



EESTI ADVOKATUUR

ESTONIAN BAR ASSOCIATION

Country report – 44th European Presidents' Conference 2016

Estonian Bar Association

(1) Amendments in legislation

The widespread work with the amendments of the Estonian Bar Association Act, which started in 2014, finally reached to a draft bill in 2015. This marked as a successful finish of one of the relevant goals of The Bar Association. The amended Estonian Bar Association Act is meant to enter into force 01.03.2016. Estonian Bar Association Act amendments ensure effective and sustainable functioning of the organization and they are in accordance with the objectives defined in the “Development trends of the Bar Association for the period 2011–2020” document.

(2) Reform of the state legal aid system

One of the biggest challenges in 2015 for The Bar Association was to find a solution for the funding of the state legal aid system. The Bar Association is continuously pursuing the Ministry of Justice for additional funding of state legal aid from the state budget. The resources allocated from the state budget must enable the Bar Association to increase the fees for the provision of state legal aid to ensure fair remuneration for the work of an advocate; the gap between the fees/prices of regular legal aid and state-funded legal aid is still unacceptably big. Considerable efforts have been made to find more efficient alternatives to the current system. The work in this field will also continue in 2016.

(3) Project for granting legal aid to refugees

In 2015 The Bar Association together with the Ministry of Interior implemented a project in order to find the providers of state legal aid in administrative proceedings and in administrative court proceedings regarding the cases of providing legal counselling for refugees. In order to select the law firms with whom to conclude corresponding agreement for counselling, Estonian Bar Association organized competition and selected two law firms that are able to ensure the timely and sufficient availability of competent and reliable legal services to refugees. The project is running from 01.10.2015 until 31.12.2016.

(3) Extended foreign cooperation

2015 was also the year for strengthening international relationships on a wider level. Partnership relations were established between The Bar Association and The National Legal Aid Council of Moldova. Supported by the Ministry of Foreign Affairs, a project called “Introducing and transferring Estonia’s expertise and best practices in the field of legal aid to Republic of Moldova” was implemented.

The project aims to strengthen and develop the legal aid system in Republic of Moldova by introducing and transferring the experiences of Estonia to Moldova in the legal aid field and establishing a partnership between Estonian and Moldovan authorities involved in the management of the legal aid system. Project’s activities are oriented to introduce and transfer the Estonia’s expertise and best practices in the legal aid field to Republic of Moldova, supporting the management of an efficient, effective legal aid system, familiarizing with quality improvement methods and models of legal aid services and professional standards acting in the Estonian system, sharing Estonia’s expertise linked to its integration into EU and good practices experience in terms of operation the *acquis* regarding legal aid system. The project started 01.08.2015 and will end 01.08.2016.

(4) The Quality Management Certificate of the Estonian Bar Association

Preparations for the development of a quality management system ISO 9001:2008 for the Bar Association started in 2014 and the Bar got its certificate in August 2014. Preparations for the development of a special quality management system for all Estonian law firms – The Quality

Management Certificate of the Estonian Bar Association - started in early 2014. In 2015 The Bar Association issued the first Quality Management Certificate of the Estonian Bar Association.

The Quality Management Certificate of the Estonian Bar Association is the recognition given to law firms operating in Estonia to mark their high service standards. Three key areas are highlighted:

- good management of a law firm and proper administration;
- creation of a working environment that promotes the provision of quality legal services;
- innovation and sustainable development of service solutions, appropriate establishment and maintenance of client relationships.

The level of the law firm's service quality is assessed when the certificate is applied for. The content and quality of the legal aid provided by the attorneys is not evaluated when the certificate is applied for and issued.

Applying for a Quality Management Certificate is optional for all law firms. It is not an obligation. Applying for the certificate and (annual) follow-up audits are subject to a fee.

The existence of a Quality Management Certificate primarily shows the law firm's commitment and capacity to consistently provide services that meet the expectations of clients, improve overall satisfaction and create trust. The existence of the certificate gives the firm's clients and partners a clear signal that the firm observes high service standards, which in addition to ordinary legal requirements also turn attention to the implementation of optional guidelines as the norm, seeks ways of keeping up with the demands of changing times and act as an example in the use of innovative solutions.

(5) Pro bono activities

Alongside with other activities, The Bar Association finds it very important to promote pro bono activities and to ensure legal aid for vulnerable target groups. Together with the Estonian Union for Child Welfare, we have begun to organise legal workshops for the social workers and child protection officials of local authorities. The title of the project is "Taking one side only – the child's side". The workshops have been also held in 2015. Advocates

contribute on a voluntary basis and are not remunerated for speaking at workshops and seminars. Another project in cooperation with the Estonian Union for Child Welfare is called “A good advice for families with children” and during 2015, 158 families were counselled regarding various family law matters.