

# National Report 2014

## Slovak Bar Association

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The Slovak Bar Association presents a worthy representative of each and every one of its lawyers and it enjoys the status of a respected institution in the Slovak Republic as well as at the international level. The status of the legal profession in society has been strengthened recently as of one of the most important promoters of principles of Rule of Law, defenders of rights and legitimate interests of citizens, legal entities and other subjects.

As every year in 2014 we witnessed a further increase in the number of lawyers. Today the number has reached 5,800 lawyers. Lawyers from the European Union member states are most often among foreign lawyers who choose to provide legal services in Slovakia. The list of registered European lawyers comprises more than 200 colleagues from the EU. Legal services are also provided by visiting European lawyers who cooperate with Slovak lawyers under the conditions stipulated by the Act on Legal Profession.

The Bar keeps a record of foreign registered lawyers, i.e. nationals of OECD Member States, and international legal practitioners, i.e. nationals of any WTO Member States who are authorised to pursue their professional activities and provide legal services without any limitations. At present four colleagues are listed on the roll of international legal practitioners and three colleagues on the roll of foreign registered lawyers.

For the first time in recent years the Slovak Bar Association noted a decline in the number of trainee lawyers from 2600 in 2013 to 2300 at present. This is probably due to extension of traineeship period from three to five years which applies as from January 2013.

Throughout the new mandate the Bar Council has focused on the revision and changes in the organisation of lawyers exams with the aim to keep pace with new legislative developments, improve the quality of exams and prevent the negative impact on the Bar budget regarding the increasing number of trainee lawyers. As from December 2013 the new Code of Bar Exam Rules entered into force, which brought three significant changes. Before December 2013 structure of the Bar exam was composed of two levels including written part (case studies) and oral examination. As from December 2013 written test was introduced as preliminary stage of the Bar exam. An innovation at this stage is using of tablets which were bought by the Bar exclusively for the purposes of conducting the tests. This step required considerable primary investment; however, it immediately brought positive result of administrative burden elimination.

The new Code of Bar Exam Rules reflects recent legislative amendment to the Act on the Legal Profession which imposed obligation on trainees` employers (i.e. trainers responsible for their practical education) to be present during the oral part of Bar exam. This novelty as well as the increasing number of trainee lawyers led to a shift from seasonal examination (app. Two weeks in spring and two weeks in autumn) to continuous system with strict time schedule for every applicant, which would allow to examine 720 applicants per year if necessary.

In November the National Council of the Slovak Republic adopted amendment to the Act on the Use of Electronic Cash Registers which brought significant change for the liberal

professions in Slovakia including lawyers and other legal professions. The amendment imposed an obligation to use electronic fiscal cash registers and issue receipts for clients on lawyers, court bailiffs and notaries. It also introduced an alternative form of cash register - the virtual cash register, i.e. on-line registration of received cash payments in the central system of the state authorities. The lawyers will not be obliged to purchase and use electronic cash register machines if they meet the statutory condition for the use of virtual cash register which is that the number of receipts issued in one month does not exceed 1000 pieces.

Currently a new challenge stands before the Slovak Bar. The National Council of the Slovak Republic adopted new Act on the Electronic Form of Governance Conducted by Public Authorities (e-Government). Aim of this Act is to establish electronic form of public governance and introduce electronic communication as the main form of communication and option to classic communication based on written documentation. The novelty brought a possibility of certified conversion of written documents to documents in electronic form and facilitated identification of persons and subjects.

In order to enable lawyers to benefit from new technical possibilities, the Slovak Bar Association came up with a project of electronisation. Within this framework reissuance of lawyers` ID cards will take place. New ID cards will have a form of electronic chip delivered with an electronic reader. It will automatically enable to use certified electronic signature without any further administrative formalities. The Slovak Bar Association is interested in serving as an administrator responsible for the agenda of electronisation of the legal profession.

Naturally, it is necessary to continue in the adopted direction so that the Bar Association strengthens its position and reputation of an organisation protecting and promoting the independence, freedom, dignity and indispensable character of the legal profession.