



# REPUBLIC OF BULGARIA SUPREME BAR COUNCIL

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**TO**

***DR. RUPERT WOLFF***

***PRESIDENT OF THE AUSTRIAN BAR***

## REF.: WRITTEN COUNTRY REPORT ON CURRENT DEVELOPMENTS OF THE SUPREME BAR COUNCIL OF BULGARIA

During the last year, the Supreme Bar Council of the Republic of Bulgaria, in addition to its traditional activities - administrative; giving statements in the course of the legislative process; giving statements on constitutional and interpretative cases to the Constitutional and Supreme Courts; organizational and international activities; we have been focused on the following important tasks, namely:

### CONCEPT AND DRAFT OF A NEW BAR ACT

By Decision of 06.08.2021, the Supreme Bar Council established the Commission for drafting a new Bar Act and improving the legislation. The activities of the Commission are regulated in Article 23 of the Rules of the Supreme Bar Council, which are available on the website of the Supreme Bar Council. Pursuant to Art. 11, par. 4 of the Rules, the Committee has established a working group for the drafting of the bill. The working group includes members of the Committee, lawyers who are not members of the SBC and active members of the Association of Free Lawyers. The decision of the Committee to establish a working group and to involve colleagues who are not members of the SBC is in line with the understanding that the drafting of the law should be done with the participation of the active part of the Bar, as well as with the expressed desire and intention of the associations of lawyers to participate in and support the activities.

## OPTIMISATION OF THE E-JUSTICE PORTAL

It is notorious that the Bulgarian e-Justice Portal (is a technical solution whose performance does not fully satisfy its users, in whatever capacity they use it: clerks, judges, lawyers, citizens. A temporary working group together with the Union of Judges, prepared and submitted to the Supreme Justice Council a detailed description of the observed deficits, an explanation of the practical value, as well as proposals for their reorganization in a way that would make the respective functions actually pragmatic. Most of these comments have been incorporated into the terms of reference for the refinement, the award of which is subject to a procurement procedure under the Public Procurement Act and the opening of bids from contractor candidates on 17 February. The financing of the e-Justice Portal project is with European funds and therefore requires a regular public procurement, without the possibility of using the statutory single system operator, as Information Services has been appointed. At the same time, in order for the system to be operational, it requires, in addition to an adequate terms of reference, links with other systems that have been created and/or are maintained by Information Services, and the obligations of the entities involved in such a collaboration are not explicitly defined and rely on reason and good will.

## REFORM OF THE WARRANT PROCEDURE

The Supreme Bar Council has participated in the project "Continuing reform of the writ proceedings". The project is financially supported by the EU, managed by the European Commission's Directorate General for Structural Reform Support and implemented by Ernst & Young Bulgaria under the auspices of the SJC. The aim of the project is to create legal and technical conditions for the digitalization of court order proceedings as part of the large-scale process of comprehensive digitalization of court proceedings. The project envisages the creation of a stand-alone digital module to be integrated into the e-Justice Portal. According to the currently foreseen technical specifications, applications will be filed in every court, regardless of the local jurisdiction rules. Applications will be distributed centrally among the judges assigned to hear this type of case (i.e. excluding criminal cases), taking into account their workload. The first step in the implementation of this project has been the phase of drafting a proposal to amend the provisions relating to warrant proceedings. The colleagues have been informed and have had the opportunity to comment on the draft. At present, the draft is to be defended by the SJC before the MoJ and subsequently, the MoJ is to table a draft Act. After the adoption of the amendments to the Code of Civil Procedure in relation to the digitisation of the warrant proceedings, a procedure will be initiated to procure the construction and integration of this module into the e-Justice Portal. At the moment, the prospect of digitised warrant proceedings seems desperately remote, but given the dynamics of modernity, it may

soon be that warrant proceedings will begin to function in accordance with the legislator's original intention - speed and minimal bureaucratic and casework burden for maximum efficiency.

THE SUPREME BAR COUNCIL OF THE REPUBLIC OF BULGARIA MAKES AND MAINTAINS INSTITUTIONAL CONTACTS ON MATTERS OF PRINCIPLE ON THE PUBLIC AGENDA Institutional contacts not only help to resolve issues related to the practice of the legal profession, but also provide real opportunities to address significant issues of principle on which the Bar is given the institutional opportunity to participate actively and effectively in the public debate to uphold and protect the rights and legitimate interests of the citizens it is constitutionally called upon to care for.

The Supreme Bar Council of the Republic of Bulgaria continues its membership in the four international bar organisations: (i) the Council of Bars and Law Societies in Europe, based in Brussels (CCBE); (ii) the International Union of the Advocates, based in Paris (UIA); (iii) the International Bar Association, based in London (IBA); (iv) the Federation of European Bar Associations, based in Strasbourg (FBE). The Bulgarian Bar also has a representative in the European Judicial Network in Civil and Commercial Matters. The Supreme Bar Council maintains contacts with the bar associations of all neighbouring and many other countries. We continue our cooperation with the German Foundation for International Legal Cooperation DeutscheStiftung in the programme for sending young lawyers from Central, Eastern and South-Eastern Europe for internships in Germany. Membership in international bar organisations enables the Bulgarian Bar to be aware of the current state of the legal profession in other countries, to assist and receive collegial support and assistance in cases where the interests of lawyers and their clients are put at risk by the authorities in the country. The Congress of the Federation of European Bar Associations (FBE) is to be held on 23-26 June this year, hosted by the Sofia Bar Association. A joint conference of the CCBE and the FBE is scheduled to take place on 23 June 2022, hosted by the Supreme Bar Council. On 24 June 2022, the Supreme Bar Council will host a meeting of the Standing Committee of the Council of Bars and Law Societies in Europe, chaired by the President of the CCBE. Preparations for these events have already begun, with the Bulgarian Chamber of Commerce and Industry (BCCI) as the preferred logistics partner.

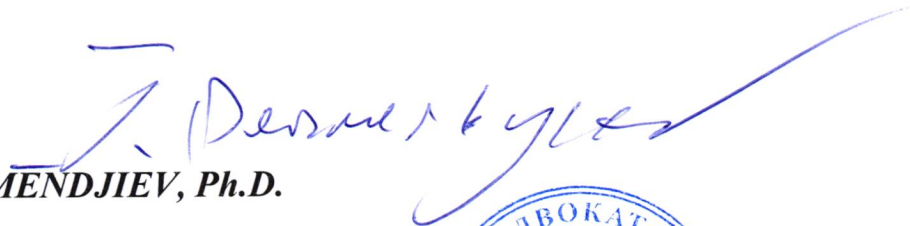
Between 4 and 7 January 2022, at the request of the CCBE for support, the Supreme Bar Council appointed and sent Albena Piskova, member of the Supreme Bar Council, and Stoyan Madin from the Sofia Bar Association as observers in the final hearing of the mass trial against

the lawyers of the Association of Progressive Lawyers (ÇHD) accused of complicity in a terrorist group. Numerous bar associations and organizations from different countries spoke out in support of the unjustly accused Turkish lawyers; letters of support were sent by the Plovdiv Bar Association and the Supreme Bar Council.

The Supreme Bar Council has also made great efforts in the direction of professional training and further qualification of lawyers, having held more than 200 training seminars in the last year through the Lawyers Training Centre.

The Bulgarian Bar Association is also actively cooperating with the HELP programme of the Council of Europe, where our representative is Tomislav Toshkov. A total of 6 courses have been held in the last year, adapted for Bulgarian lawyers.

Yours sincerely,



***IVAYLO DERMENDJIEV, Ph.D.***

***PRESIDENT OF THE SUPREME BAR***

***COUNCIL OF BULGARIA***

