



ΠΑΓΚΥΠΡΙΟΣ ΔΙΚΗΓΟΡΙΚΟΣ ΣΥΛΛΟΓΟΣ CYPRUS BAR ASSOCIATION

EPK COUNTRY REPORT 2024 – THE CYPRUS BAR ASSOCIATION

On 18th of October 2023, the Cyprus Bar Association members have elected the new Council of the Bar. The new President of the Cyprus Bar Association is Mr. Michalis Vorkas.

The new Council has created 31 specialized sub committees, in which an approximate number of 500 lawyers participate. These sub committees meet every month, participate in the parliamentary discussions of new bills, contribute in the work of the new Council in regards to the reform of justice, organize educational seminars, and provide useful comments and suggestions in their area of specialization to the new Council.

Digitalisation of Justice and legal proceedings:

Following extensive discussions with the government the Cyprus Bar Association (CBA) has provided them with its knowhow about electronic filing of the legislation and all the court cases, and for lawyers' better convenience the CBA had, in close collaboration with the Deputy Ministry of Research, Innovation and Digital Policy, managed to develop i-justice system (digital filing of court docs), which was in force since February 2022 until 13 January 2024. i-justice was a temporary, transitional system, until the full establishment of the E-Justice system which entered into force on 15 January 2024.

E – justice is actually the next step to achieve this aim and move forward with the digitalization of Justice and legal proceedings. The CBA had reviewed the existing computerized mode and replaced it in order for all the documents to be filed electronically to the courts like other EU countries already do i.e Malta, Austria, Estonia. Its use will be horizontal and direct to all interested parties.

Additionally, a pilot program for the use of E-justice system was created to assist the users with the transition. The CBA along with the local bar associations have established a helpdesk for the assistance of the users of the new platform. This helpdesk will provide continuous assistance to all the members of the Cyprus Bar Association in the use of the new platform.

Introduction of Online Dispute Resolution and Digital Recording of proceedings.

The Cyprus Bar Association has regular meetings with relevant authorities to establish ODR (Online Dispute Resolution) in the hearing procedures and ADR (Audio Digital Recording) regarding for the minutes of the hearing.

Digitalisation of services provided by the CBA:

The services provided by the CBA have turned into electronic/digital form as part of the advancement of the Bar and the assistance to our members. The lawyers were rapidly accustomed to using the various systems and our electronic services and the staff is ready to assist them when facing an issue and guide them accordingly. Lawyers can renew their annual practising license or order various certificates, pay for seminars, keep track of their continuous training points (CPD scheme) through the online system of CBA, without the need to attend the premises of CBA.

REFORM OF JUSTICE

General Overview of the latest developments:

The main Bills for restructuring of the Supreme Court, the creation of the Appeal Court, as well as the Commercial Court, the Admiralty Court, and of the new Supreme Judicial Council, have been enacted and entered into full effect in July 2023.

It is expected that 10,000 – 15,000 litigants who face issues of delay in the adjudication of their appeals will be benefited as the adjudication time of delayed appeals is expected to be reduced to approximately three years. Thereafter, it is expected that appeals will be processed in the new Court of Appeal at a rapid pace.

The judiciary acquired a new Supreme Constitutional Court, a new Supreme Court for criminal and civil cases and for the adjudication of prerogative writs as well as a new Court of Appeal with three legal Divisions: Criminal, Civil and Administrative. Furthermore, the possibility is provided to the citizen, whenever a novel issue of constitutionality arises, to have this issue resolved/decided by the Supreme Constitutional Court directly.

All new courts have already been staffed by experienced judges, experts in their respective fields. Specialization will impact the speed and quality of the decisions in the medium and long term. The appointment of judges of the new Commercial Court and Admiralty Court is still pending.

In addition, a new Advisory Council is created which will provide the President of the Republic of Cyprus with the option of choosing for each vacant position among three candidates. The new Supreme Judicial Council's decisions on appointment and promotions will be subject to annulment by the new Supreme Constitutional Court. The Attorney General, the President of the CBA and two experienced Advocates, without having any voting rights, participate in these two bodies and their contribution is expected to enrich the institutions.

The CBA will constructively continue to work for the overall modernization of justice and in this direction promotes the reform of the District Courts. We have specific proposals and opinions which are being continuously put before competent bodies, including but not limited to, specific legal proposals for the improvement of the entire spectrum of justice.

Reform of Advocates' Law:

The reform of advocates law has been done. The amending law was enacted on 24 October 2023, and includes, inter alia, the below main changes:

- We have acquired the rights of keeping the registry of Lawyers – practicing and non-practicing (in an electronic format). Non practising lawyers may become practising lawyers under specific terms and conditions at any time.
- Additionally, relevant article of the Law which regulates the Companies run by Lawyers has been amended and an annual fee has been introduced, for keeping a Lawyers Limited Liability Company active, in the register of the Cyprus Bar Association. This will enhance the monitoring of LLC's.
- The article regarding the disciplinary procedures has been amended and its text was enhanced to establish more clear disciplinary procedures for the better monitoring of our members, and to ensure that the members undergo through "fair trial" in disciplinary hearings.

We have currently re-examined the ethics code of Advocates and we are discussing on deleting and or amending existing articles so as to meet the new digitalized era.

New Civil Procedure Rules:

As part of the reform of Courts, the New Civil Procedure Rules have entered into force on 1st of September 2023. The Bar Association is continuing its training sessions to all advocates. It is crucial to mention that all involved parties, including both Advocates and Judges have been trained and/or are under training to become familiar with the new era.

We have implemented a new platform which will give our members the ability to participate in Off-the-shelf eLearning course in order to be trained and being constantly informed about the new Civil Procedure Rules. The aim of the new platform is to being able to constantly update and inform our members and train them accordingly.

Justice for All:

On September 1st 2022, the program "Justice for all" was launched. The right of each person to free access to justice it is sacred and non-negotiable. In a modern, democratic and progressive society, for this right to have meaning and content, first and foremost all citizens should be able to have access to a lawyer. Thus, the main goal of the program is to ensure equal access to a lawyer and, by extension, to justice for all the citizens who are unable to do so. The Cyprus Justice for All Network (CJfAN), a new body controlled and supervised by the CBA, will be responsible for the operation and management of the program. The philosophy behind the operation of this program is to have walk in service centres and a network of volunteer Advocates who will offer their services pro bono.

C.A.M.C.

The Cyprus Arbitration and Mediation Centre ("C.A.M.C") is a dedicated ADR Centre. CAMC sits in the premises of the Cyprus Bar Association headquartered in Nicosia. CAMC's objective is to promote and facilitate the efficient resolution of disputes throughout Cyprus and internationally by arbitration and mediation, with the aim of delivering neutrality of process, enforceability of outcome and commercial privacy to parties in dispute. We eliminate delays and keep a lid on costs. That's what ensures our clients keep coming back to the CAMC. We are confident that the CAMC is a suitable venue for clients to resolve their disputes.

CAMC maintains its own registers which include 23 active members, 12 arbitrators and 16 mediators. The Centre is currently organizing, in collaboration with the Supreme Court, a mediation program named "Mediation Month" which is expected to take place within May 2024. The main purpose of this program is to promote mediation as an alternative dispute resolution method that will enhance the faster and more efficient administration of justice, and inform the public about the services provided by the Centre. You can find more information about the services of CAMC on <https://camc.org.cy/>.