**2**

RESOLUTION OF THE BOARD OF THE CZECH BAR ASSOCIATION

of 22 March 2018,

**amending the Resolution of the Board of the Czech Bar Association No. 1/1998 of the Official Journal, on the education of legal trainees and continued education of lawyers, as amended by subsequent professional regulations**

 Pursuant to § 44(4)(b) and § 38(2) of Act No. 85/1996 Coll., on the legal profession, as amended, the Board of the Czech Bar Association has adopted the following resolution:

Art. I

**Amendment to the resolution on the education of legal trainees and continued education of lawyers**

Resolution of the Board of the Czech Bar Association No. 1/1998, on the education of legal trainees and continued education of lawyers, as amended by Resolution of the Board of the Czech Bar Association No. 3/2003 of the Official Journal, Resolution of the Board of the Czech Bar Association No. 1/2007 of the Official Journal, and Resolution of the Board of the Czech Bar Association No. 3/2014 of the Official Journal, shall be amended as follows:

**1.** In Art. 1(1), the word “legal” shall be deleted.

**2.** Art. 1(2) shall read:

“(2) The education of the legal trainee shall be the responsibility of the supervisor (§ 38(2) of the Act) and to the extent stipulated by this Regulation the Czech Bar Association (“Bar Association”).”.

**3.** Art. 3 to 6 shall read:

“Art. 3

1. The supervisor is to carefully guide and supervise the legal trainee in order for the legal trainee to acquire knowledge and experience necessary to pass the Bar exam and the practice of the legal profession, in particular through the trainee’s participation in the provision of legal services by the supervisor or another lawyer, including representation of the supervisor or another lawyer in individual acts of the legal service.
2. The supervisor is to assign tasks to the legal trainee that correspond to the trainee’s previously acquired knowledge and experience.

Art. 4

1. The legal trainee is to observe the supervisor’s instructions and complete tasks properly and in a timely manner.
2. During their legal traineeship, the legal trainee is to expand their knowledge and gain experience necessary for the exercise of the legal profession, in particular through systematic study of legal regulations, other sources of law, case law and literature; such a study must not be to the detriment of the obligations associated with the legal services under par. 1.

Art. 5

(1) Where necessary for the purpose of the legal traineeship, a legal trainee whose employment has lasted for more than one year is entitled, with the supervisor’s consent, to do a part of their legal traineeship not exceeding six months with another lawyer. Under the same conditions, the legal trainee may also perform their legal traineeship with the court, Public Prosecutor’s Office, a notary, a patent attorney, a tax advisor or a domestic or foreign permanent court of arbitration, or another domestic or foreign entity or authority.

(2) While the legal trainee is temporarily performing their legal traineeship with another lawyer, that lawyer shall exercise the rights and obligations of the supervisor to a reasonable extent.

(3) The legal trainee is to inform their supervisor, to a reasonable extent, of the course of their legal traineeship or another legal traineeship referred to in paragraph 1.

-----------------------------

3) For example, § 43a of the Labour Code.

Art. 6

The supervisor is to issue a certificate of legal traineeship for the legal trainee. In the certificate, the supervisor is to indicate the duration of the training the trainee has performed for the lawyer, and evaluate the developments of the legal training with regard to achieving its purpose. The legal trainee is to provide the certificate to the Bar Association upon request.”.

**4.** In Art. 8(a), Art. 9(2) and Art. 10a(5), the word “legal” shall be deleted.

**5.** In Art. 8(b) and (c), the word “legal” shall be deleted.

**6.** In Art. 10a(5), the word “legal” shall be deleted.

**7.** In Art. 10(5), the second sentence shall read: “The venue and dates of mandatory seminars for each calendar year are published on the website of the Bar Association.”.

**8.** In Art. 11, paragraph 2 shall read:

“(2) The legal trainee is to notify the fact that they are not going to complete the entire legal training within one month of entry on the list of legal trainees.”.

**9.** In Art. 14(1) first sentence, the words “ , which the Bar Association is to issue to the legal trainee after entry on the list of legal trainees” shall be deleted.

Art. II

**Transitory provisions**

Associations, companies or foreign companies are to report the persons of supervisors for legal trainees whose employment began before 1 September 2017 within one months of the effective date of this regulation.

Art. III

**Effect**

This resolution shall be effective as of the 30th day after its publication in the Journal of the Czech Bar Association.

JUDr. Vladimír Jirousek, m.p.

President

of the Czech Bar Association