

The Norwegian Bar Association

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The Norwegian Bar Association

- The representative organization for advocates that safeguards the interests of its members and the legal profession in Norway.
- Founded in 1908
- Approx. 8.000 members (91 %)
- Voluntary membership
- Committees in all fields of interest
- Secretariat: approx. 30 employees
- Mandatory continuing education (80/5)



Four priorities:

1. To ensure good framework conditions for advocates
2. To promote the rule of law and the principles of a state governed by law
3. To develop Code of conduct for lawyers and to administer the advocates' disciplinary council
4. To serve the members through counselling and membership benefits



The Board



Legal profession: titles

1. *Jurist*: person with a master degree in law (lawyer)
2. *Legal practitioner*: lawyer licenced to give legal advice
3. *Advocate*: Lawyer licenced to litigate and give legal advice
 1. Two years practice (Assistant/associate advocate)
 2. Three cases in court
 3. Advocate course, written exam
 4. Security NOK 5 million
 5. Reputable record



Advocate course

- 6 days
- Preparation of cases, examination of witnesses, code of conduct
- Accounting, alternative dispute resolution, negotiation
- Practical litigation training in court
- Home exam



Regular functions of advocates

- Legal advice
- Litigation
- Mediation
- Administrator of estate in bankruptcy
- Real estate agency
- Business management
- Board positions
- Debt collection
- NOT notarius publicus



Legal aid projects

- Litigation project immigration cases
- Nationwide "lawyerwatch" – 30 min free consultation
- First line legal aid service – participant
- Promote pro bono work in the bar
- Lobby for more extensive Free Legal Aid Act
- Legal aid projects in development countries



Organisation of law firms

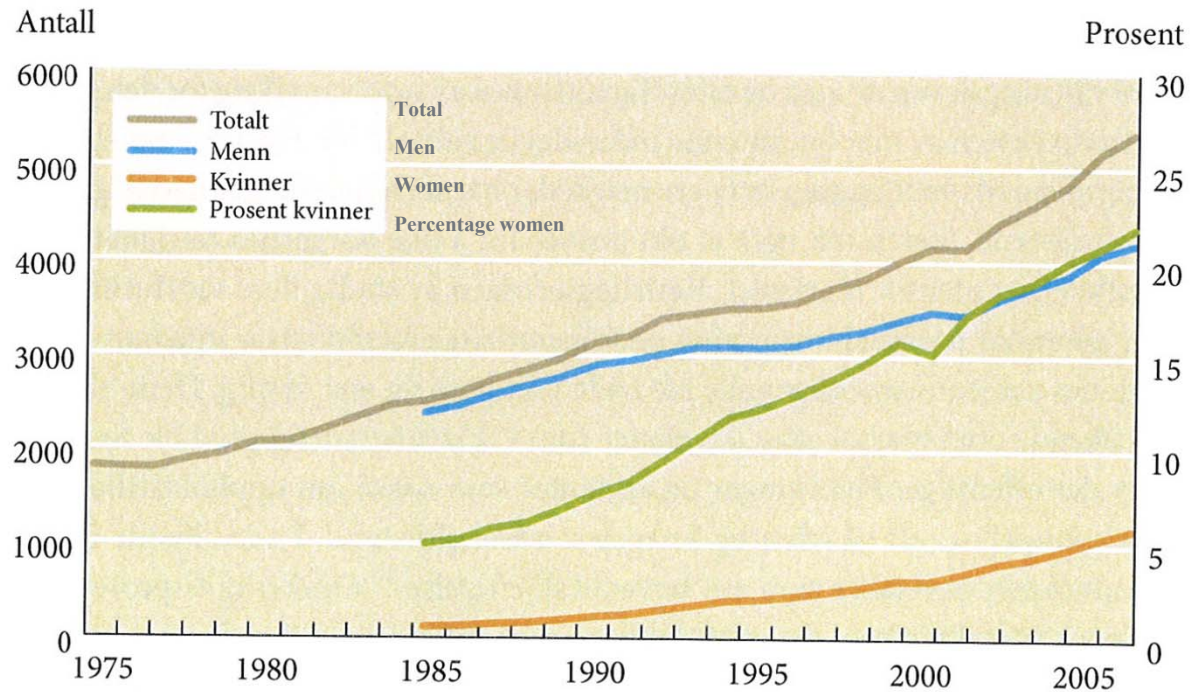
- Only persons who work fulltime in the firm may hold shares or board positions.
- All forms of organisation allowed
- 75 % of law firms are single-person-enterprises





A growing bar

Number of advocates in total 1975 – 2006, by gender and women's share



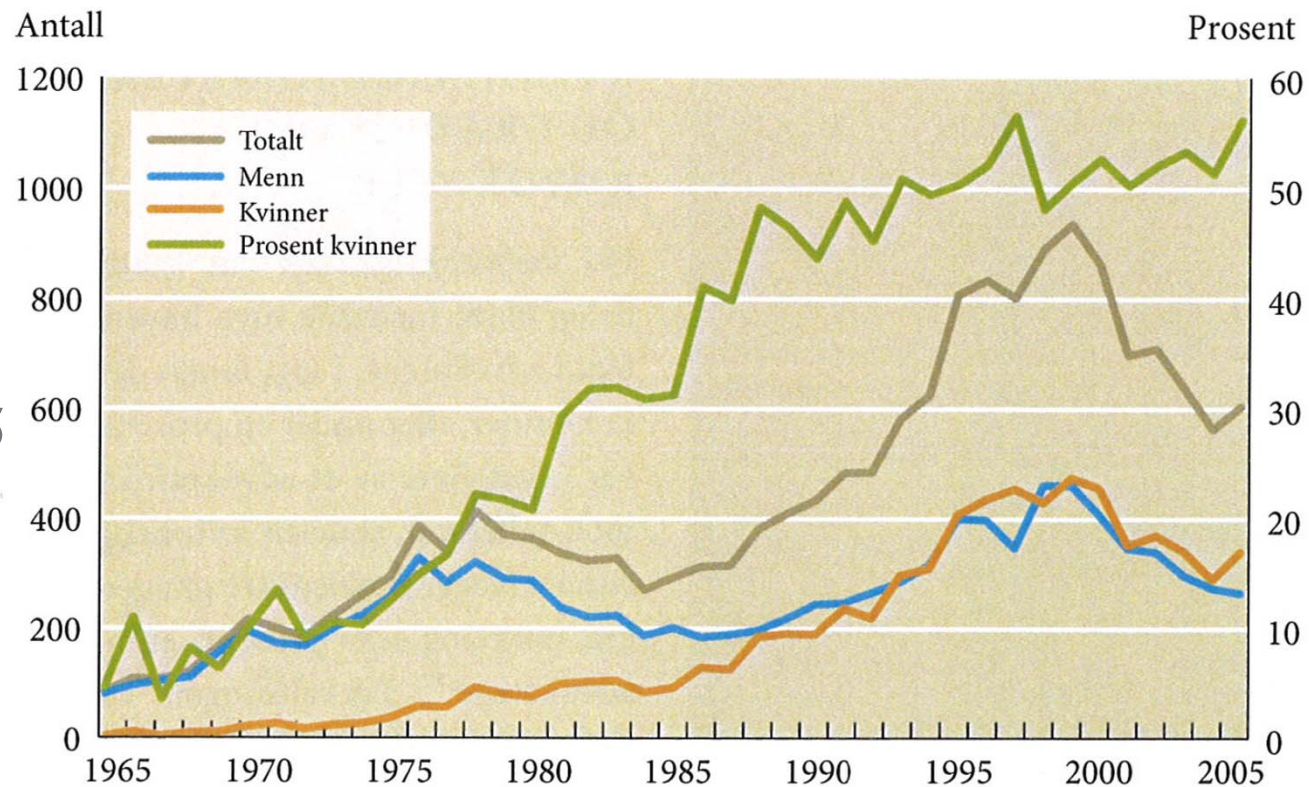
Kilde: Årsrapporter fra Advokatenes Sikringsfond, Advokatforeningen og Tilsynsrådet for advokatvirksomhet.



Advokatforeningen

Number of law graduates

Number of recently graduated lawyers 1965 – 2005, by gender and women's share



Kilde: Bearbejdet eksamensstatistikk fra NIFU-STEP.

Lawyer's Fees

- Between 800 – 4000 NOK per hour
- Average remuneration per hour (2009): 1215 + 25 % vat
- Fixed price: will, cohabitation contract, pre-marital contracts etc.
- Public hourly remuneration (2012): 925
 - (2013): 945
- Fixed public fee: e.g. 5 hours complaint in asylum cases

Lawyer's Fees

Code of conduct:

- reasonable price, related to assignment and performed work
- Result of the case, clients ability to pay
- Salary may not be a share of the result
- Must inform of legal aid or insurance coverage



A new legislation for lawyers

- Advokatforeningen has lobbied intensively for a new and more consolidated legislation for lawyers
 - To get a better system of both supervision and good conduct (ethics)
 - And also to strengthen the framework of lawyers and lawyers firms



Code of conduct for advocates

- Regulations, chapter 12
- All advocates are committed
- Independence
- Trust
- Confidentiality
- Relations to
 - Client
 - Counter part
 - Court
 - Collueges
 - Media



The Supervisory Council for Legal Practice

- Appointed by government
 - Lawyer, accountant and other trustworthy person
- Issues licence to render legal services
- Supervise lawyers



The Advocate Licence Committee

- Appointed by the government
- Revokes licences by recommendation
- May also issue reactions (reprimand, warning)
- Process appeals on decisions made by the Supervisory Council in certain cases.
- Decisions are final
- Subject to legal review



Grounds for revocation

- Violation of professional conduct
- Not paying contributions to the Supervisory Council or the Licence Committee
- Not providing security
- Neglecting duty to facilitate supervision
- Unlawful organisation of law firms
- 2010: 16 licences revoked



Disiplinary proceedings

- The Bar Associations disciplinary committee
 - Only lawyers in the committees
 - Complaints for violation of the Code of professional conduct
- Sanctions
 - Criticism
 - Reprimand
 - Warning
 - Adjustment of fee
- Appeal to the public Disiplinary Board
- 2010: 490 complaints
- Reaction imposed in 37 %



The public Disiplinary Board

- Public independent body
- Lawyers, judges, representatives for consumers and trade organisations
- Appeal board on the decisions of the Bar Association's disciplinary committee.
- Process complaints in the first instance for non-members of the Bar Association.



The Bar Association and JussBuss

