



# EESTI ADVOKATUUR

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## ESTONIAN BAR ASSOCIATION

### 48<sup>th</sup> European Presidents' Conference Country report – Estonia

#### General information

As of 31 December 2019, the Estonian Bar Association (EBA) had 1075 members, including:

- 714 sworn advocates (in Estonian *vandeadvokaat*);
- 358 clerks of sworn advocates (in Estonian *vandeadvokaadi abi*) and
- 3 associated members.

221 members had inactivated their membership for various reasons (parental leave, studies, working in public service or as in-house counsel, etc.).

EBA members practiced in 219 law firms out of which 99 were solo practices.

The membership fees of EUR 61 per month for sworn advocates and EUR 48 per month for clerks of sworn advocates remained unchanged.

#### New chairman and board

The general assembly of EBA elected a new chairman and the board for next three years term. As of 7<sup>th</sup> March 2019, Mr Jaanus Tehver is the new chairman and the board members are Imbi Jürgen, Indrek Sirk, Kadri Kallas, Karina Lõhmus-Ein, Katrin Orav, Peeter Kutman, Piret Jesse and Toomas Vaher. The alternate member of the board is Anet Jaks.

#### EBA 100<sup>th</sup> anniversary

EBA celebrated its 100<sup>th</sup> Anniversary. The birth of the EBA is associated with 14 June 1919, when the first general assembly of sworn advocates was held and the council of Estonian advocates was elected on the premises of Tallinn court chamber.

#### Disciplinary proceedings

In 2019, the Disciplinary Committee received 143 complaints (up 16%). The Committee initiated 47 (up 2%) disciplinary cases and applied sanctions (fine or warning) in 17 disciplinary cases (up 183%).

#### Commenting on legislation

EBA participated actively in legislative process by reviewing and commenting on draft legislation. EBA has established eleven expert committees (on ethics, state legal aid, human rights and due process, administrative law, commercial law, competition law, family law, insolvency law, IPR/IT law, labour law, and tax law) and a criminal law working group. The committees and criminal law working group assisted the



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EBA in responding to requests by the Ministry of Justice or other government agencies to review and comment on draft legislation.

### **Legal Aid**

The EBA has the duty to arrange the state legal aid. In 2019, the funding was 4.225m EUR. 12 878 legal aid applications was submitted (incl. 61% defence in criminal proceedings and 33% representation in civil proceedings) and in average 100 advocates provided legal aid. Although the legal aid rates increased 8% in 2019, the gap between market rates and legal aid rates are still unacceptably wide and the EBA continues to pursue additional funding of legal aid from the state budget.