and self-regulation of the legal profession, the Croatian Bar Association is required to constantly pay attention and be active in protecting the status of the legal profession.

Robert Travaš, President of the Croatian Bar Association

A handwritten signature in dark ink, appearing to read 'R. Travaš'.

Poštovani,

Obratio sam se agenciji za za znanost i visoko obrazovanje, a oni su mi rekli da priznaju Pravni fakultet u Beogradu tj. Da se može nostrificirat, ali da se moram obratiti vama za detalje. Stoga me Interesira u slučaju da je kandidat Hrvatski državljanin, može li se upisat u HOK kao odvjetnički vježbenik? Te da li mora polagati kakvu razliku ispita?

S poštovanjem

Josip Marić

Sent from my BlackBerry 10 smartphone.

From: Hrvatska odvjetnička komora
Sent: ponedjeljak, 9. veljače 2015. 13:26
To: Josip Marić
Subject: Re: zapo=?UTF-8?B?xE=?=ljavanje u Hrvatskoj

HRVATSKA ODVJETNIČKA KOMORA
ZAGREB

Prim: 09-02-2015

Broj: 985/15

Broj: 985/2015

Poštovani gospodine Marić,
za priznanje inozemne diplome morate se obratiti
Agenciji za znanost i visoko obrazovanje, Nacionalni ENIC/NARIC ured, Donje Svetice 38/V, 10000 Zagreb.

Nije nam poznato u kojem svojstvu biste se željeli upisati u Hrvatsku odvjetničku komoru – odvjetničkog vježbenika ili odvjetnika.
Da biste postali odvjetnički vježbenik Zakon o odvjetništvu propisuje uvjete. Kandidat mora biti hrvatski državljanin ili državljanin države članice EU, pored ostalih uvjeta. Zakon o odvjetništvu možete naći na našoj web stranici: www.hok-cba.hr.

S poštovanjem,
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On 03.02.2015 18:44 Uhr, "Josip Marić" <josip.marich@gmail.com> wrote:

Poštovani,

Zanima me da li se i pod kojim uvjetima može raditi u Hrvatskoj sa diplomom Pravnog Fakulteta u Beogradu tj. može li se upisati u HOK i odraditi praksu u Hrvatskoj?

S poštovanjem

Josip Marić