CHAPTER I
GENERAL PROVISIONS

Article 1. Purpose of the Law
1. This Law shall regulate the conditions of, and the procedure for the pursuit of activities of advocates.
2. This Law is aimed at ensuring the application of the EU legal acts listed in the Annex to this Law.

Article 2. Legal Services Provided by Advocates
1. Legal services provided by advocates shall include legal consultations (legal advice), drafting of legal documents, representation on legal matters, defence and representation in legal proceedings when these actions are carried out for remuneration, except for the case specified in paragraph 5 of Article 4 of this Law.
2. Services referred to in paragraph 1 of this Article may be provided by advocates (advocate's assistants) or a professional partnership of advocates. When services are provided or activities are pursued by a professional partnership of advocates, the provisions of this Law shall apply mutatis mutandis to such a partnership in the same manner as to an advocate.
3. Lawyers who are nationals of Member States of the European Union, countries of the European Economic Area or the Swiss Confederation shall provide services in accordance with the procedure laid down in Chapters XII and XIII of this Law. The term “lawyers from Member States of the European Union” shall hereinafter in this Law include lawyers who are nationals of Member States of the European Union, countries of the European Economic Area or the Swiss Confederation, and the term “national of a Member State of the European Union” shall include
nationals of a Member State of the European Union, a country of the European Economic Area or the Swiss Confederation.

4. The conditions of, and the procedure for the provision of state-guaranteed legal aid shall be regulated by other laws.

**Article 3. Place of Advocates in the Lithuanian Legal System and their Number**

1. The Lithuanian Bar shall be an independent part of the Lithuanian legal system.
2. The number of advocates in the Republic of Lithuania shall not be limited.

**Article 4. Advocate’s Activities**

1. The advocate’s right to provide legal services can be restricted only by law.
2. Every person shall be entitled in accordance with the procedure prescribed by laws to choose an advocate to counsel him, represent him or protect his interests.
3. The advocate’s activities shall be the provision of legal services. The advocate’s activities shall not be economic-commercial.
4. An advocate shall also be entitled in accordance with the procedure prescribed by laws to provide services for remuneration as an administrator of bankruptcy, restructuring, property or inheritance, a lobbyist, a liquidator, a curator, an executor of a will, a trustee of property, a patent trustee, as well as to act as an arbiter, a mediator, a conciliator or a legal expert in commercial disputes for remuneration. An advocate may be a member of the managing or supervisory body of a legal person, but he cannot receive any remuneration, with the exception of bonuses. The right to provide services listed in this paragraph shall be acquired by an advocate and the provision of these services shall be controlled in accordance with the procedure laid down in legal acts regulating the provision of these services.
5. An advocate shall be entitled to provide legal services free of charge, i.e. to provide legal aid.

**Article 5. Principles Governing the Practice of Advocates**

The practice of advocates shall be guided by the following basic principles:
1) freedom and independence of the advocate’s activities;
2) democracy, collegiality of relations and fair competition between advocates;
3) lawfulness of the activities of advocates;
4) non-disclosure of the client’s secret;
5) loyalty to the client and avoidance of any conflict of interests;
6) irreproachable behaviour.
Article 6. Specialisation of an Advocate

An advocate shall have the right to choose a field of law where he would provide legal services (specialisation of an advocate).

CHAPTER II
RECOGNITION OF A PERSON AS AN ADVOCATE

Article 7. Requirements for a Person Seeking to Practice as an Advocate

1. A natural person (hereinafter referred to as an applicant) shall be recognised as an advocate provided he:

   1) is a national of the Republic of Lithuania or a Member State of the European Union;
   2) holds a bachelor’s or master’s degree in law, or a lawyer’s professional qualification degree (one-cycle university education in law);
   3) has a record of at least five years of service in the legal profession or has served an apprenticeship as an advocate's assistant for a period of at least two years. Service in the legal profession shall include activities specified in the list of legal professions approved by the Government of the Republic of Lithuania. The length of service in the legal profession shall be calculated from the moment the person has acquired a bachelor's or master’s degree in law, or a lawyer’s professional qualification degree (one-cycle university education in law) and started practising law;
   4) is of high moral character;
   5) has proficiency in the state language;
   6) has passed the advocate's qualification examination;
   7) has no health disorders that would prevent him from performing the advocate’s duties.

The health requirements and the procedure of health checks for applicants and advocates shall be established by the Ministry of Health and the Ministry of Justice of the Republic of Lithuania.

2. Subparagraph 6 of paragraph 1 of this Article shall not apply to persons who have a record of at least seven years of work as a judge or hold a degree of doctor or doctor habilis in social sciences (law).

Article 8. High Moral Character

An applicant shall not be held to be of high moral character and may not be recognised as an advocate if he:
1) has been convicted of an intentional criminal act, irrespective of whether or not the conviction has expired, or convicted of any other criminal act and the conviction has not expired yet;

2) has been dismissed from the office of a judge, a prosecutor, an advocate, an advocate's assistant, a notary, an assessor, a notary's agent, a court bailiff, a bailiff, a bailiff's agent or a bailiff's assistant for professional misconduct or misconduct in office, or dismissed from the office of a civil servant subject to a disciplinary sanction or from work for serious breaches of duties and less than three years have passed from the date of dismissal;

3) abuses psychotropic, narcotic, toxic substances or alcohol;

4) does not meet the requirements laid down for advocates in the Lithuanian Code of Ethics for Advocates to be applicable to the applicant upon his admission to the Bar.

**Article 9. Submission of Documents for the Recognition of a Person as an Advocate**

A person seeking to be recognised as an advocate must submit to the Lithuanian Bar Association the following:

1) an application to be recognised as an advocate. The application shall contain the applicant’s personal data (name, surname, personal number, place of residence, nationality), as well as answer to the question regarding the existence of any grounds specified in this Law that would preclude his recognition as an advocate;

2) a health certificate and other documents proving that the person meets the requirements laid down in Article 7 of this Law, except for the case where these documents have been submitted under Article 16 of this Law and the data contained therein have not changed since submission.

**Article 10. Procedure for Recognition as an Advocate**

1. An application to be recognised as an advocate shall be examined in the presence of the applicant.

2. A decision on the recognition of the applicant as an advocate shall be adopted by the Lithuanian Bar Association not later than within 45 days from the submission of documents specified in Article 9 of this Law. The Lithuanian Bar Association shall send the applicant a copy of the adopted decision not later than within five working days from the adoption of the decision.

3. A decision to refuse to recognise the applicant as an advocate must be reasoned. The applicant shall have the right to appeal against the decision to refuse to recognise him as an advocate to Vilnius Regional Court within 30 days from the delivery of this decision.

4. Where the Lithuanian Bar Association fails to adopt a decision within the time limit specified in paragraph 2 of this Article, the applicant may apply to Vilnius Regional Court within
30 days with a request to obligate the Lithuanian Bar Association to recognise the applicant as an advocate.

5. The applicant shall be deemed an advocate from the date of the adoption of the decision on his recognition as an advocate.

**Article 11. Suspension of the Procedure for Recognition as an Advocate**

1. The procedure for the recognition of an applicant as an advocate may be suspended where the applicant is suspected or accused of a criminal act.

2. In the cases specified in paragraph 1 of this Article, the procedure for recognition as an advocate shall be suspended until the expiry of the circumstances which caused the suspension of the procedure for the recognition of the applicant as an advocate.

**Article 12. Personal File of an Advocate**

1. The Lithuanian Bar Association shall, not later than within seven days from the adoption of the decision to recognise the person as an advocate, compile a personal file of the advocate. All documents related to the advocate’s activities shall be kept therein.

2. An advocate shall have the right to access the data kept in his personal file.

**Article 13. Invalidation of a Decision to Recognise a Person as an Advocate**

1. A decision to recognise a person as an advocate shall be invalidated:
   1) where, following the adoption of the decision, previous facts are discovered which would have prevented the recognition of the person concerned as an advocate;
   2) where, following the adoption of the decision, at least one of the conditions referred to in Article 7 of this Law disappears;
   3) where, following the adoption of the decision, at least one of the circumstances referred to in Article 8 of this Law arises;
   4) on the advocate’s application;
   5) by a decision of the Court of Honour of Advocates.

2. The right to invalidate a decision to recognise a person as an advocate on the grounds specified in this Article shall be vested in the Lithuanian Bar Association, except for the cases specified in subparagraph 5 of paragraph 1 of this Article and subparagraph 4 of Article 8, where the respective circumstances arise after the recognition of the person concerned as an advocate. The right to apply to the Lithuanian Bar Association for the invalidation of the decision to recognise a person as an advocate shall be vested in the Minister of Justice of the Republic of Lithuania (hereinafter referred to as the Minister of Justice). If the Lithuanian Bar Association rejects the
request of the Minister of Justice or fails to take a decision within 45 days, the Minister of Justice shall be entitled to apply to Vilnius Regional Court within 30 days with a request to oblige the Lithuanian Bar Association to invalidate the decision to recognise the persons as an advocate.

3. An advocate shall lose his professional title from the date of the adoption of the decision invalidating the decision to recognise him as an advocate.

4. A decision invalidating the decision to recognise a person as an advocate may be appealed against to Vilnius Regional Court within 30 days from its delivery.

Article 14. Advocate’s Qualification Examination

1. The programme of the advocate’s qualification examination shall be drawn up, and the procedure for sitting and paying for the examination shall be established by the Ministry of Justice of the Republic of Lithuania, upon agreement with the Lithuanian Bar Association.

2. Advocate’s qualification examinations shall be held at least quarterly. An applicant must be allowed the possibility of taking the qualification examination not later than within three months from the submission of documents specified in Article 16 of this Law.

3. Having failed the advocate’s qualification examination, a person may retake the examination not earlier than after half a year. The number of retakes of the qualification examination by the same person shall not be limited.

Article 15. Advocate’s Qualification Examination Commission

1. The Advocate’s Qualification Examination Commission shall be comprised of seven members who are lawyers. Three members shall be appointed by the Lithuanian Bar Association, and four members, at least two whereof must be legal academics, shall be appointed by the Minister of Justice. The Advocate’s Qualification Examination Commission shall not comprise more than two advocates.

2. The Advocate’s Qualification Examination Commission and, on the nomination of the Lithuanian Bar Association, its Chairman shall be approved for a term of three years by the Minister of Justice.

Article 16. Documents to be Submitted by a Person Wishing to Take the Advocate’s Qualification Examination

A person wishing to take the advocate’s qualification examination must submit to the Lithuanian Bar Association the following:

1) an application to take the advocate’s qualification examination;
2) a document confirming the nationality of the Republic of Lithuania or a Member State of the European Union;

3) a document attesting to a bachelor’s or master’s degree in law, or a lawyer’s professional qualification degree (one-cycle university education in law);

4) a document attesting to the record of service in the legal profession referred to in subparagraph 3 of Article 7 of this Law, or a positive evaluation of the apprenticeship as an advocate’s assistant by his supervisor;

5) a payment receipt for taking the qualification examination.

CHAPTER III
RIGHT TO PRACTISE THE PROFESSION OF ADVOCATE

Article 17. Right to Practise the Profession of Advocate

1. The right to practise as an advocate shall be enjoyed by advocates entered in the list of advocates entitled to pursue the activities of an advocate (hereinafter referred to as the List of Practising Advocates of Lithuania) in possession of the licence referred to in paragraph 3 of this Article. The date of issue of a licence to practise as an advocate shall be the date of authorisation of the advocate to practise as an advocate.

2. An advocate shall be entered on the List of Practising Advocates of Lithuania when he:

1) has sworn the oath in accordance with the procedure laid down in this Law;

2) is covered by insurance of an advocate or a professional partnership of advocates against professional civil liability;

3) is ready to practise as an advocate in one of the forms specified in Article 21 of this Law.

3. The Lithuanian Bar Association shall, not later than within 10 days from the adoption of the decision to enter an advocate on the List of Practising Advocates of Lithuania, issue to the advocate a licence to practise as an advocate of the form established by the Minister of Justice (its copy being kept in the advocate’s personal file) and an advocate’s certificate. If the Lithuanian Bar Association breaches the time limit specified in this paragraph, the advocate shall be entitled to apply to Vilnius Regional Court within 30 days with a request to obligate the Lithuanian Bar Association to issue a licence to practise as an advocate and an advocate’s certificate.

4. Advocates from foreign states may practise as advocates in Lithuania only subject to international treaties of the Republic of Lithuania on legal aid, except for the cases specified in Chapters XII and XIII of this Law.

Article 18. Entry on the List of Practising Advocates of Lithuania
1. Persons shall be entered on the List of Practising Advocates of Lithuania by a decision of the Lithuanian Bar Association. An advocate shall submit to the Lithuanian Bar Association the following:

1) an application to be entered on the List of Practising Advocates of Lithuania. The application shall indicate whether or not the information contained in the application to be recognised as an advocate has changed, specifying changes, if any;

2) documents proving the compliance of the advocate with the requirements of this Law applicable during the process of entering on the List of Practising Advocates of Lithuania.

2. The Lithuanian Bar Association shall take a decision to enter an advocate on the List of Practising Advocates of Lithuania not later than within 30 days from the receipt of documents specified in paragraph 1 of this Article, provided the advocate has fulfilled the requirements laid down in Article 17 of this Law.

3. An advocate who is not entered on the List of Practising Advocates of Lithuania within the time limit specified in Article 2 of this Law shall be entitled to apply to Vilnius Regional Court within 30 days after the expiry of the time limit for entry with a request to obligate the Lithuanian Bar Association to enter him on the List of Practising Advocates of Lithuania.

Article 19. Advocate’s Oath

1. The advocate’s oath shall be administered by the Minister of Justice.

2. A person swearing the oath shall be entitled to choose one of the following texts of the oath:

1) “I, advocate (name, surname),
swear my allegiance to the Republic of Lithuania, to abide by its Constitution and laws, conduce to the protection of human rights, freedoms and legitimate interests, honestly and fairly discharge the duties of the advocate, keep professional secrets and behave without damaging the reputation of the profession.
So help me God”.

2) “I, advocate (name, surname),
swear my allegiance to the Republic of Lithuania, to abide by its Constitution and laws, conduce to the protection of human rights, freedoms and legitimate interest, honestly and fairly discharge the duties of the advocate, keep professional secrets and behave without damaging the reputation of the profession”.

3. [Repealed on 28 June 2006].

4. The advocate shall swear the oath wearing a gown.
5. After reading the text of the oath, the advocate shall sign it. The text of the oath shall be kept in the advocate’s personal file.

6. The advocate’s oath must be sworn not later than within one month from the date of the submission of the application to administer the advocate’s oath to the Minister of Justice. The application to administer the advocate’s oath may only be submitted by a person who is recognised as an advocate in accordance with the procedure laid down in Chapter II of this Law.

7. An advocate who is re-entered on the List of Practising Advocates of Lithuania shall not need to swear the oath, except for the case when the decision to recognise him as an advocate has been invalidated.

**Article 20. Compulsory Insurance of an Advocate or a Professional Partnership of Advocates against Professional Civil Liability**

1. The professional civil liability of an advocate or a professional partnership of advocates shall be covered by compulsory insurance for the damage caused to natural or legal persons in the pursuit of the advocate’s activities and exceeding LTL 1000.

2. The object of compulsory insurance of an advocate against professional civil liability shall be an advocate’s civil liability for the damage caused by illegal actions of an advocate, advocate’s assistants or other employees of an advocate or a professional partnership of advocates in the pursuit of the advocate’s activities.

3. An insured event shall mean illegal actions (act or omission) committed by an advocate, advocate’s assistants or other employees of an advocate or a professional partnership of advocates during the period of validity of the insurance contract and resulting in the loss.

4. An advocate shall be covered by compulsory insurance against professional civil liability by entering into a contract of compulsory insurance of an advocate against professional civil liability. The policyholder of compulsory insurance of an advocate against professional civil liability shall be an advocate or a professional partnership of advocates. Where advocates practise through a professional partnership of advocates, the civil liability of the professional partnership of advocates may be covered by insurance. In this case, the sum insured shall be established according to the number of members of this professional partnership of advocates, pursuant to the requirements set in this Article. The minimum sum insured in respect of compulsory insurance of each advocate against professional civil liability shall be LTL 100 000 for each insured event.

5. An advocate may additionally take out compulsory insurance of an advocate against professional civil liability for the damage caused to natural or legal persons in the pursuit of the advocate’s activities.
6. The insurer having an authorisation granted by the State Insurance Supervisory Authority under the Ministry of Finance of the Republic of Lithuania to engage in compulsory insurance of advocates against professional civil liability must enter into a contract of compulsory insurance of an advocate against professional civil liability with an advocate who has submitted an application and all the documents required for concluding such a contract. The rules for compulsory insurance of advocates against professional civil liability shall be approved by the Government of the Republic of Lithuania or an institution authorised by it.

7. An advocate entered in the List of Practising Advocates of Lithuania must present to the Lithuanian Bar Association a copy of the certificate (policy) of compulsory insurance of an advocate against professional civil liability within ten days from the conclusion of the insurance contract.

8. An advocate must present, at the request of the client, his certificate (policy) of compulsory insurance of an advocate against professional civil liability.

9. Damage caused by illegal actions of an advocate, advocate’s assistants or other employees of an advocate or a professional partnership of advocates in the pursuit of the advocate’s activities shall be compensated by the insurer by paying out an insurance benefit within the limits of the sum insured. Where the insurance benefit is not sufficient to compensate for the damage in full, the difference between the benefit and the actual amount of damage shall be covered by the advocate who has caused the damage.

**Article 21. Forms of Practice of Advocates**

1. Advocates may practise:
   1) individually;
   2) on the basis of partnership without establishing a legal person;
   3) by establishing a legal person – a professional partnership of advocates.

2. An advocate shall have the right to choose only one form of practice specified in paragraph 1 of this Article.

3. An advocate shall have the right to change the form of practice. Having changed the form of practice, the advocate must inform the Lithuanian Bar Association thereof.

**Article 22. Requirements for the Place of Practice of an Advocate**

1. The advocate’s office must have a reception, a telephone, the receipt of correspondence ensured on working days as well as other means necessary for proper exercise of professional activities.

2. The advocate’s office must have adequate facilities for the reception of clients.
3. The advocate’s office must have a sign hung up in a prominent place, which shall indicate the name referred to in paragraph 3 of Article 26 or the name of a professional partnership referred to in paragraph 2 of Article 27.

4. The advocate’s office may be located in the same building as a police establishment, prosecutor’s office or court only subject to permission by the Lithuanian Bar Association.

5. The address of the place of practice of an advocate (including the registered office of a professional partnership of advocates) and any changes thereof must be communicated by the advocate to the Lithuanian Bar Association. The Lithuanian Bar Association shall administer the list of offices of advocates. The list of offices of advocates shall specify the address of the office of an advocate, his name and surname, telephone and fax numbers, and email address.

Article 23. Removal from the List of Practising Advocates of Lithuania

1. An advocate shall be removed from the List of Practising Advocates of Lithuania by a decision of the Lithuanian Bar Association if:
   1) he requests in writing to be removed from it;
   2) the decision to recognise him as an advocate has been invalidated;
   3) it becomes known that false data have been submitted when entering on the List of Practising Advocates of Lithuania;
   4) the advocate is elected to a paid position at state or municipal institutions or agencies;
   5) the advocate does not meet the conditions entitling him to practise as an advocate.

2. An advocate may be temporarily removed from the List of Practising Advocates of Lithuania by a decision of the Lithuanian Bar Association where he is suspected or accused of a criminal act. In such cases, the advocate shall be removed from the List of Practising Advocates of Lithuania until the circumstances justifying such removal cease to exist. This decision may be appealed against to Vilnius Regional Court within 30 days from the delivery of the decision to the advocate.

Article 24. Publishing of the List of Practising Advocates of Lithuania and Amendments thereto

The List of Practising Advocates of Lithuania and amendments thereto shall be published by the Lithuanian Bar Association on its website.
Article 25. Restrictions on the Advocate’s Activities

1. An advocate shall not be entitled to act as a representative or a defence counsel in legal proceedings initiated against his parents (adoptive parents), spouse (partner), children (adopted children), brothers and sisters.

2. An advocate who is or was a representative or a defence counsel of one party in the proceedings may not act as a representative or a defence counsel of the adverse party in the same proceedings.

3. An advocate may not be a representative or a defence counsel in the proceedings where he has participated as a judge, an arbiter, a prosecutor, a pre-trial investigation officer or a private prosecutor.

4. An advocate may not act as a representative or a defence counsel in the court or pre-trial investigation institutions where his spouse (partner), children (adopted children), parents (adoptive parents), brothers or sisters are employed as judges or pre-trial investigation officers.

5. The chairman or the deputy chairman of the Council of the Lithuanian Bar, when work in these positions is remunerated, may not act as a representative or a defence counsel in the court, pre-trial investigation institutions, state or municipal institutions and agencies.

CHAPTER IV

INDIVIDUAL PRACTICE OF AN ADVOCATE

Article 26. Conditions for Individual Practice of an Advocate

1. An advocate shall practise individually, by establishing the office of an advocate.

2. An advocate shall be the subject of legal relations.

3. In his activities or practice documents, an advocate shall indicate his name (first letter of the name) and surname or just his surname, as well as the fact of being an advocate. In addition, an advocate shall be entitled to indicate his name (first letter of the name) and surname or just his surname, as well as the words “law firm” and the name of the location of his office. In addition to the requirements laid down in this Chapter, an advocate shall also have the right to use another name registered with the Lithuanian Bar Association in accordance with the procedure established by the latter.

4. An advocate shall be entitled to recruit employees. An employment contract shall be concluded with an employee by the advocate himself.

5. For the purpose of ensuring services to the advocate’s practice, an advocate practising individually shall be entitled to conclude an association agreement with other advocates either practising individually or on the basis of partnership without establishing a legal person.
6. An advocate shall be considered practising individually where he has entered into a contract for the provision of services exclusively to another advocate, professional partnership of advocates, as well as clients of another advocate or professional partnership of advocates. In this case, the advocate shall be considered acting in the place of practice of the advocate or professional partnership of advocates entered into the contract with for the provision of legal services. Such a contract may provide for conditions for using the office, the procedure for using the name of the law firm and for distributing income and expenses as well as other conditions of activities, also conditions of mutual loyalty and avoidance of any conflict of interests between the parties.

7. An advocate practising jointly with foreign advocates or entities established by them shall be entitled to include in his name the whole name or part thereof as used by foreign advocates or entities established by them.

CHAPTER V

PRACTICE OF ADVOCATES ON THE BASIS OF PARTNERSHIP WITHOUT ESTABLISHING A LEGAL PERSON

Article 27. Conditions for Practice of Advocates on the Basis of Partnership without Establishing a Legal Person

1. Advocates shall practise on the basis of partnership without establishing a legal person by concluding an agreement on joint activities (partnership) and establishing the office of an advocate.

2. In their activities or practice documents, advocates practising on the basis of partnership shall indicate the names (first letter of the name) and surnames or just surnames of advocates practising on the basis of partnership, as well as the fact of them being advocates. Where partnership involves a number of advocates and the name would be difficult to use if all advocates were indicated, the name (first letter of the name) and surname or just surname of at least one advocate followed by the words “and partners” shall be indicated. Advocates shall also have the right to use the words “law firm” and indicate the name of the location of their practice. In addition to the requirements laid down in this Chapter, advocates shall also have the right to use another name registered with the Lithuanian Bar Association in accordance with the procedure established by the latter.

3. Advocates practising on the basis of partnership shall have the right to agree on joint provision of services with advocates practising individually in accordance with paragraph 6 of Article 26 of this Law.

4. Advocates must specify in an agreement on joint activities (partnership) which advocate (partner) will represent partners in relations with the Lithuanian Bar Association.
5. Advocates practising on the basis of partnership shall be entitled to recruit employees.
6. Advocates practising on the basis of partnership shall be subject to the provisions of paragraphs 2 and 7 of Article 26 of this Law.

CHAPTER VI

PRACTICE OF ADVOCATES BY ESTABLISHING A LEGAL PERSON

Article 28. Practice of Advocates by Establishing a Legal Person

1. Advocates shall have the right to practise by establishing, in accordance with the procedure laid down in the Civil Code and this Law, a private legal person the legal form whereof is a professional partnership of advocates. A professional partnership of advocates shall be registered in the register of legal persons.

2. Only an advocate may be a member of a professional partnership of advocates. An advocate may be a member of only one professional partnership of advocates.

3. The legal form of a legal person must be indicated in the name of a professional partnership of advocates. The name of a professional partnership of advocates shall also be subject to the provisions of paragraph 7 of Article 26 of this Law.

4. The registered office of a professional partnership of advocates must be situated in the Republic of Lithuania. The requirements set in Article 22 of this Law shall apply to the registered office of a professional partnership of advocates, its branch or representative office.

5. Members of a professional partnership of advocates shall not be liable with their property for obligations of the partnership that are not related to contracts for the provision of legal services when the assets of the professional partnership of advocates are not sufficient. In respect of obligations of a professional partnership of advocates arising from contracts for the provision of legal services concluded on behalf of the professional partnership of advocates when the assets of the professional partnership of advocates are not sufficient to discharge such obligations, the member of the professional partnership of advocates who has provided legal services shall be liable for these obligations to the extent of all his property. If it is not clear which advocate has provided legal services or if legal services are provided by an advocate who is not a member of the professional partnership of advocates, all the members of the professional partnership of advocates shall be liable for obligations under contracts for the provision of legal services when the assets of the professional partnership of advocates are not sufficient to discharge such obligations, to the extent of all their property in proportion to the right of claim of each member to the share of the assets of the professional partnership of advocates.
Article 29. Restrictions on the Activities of a Professional Partnership of Advocates

1. A professional partnership of advocates may not carry out activities other than the provision of legal services.

2. Legal services on behalf of a professional partnership of advocates may be provided by advocates and advocate's assistants. A contract for the provision of legal services must, as a rule, specify the advocate who will carry out this contract.

Article 30. Establishment of a Professional Partnership of Advocates and its Founding Document

1. A professional partnership of advocates shall be established and operate in accordance with the agreement covered by the provisions of the Civil Code regulating the agreement on joint activities (partnership) to the extent this does not contradict the special conditions set out in this Law. This agreement shall be the founding document of a professional partnership of advocates. The terms of the agreement related to the activities of a professional partnership of advocates shall come into effect from the date of registration of the professional partnership of advocates in the register of legal persons.

2. A professional partnership of advocates must have at least two founders and members.

3. In addition to the requirements laid down in Article 2.47 of the Civil Code, the founding document must specify the following:

1) names, surnames, personal numbers of members of the professional partnership of advocates, as well as addresses of their places of residence;

2) rights and duties of members of the professional partnership of advocates;

3) principles of the distribution of income and expenses of the professional partnership of advocates;

4) procedure for collecting contributions to the professional partnership of advocates: contributions, procedure and time limits for collecting them. Where a contribution is of a non-monetary nature, its value must be indicated in monetary expression. This value shall be confirmed by common agreement of founders (members) of the professional partnership of advocates;

5) the right of claim of each member of the professional partnership of advocates to the share of the assets of the professional partnership of advocates corresponding to the value of his contribution to the partnership;

6) the conditions of and procedure for admitting new advocates to the professional partnership of advocates;

7) the time limits and procedure for paying the compensation referred to in paragraph 2 of Article 33 of this Law.
4. A professional partnership of advocates may be registered, provided the agreement referred to in paragraph 1 of this Article has been concluded.

**Article 31. Management of a Professional Partnership of Advocates**

1. A professional partnership of advocates shall assume its rights and duties through its members, unless its founding document provides for a managing body of the partnership.

2. Only advocates may be members of the managing body of a professional partnership of advocates. The managing body of a partnership must ensure the possibility for an advocate providing services to comply with the requirements laid down in the Lithuanian Code of Ethics for Advocates.

**Article 32. Specific Features of the Termination of a Professional Partnership of Advocates**

1. If the agreement referred to in paragraph 1 of Article 30 of this Law expires, the professional partnership of advocates shall be liquidated by a decision of its members.

2. In the event of the death of all the members of the professional partnership of advocates, the heir or the Lithuanian Bar Association, where the inheritance passes to the State, must apply to the court of the place of the opening of inheritance with a request to appoint an administrator of inheritance. An administrator of inheritance shall take a decision to liquidate such a professional partnership of advocates and perform the functions of the liquidator.

**Article 33. Succession to the Professional Partnership of Advocates**

1. The priority right of succession to the rights and duties of the deceased advocate – member of the professional partnership of advocates – shall be enjoyed by his heir, provided he is an advocate and the agreement referred to in paragraph 1 of Article 30 of this Law provides that the deceased member may be replaced by his legal successor. Compensation for the share of assets belonging to other heirs shall be paid under common agreement of heirs. In the event of a dispute, the court shall have the right to schedule the payment for the share of assets belonging to other heirs within one year by taking a decision to establish a legal mortgage in respect of all the immovable things of such an heir.

2. In the event of the death of one member of the professional partnership of advocates and where the agreement referred to in paragraph 1 of Article 30 of this Law does not provide that this agreement remains valid in respect of the remaining members of the professional partnership of advocates or that the deceased member may be replaced by his legal successor, or the agreement provides that the deceased member may be replaced by his legal successor but none of his heirs is
an advocate, the heir having presented a certificate of the right of succession shall be paid compensation corresponding to the share belonging to the deceased member of the professional partnership of advocates within the time limits provided for in the agreement referred to in paragraph 1 of Article 30 of this Law.

3. The provisions of this Article shall also apply *mutatis mutandis* to the inheritance of the rights and duties of an advocate where an advocate practises individually or on the basis of partnership.

CHAPTER VII
ADVOCATE'S ASSISTANT

Article 34. Advocate’s Assistant

1. An advocate's assistant shall be a natural person entered in the list of Lithuanian advocate's assistants in accordance with the procedure laid down in this Law and preparing for the advocate’s practice.

2. An advocate's assistant shall have all the rights and duties of the advocate provided by this Law, except for membership in the Lithuanian Bar Association and restrictions set in procedural laws. An advocate's assistant shall be entitled to represent the client’s interests in court only subject to the written permission of the advocate (supervisor of apprenticeship) for representation in a particular case, and before other institutions – with the written consent of the advocate (supervisor of apprenticeship). An advocate's assistant may represent only in courts of first instance and not earlier than one year after the commencement of his apprenticeship as an advocate's assistant.

Article 35. List of Advocate's Assistants of Lithuania

1. Persons shall be entered on the List of Advocate's Assistants of Lithuania by a decision of the Lithuanian Bar Association. A person may be entered on the List of Advocate's Assistants of Lithuania when he:

   1) is a national of the Republic of Lithuania or a Member State of the European Union;
   2) holds a bachelor’s or master’s degree in law, or a lawyer’s professional qualification degree (one-cycle university education in law);
   3) is of high moral character pursuant to Article 8 of this Law;
   4) has agreed with an advocate entered in the List of Practising Advocates of Lithuania to serve an apprenticeship as an advocate's assistant or where an advocate is appointed as the
supervisor of his apprenticeship in accordance with the procedure laid down in paragraph 1 of Article 37 of this Law;

5) has no health disorders that would prevent him from performing the duties of an advocate's assistant. Advocate's assistants shall have health checks as prescribed in subparagraph 6 of Article 7 of this Law.

2. A person wishing to be entered on the List of Advocate's Assistants of Lithuania shall submit to the Lithuanian Bar Association the following:

1) an application to be entered on the List of Advocate's Assistants of Lithuania. This application must contain the applicant’s personal data (name, surname, personal number, place of residence, nationality), as well as answer to the question regarding the existence of any grounds specified in this Law that would preclude him from being entered on the List of Advocate's Assistants of Lithuania;

2) documents proving his compliance with the requirements of this Law applicable during the process of entering on the List of Advocate’s Assistants of Lithuania;

3) an agreement with an advocate on his consent to act as the supervisor of an apprenticeship, on the conditions of apprenticeship, as well as a contract for the workplace.

3. A decision on the entry of the applicant on the List of Advocate’s Assistants of Lithuania shall be adopted by the Lithuanian Bar Association not later than within 45 days from the receipt of documents specified in paragraph 2 of this Article. The Lithuanian Bar Association shall send the applicant a copy of the adopted decision not later than within five working days from the adoption of the decision.

4. If the Lithuanian Bar Association takes a decision to refuse to enter the person on the List of Advocate’s Assistants of Lithuania, reasons for such refusal must be given in the body of the decision. This decision may be appealed against to Vilnius Regional Court within 30 days from its delivery.

**Article 36. Removal from the List of Advocate’s Assistants of Lithuania**

1. The Lithuanian Bar Association shall remove a person from the List of Advocate’s Assistants of Lithuania if:

1) he has filed a written request to terminate his apprenticeship as an advocate's assistant;

2) he has not arrived to take the advocate’s qualification examination within one year after the end of his apprenticeship;

3) a decision has been taken by the Court of Honour of Advocates that the person has violated the requirements of this Law or the Lithuanian Code of Ethics for Advocates;

4) he has assumed another paid position, except for research, teaching and creative work;
5) it becomes known that the person has submitted false data before being entered on the List of Advocate’s Assistants of Lithuania pursuant to paragraph 1 or 2 of Article 35 of this Law;

6) he has died.

2. The person removed from the List of Advocate’s Assistants of Lithuania shall have the right to appeal against the decision taken by the Lithuanian Bar Association to remove him from the List of Advocate’s Assistants of Lithuania on the grounds specified in subparagraphs 3, 4 and 5 of paragraph 1 of this Article to Vilnius Regional Court within 30 days from the adoption of the decision.

**Article 37. Supervision of the Apprenticeship of an Advocate’s Assistant**

1. The apprenticeship of an advocate's assistant shall be served with an advocate who is entered in the List of Practising Advocates of Lithuania, has a record of at least five years of practice as an advocate, has no effective disciplinary sanctions and gives written consent to supervise the apprenticeship of an advocate’s assistant, as well as is able to ensure a workplace for an advocate’s assistant. The appointment and dismissal of the supervisor of the apprenticeship of an advocate’s assistant, the mandatory appointment to supervise the apprenticeship of an advocate's assistant shall be governed by the procedure referred to in paragraph 2 of Article 38 of this Law.

2. The advocate’s office must ensure adequate conditions for the apprenticeship of an advocate’s assistant.

3. The maximum number of advocate’s assistants who can be supervised by one advocate shall be established by the Lithuanian Bar Association.

**Article 38. Procedure for Serving an Apprenticeship as an Advocate’s Assistant**

1. The period of an apprenticeship as an advocate’s assistant shall be two years. This period shall not include the time (except for usual rest period) during which an advocate’s assistant has not actually served his apprenticeship or during which the apprenticeship of an advocate’s assistant has been suspended. The period of the apprenticeship of an advocate’s assistant shall be confirmed by the supervisor in the evaluation of the apprenticeship.

2. The procedure for serving an apprenticeship as an advocate’s assistant, the calculation of the period shall be established by the Lithuanian Bar Association, upon agreement with the Ministry of Justice of the Republic of Lithuania. An advocate’s assistant shall have the right to appeal against a negative evaluation of his apprenticeship to the Lithuanian Bar Association within 30 days, and the decision of the latter – to Vilnius Regional Court within 30 days from its delivery.
3. After the expiry of the period of the apprenticeship as an advocate’s assistant set in this Law, an advocate’s assistant shall have the right to continue his apprenticeship as an advocate’s assistant until the Lithuanian Bar Association takes a decision to recognise him as an advocate.

CHAPTER VIII
RIGHTS AND DUTIES OF ADVOCATES,
GUARANTEES OF THE ADVOCATE’S ACTIVITIES

Article 39. Advocate’s Duties
1. An advocate must:
   1) fairly discharge his duties. An advocate must comply with the requirements of the Lithuanian Code of Ethics for Advocates and behave in an honest and civic-minded manner;
   2) observe the sworn advocate’s oath and laws in his professional activities;
   3) protect the information entrusted to him in the course of his professional activities and maintain its confidentiality;
   4) wear a gown at the court hearing;
   5) continuously improve his professional qualifications. The improvement of professional qualifications of advocates shall be organised by the Lithuanian Bar Association in accordance with the procedure established by the latter;
   6) preserve the advocate’s practice documents in accordance with the procedure laid down in the Law of the Republic of Lithuania on Archives.

2. An advocate must have health checks every five years in accordance with the procedure established by the Ministry of Health and the Ministry of Justice of the Republic of Lithuania.

Article 40. Refusal to Provide Legal Services
1. An advocate may refuse to provide legal services and to conclude a contract only for important reasons. Important reasons shall be the breach of the principles governing the practice of advocates referred to in Article 5 of this Law, the advocate’s busy schedule, lack of experience or other reasons preventing the advocate from adequate provision of legal services.

2. The advocate must immediately notify the client of his refusal to provide legal services and reasons for such refusal.

Article 41. Social Insurance of an Advocate and an Advocate's Assistant
An advocate and an advocate's assistant must take out insurance in accordance with the procedure laid down in the Law of the Republic of Lithuania on State Social Insurance.
Article 42. Prohibition of Advertising

1. An advocate shall be prohibited from advertising his professional activities.

2. Such information shall be permitted when data about an advocate or a professional partnership of advocates are indicated in informative and other publications, on official letterforms, business cards, representative items, as well as when an advocate or a professional partnership of advocates are indicated as providers of sponsorship in accordance with the procedure prescribed by laws.

3. Other ways of presenting information about an advocate or a professional partnership of advocates shall be established by the Lithuanian Bar Association, upon agreement with the Ministry of Justice of the Republic of Lithuania.

Article 43. Other Restrictions on the Advocate’s Activities

1. An advocate entered in the List of Practising Advocates of Lithuania may not participate in operational activities, be employed or hold any other paid position, except for work in the Lithuanian Bar Association and research, creative or teaching activities, as well as the activities specified in paragraph 4 of Article 4 of this Law.

2. An advocate who has been temporarily disbarred by a decision of the Court of Honour of Advocates may hold any other paid position or engage in any other activity.

Article 44. Advocate’s Rights

An advocate, in the pursuit of his professional activities, shall have the right to:

1) receive from state and municipal institutions the information, documents, their copies held or controlled by these institutions which are necessary to provide effective legal services, or a justified refusal to make such information and documents available. The request of the advocate must contain proof of the relevance of the requested documents or their copies to the provision of legal services;

2) gather, on his own, the information necessary to provide legal services which may be obtained by the advocate without applying procedural coercive measures, i.e. obtain from persons the necessary documents or their copies or any other information necessary for the provision of legal services. The request of the advocate must contain proof of the relevance of the requested documents or their copies to the provision of legal services. Persons who have provided the advocate with the necessary information shall be entitled to compensation for the necessary costs associated with the provision of such information, except for the cases provided by laws;
3) familiarise with the practice of courts and other institutions handling disputes and complaints, as well as with effective court decisions, judgements, rulings and the material of cases. If a dispute or complaint was heard in a closed court hearing, access shall be granted only to that part of the case material which does not contain any information by reason whereof the complaint or dispute was heard in a closed court hearing;

4) make copies of the documents of the case in which he is a representative or a defence counsel, except for cases heard in a closed court hearing;

5) attest duplicates of written evidence required for the hearing of the case in court. The procedure for attesting and registering duplicates shall be established by the Lithuanian Bar Association, upon agreement with the Ministry of Justice of the Republic of Lithuania;

6) exercise other statutory rights related to the advocate’s activities.

Article 45. The Advocate’s Right to Meet with the Client
1. It shall be prohibited to hinder the advocate from meeting with the client in private.
2. Any information of the meeting between the advocate and his client may not be used as evidence.

Article 46. Guarantees of the Advocate’s Activities
1. An advocate may not be summoned as a witness or to give explanations as to the circumstances which came to his knowledge in the pursuit of his professional activities.
2. In the pursuit of their professional activities, advocates cannot be identified with their clients and their cases.
3. It shall be prohibited to examine, inspect or take the advocate’s practice documents or files containing information related to his professional activities, examine postal items, wiretap telephone conversations, control any other information transmitted over telecommunications networks and other communications or actions, except for the cases when the advocate is suspected or accused of a criminal act. Such permission shall cover only the documents related to the allegations or charges made against the advocate.
4. A search or seizure at the place of practice or residence or motor vehicle of an advocate entered in the List of Practising Advocates of Lithuania, a body search, an examination, inspection or seizure of documents and postal items may be conducted only in the presence of a member of the Council of the Lithuanian Bar Association or an advocate authorised by the Lithuanian Bar Association. The Lithuanian Bar Association must approve a list of advocates authorised by the Lithuanian Bar Association and submit it to the institutions concerned. The member of the Council of the Lithuanian Bar Association or the advocate authorised by the Lithuanian Bar Association
present during such actions must ensure that documents not related to the allegations or charges made against the advocate are not taken.

5. It shall be prohibited to familiarise, overtly or covertly, with the information comprising the advocate’s professional secret and use it as evidence. The advocate’s professional secret shall encompass the fact of consulting the advocate, the terms of the contract with the client, the information and data provided by the client, the nature of consultation and the information collected by the advocate by order of the client.

6. The Lithuanian Bar Association must be notified of the fact that the advocate has become a suspect or a defendant or procedural actions have been taken.

Article 47. Right to Meet with the Advocate under Detention or Arrest

Members of the Council of the Lithuanian Bar Association or the advocate appointed by it shall have the right to meet with the detained or arrested advocate in accordance with the procedure prescribed by laws.

CHAPTER IX
DOCUMENTATION OF AND PAYMENT FOR LEGAL SERVICES

Article 48. Agreement between the Client and the Advocate

1. A client shall agree with an advocate, advocates or a professional partnership of advocates on the provision of legal services by concluding a contract. Such contracts shall be kept and their records shall be maintained at the advocate’s office or at the registered officer of the professional partnership of advocates.

2. An advocate may be appointed to provide state-guaranteed legal aid in accordance with the procedure prescribed by laws.

Article 49. Execution of the Advocate’s Powers

1. While carrying out requests under agreement or appointment, an advocate shall present the contract for legal services or an extract from this contract, the warrant of attorney in criminal proceedings or the decision on the provision of state-guaranteed legal aid.

2. When an extract from the contract is submitted, it must specify the following:
   1) the name and surname of the advocate;
   2) the name or the name of the professional partnership referred to in paragraph 3 of Article 26 or paragraph 2 of Article 27 of this Law respectively;
   3) the date of the contract for legal services and the extract from the contract;
4) the powers granted, and the person defended or represented;
5) the signature of the advocate.

**Article 50. Payment for Legal Services Provided by the Advocate, Expenses Related to the Advocate’s Activities and Other Payments**

1. For the legal services provided under the contract, the advocate shall be paid by the clients the fee agreed by the parties.

2. In civil cases, as well as where an action is brought in a criminal case, it shall be allowed to agree on the advocate’s fee so that the amount of the fee would depend on the outcome of the case, unless it contradicts the principles governing the practice of advocates.

3. When determining the advocate’s fee for legal services, account must be taken of the complexity of the case, the qualification and experience of the advocate, the financial status of the client and other relevant circumstances.

4. Expenses related to the advocate’s activities shall be covered from the advocate’s fee for the legal services provided under the contract and from remuneration for the provided state-guaranteed legal aid.

5. An advocate shall have the right to pay, on behalf of and with the funds of the client, the stamp duty, state fees and charges or other payments related to the provision of legal services. The funds temporarily held by advocates but owned by other persons shall be accounted for separately and kept in deposit accounts of advocates. It shall be prohibited to execute recovery from the funds kept in these accounts in respect of the obligations of the advocate.

**Article 51. Disputes over the Provision of Legal Services**

1. In the event of a dispute between the client and the advocate over legal services, the client shall have the right to apply to the Lithuanian Bar Association or the court.

2. Disputes between clients and advocates over legal services shall be settled at the Lithuanian Bar Association by the Council of the Lithuanian Bar Association or a body set up by it. These disputes shall be settled in accordance with the procedure established by the Council of the Lithuanian Bar Association and agreed with the Ministry of Justice of the Republic of Lithuania. The Council of the Lithuanian Bar Association or a body set up by it shall have the right to adopt recommendatory decisions.

**CHAPTER X**

**DISCIPLINARY LIABILITY OF ADVOCATES (ADVOCATE’S ASSISTANTS)**

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**Article 52. Instituting and Hearing a Disciplinary Action against an Advocate**

1. A disciplinary action may be instituted against an advocate for violations of the requirements of this Law and the Lithuanian Code of Ethics for Advocates, as well as for professional misconduct.

2. A decision to institute a disciplinary action shall be taken by the Lithuanian Bar Association or the Minister of Justice.

3. Disciplinary actions against advocates shall be heard by the Court of Honour of Advocates. The person who has applied for instituting a disciplinary action shall also have the right to participate when the Lithuanian Bar Association considers instituting a disciplinary action and when the disciplinary action is heard.

4. The procedure for hearing disciplinary actions against advocates shall be established by the Lithuanian Bar Association. The procedure for hearing disciplinary actions against advocates shall be published by the Minister of Justice in *Valstybės žinios* (official gazette). The Minister of Justice may refuse to publish the procedure for hearing disciplinary actions against advocates if it contradicts this Law or other legal acts. The refusal of the Minister of Justice to publish this procedure may be appealed against to court in accordance with the procedure laid down in the Law on Administrative Proceedings.

**Article 53. Types of Disciplinary Sanctions**

The Court of Honour of Advocates may impose the following disciplinary sanctions on an advocate for the violations referred to in paragraph 1 of Article 52 of this Law:

1) censure;

2) reprimand;

3) public reprimand;

4) invalidation of the decision of the Lithuanian Bar Association to recognise the person as an advocate.

**Article 54. Disciplinary Liability of Advocate’s Assistants**

1. The provisions of this Chapter shall also apply to advocate’s assistants, except for the sanction referred to in subparagraph 4 of Article 53 of this Law.

2. In addition to the disciplinary sanctions listed in subparagraphs 1-3 of Article 53 of this Law, a disciplinary sanction – removal from the List of Advocate’s Assistants of Lithuania – may be imposed on an advocate’s assistant.
Article 55. Appeals against Decisions of the Court of Honour of Advocates

Decisions of the Court of Honour of Advocates may be appealed against to Vilnius Regional Court within 30 days from the delivery of a copy of the decision to the advocate or advocate’s assistant.

CHAPTER XI
SELF-GOVERNANCE OF ADVOCATES

Article 56. Lithuanian Bar Association

1. The self-governance of advocates shall be implemented by the Lithuanian Bar Association.

2. Advocates of the Republic of Lithuania shall join into a legal person called the Lithuanian Bar Association. Its seat shall be in Vilnius.

3. Every advocate shall be a member of the Lithuanian Bar Association. The membership of the advocate removed from the List of Practising Advocates of Lithuania may be suspended in accordance with the procedure laid down in the statute of the Lithuanian Bar Association.

4. The Lithuanian Bar Association shall be a public legal person. The activities of the Lithuanian Bar Association shall be regulated by the Law of the Republic of Lithuania on Associations insofar as this Law does not provide otherwise and by the statute of the Lithuanian Bar Association.

5. The activities of the Lithuanian Bar Association shall be financed from contributions paid by advocates and from other sources.

Article 57. Functions of the Lithuanian Bar Association

1. The Lithuanian Bar Association shall have the following functions:

1) co-ordinating the activities of advocates;

2) representing the interests of advocates before state institutions, international and foreign organisations;

3) drafting legal acts on matters relating to the practice of advocates and submitting them to the Ministry of Justice of the Republic of Lithuania;

4) monitoring the practice of advocates in accordance with the procedure prescribed by this Law and other legal acts;

5) organising and implementing the improvement of professional qualifications of advocates;

6) (repealed on 1 January 2009);
7) other functions set forth in this Law.

2. The Lithuanian Bar Association may also perform other functions set forth in the statute of the Lithuanian Bar Association.

**Article 58. Bodies of the Lithuanian Bar Association**

1. The bodies of the Lithuanian Bar Association shall be as follows:
   1) the general meeting of advocates;
   2) the Council of the Lithuanian Bar;
   3) the Court of Honour of Advocates;
   4) the Auditing Commission.

2. The same person may at one time be a member of only one body of the Lithuanian Bar Association elected for no more than two consecutive terms, with the exception of the general meeting of advocates.

3. All decisions of the bodies of the Lithuanian Bar Association shall be appealed against to court within one month from the date of their adoption, unless a special appeal procedure is laid down in this Law.

**Article 59. General Meeting of Advocates**

1. The general meeting of advocates shall be the highest body of the Lithuanian Bar Association.

2. The general meeting of advocates shall:
   1) establish the number of members of the Council of the Lithuanian Bar and the Auditing Commission;
   2) elect and recall members and chairman of the Council of the Lithuanian Bar, the Auditing Commission, three members of the Court of Honour of Advocates in accordance with the procedure laid down in the statute of the Lithuanian Bar Association;
   3) approve the annual statement and estimate of the activities of the Council of the Lithuanian Bar;
   4) adopt and amend the statute of the Lithuanian Bar Association, the Lithuanian Code of Ethics for Advocates which are published by the Minister of Justice in *Valstybės žinios*. The Minister of Justice may refuse to publish the Lithuanian Code of Ethics for Advocates if it contradicts this Law or other legal acts. The refusal of the Minister of Justice to publish the Lithuanian Code of Ethics for Advocates may be appealed against to court in accordance with the procedure laid down in the Law on Administrative Proceedings;
5) on the recommendation of the Council of the Lithuanian Bar, approve the rate of contributions paid by advocates to the Lithuanian Bar Association;

6) approve the procedure for hearing disciplinary actions against advocates;

7) (repealed on 30 April 2008);

8) take decisions on other issues provided for in the statute of the Lithuanian Bar Association.

3. The general meeting of advocates shall be valid if attended by more than half of all the advocates entered in the List of Practising Advocates of Lithuania.

4. The statute of the Lithuanian Bar Association may provide that a meeting (conference) of representatives of advocates shall be convened instead of the general meeting of advocates which shall perform the functions assigned to the general meeting of advocates in subparagraphs 3, 5, 6, 7 and 8 of paragraph 2 of this Article.

5. The number of participants at a meeting (conference) of representatives of advocates, the principles of representation shall be established by the statute of the Lithuanian Bar Association.

**Article 60. Council of the Lithuanian Bar**

1. The Council of the Lithuanian Bar shall be the managing body of the Lithuanian Bar Association. The Council of the Lithuanian Bar shall be elected from among advocates for a term of three years. Advocates having a record of at least eight years of practice as an advocate may be members of the Council of the Lithuanian Bar.

2. In addition to the functions assigned to managing bodies by the Civil Code, the Council of the Lithuanian Bar shall:

1) adopt decisions on the recognition of an applicant as an advocate and repeal them;

2) be consulted on legal acts that must be agreed by the Ministry of Justice of the Republic of Lithuania with the Lithuanian Bar pursuant to this Law;

3) appoint members to the Advocate’s Qualification Examination Commission and nominate the chairman of the Advocate’s Qualification Examination Commission;

4) issue a licence to practise as an advocate;

5) establish the procedure for attesting and registering duplicates referred to in subparagraph 5 of Article 44 of this Law;

6) administer the list of advocate’s offices, establish the procedure for granting permission to open offices in the same buildings as a police establishment, prosecutor’s office or court;

7) take decisions to enter advocates on, or remove them from the List of Practising Advocates of Lithuania;
8) take decisions to enter advocate's assistants on, or remove them from the List of Advocate's Assistants of Lithuania;

9) establish the procedure for serving an apprenticeship as an advocate’s assistant;

10) take decision to institute a disciplinary action against an advocate or an advocate's assistant;

11) register lawyers from Member States of the European Union wishing to practise as an advocate in the Republic of Lithuania;

12) upon agreement with the Ministry of Justice of the Republic of Lithuania, establish criteria for the provision of effective and regular legal services and the adequacy of the necessary knowledge of the national law of the Republic of Lithuania pursuant to paragraph 1 of Article 68 and paragraph 1 of Article 69 of this Law;

13) approve the list of advocates and submit it to the institutions concerned pursuant to paragraph 4 of Article 46 of this Law;

14) upon agreement with the Ministry of Finance of the Republic of Lithuania, establish the procedure for recognising and accounting for income and expenses of advocates practising individually or on the basis of partnership;

15) organise performance review for advocates providing secondary legal aid according to the rules for assessment of the quality of secondary legal aid approved by the Lithuanian Bar Association, upon agreement with the Ministry of Justice;

16) establish the procedure for registering the names used in the pursuit of the advocate’s activities as referred to in paragraph 3 of Article 26, paragraph 3 of Article 27 and paragraph 3 of Article 28 of this Law;

17) upon agreement with the Ministry of Justice of the Republic of Lithuania, establish ways of presenting information about an advocate or a professional partnership of advocates pursuant to paragraph 3 of Article 42 of this Law;

18) perform other functions set forth in the statute of the Lithuanian Bar Association.

**Article 61. Court of Honour of Advocates**

1. The Court of Honour of Advocates shall hear disciplinary actions against advocates in accordance with the procedure established by the Lithuanian Bar Association. The Court of Honour of Advocates shall consist of five members.

2. An advocate having a record of at least eight years of practice as an advocate may be a member of the Court of Honour of Advocates. The Court of Honour of Advocates shall be composed in accordance with the following procedure:
1) three members from among advocates shall be elected by the general meeting of advocates;

2) two members from among advocates shall be appointed by the Minister of Justice.

3. The term of office of the Court of Honour of Advocates shall be three years.

4. The Court of Honour of Advocates may hear disciplinary actions, provided at least three members of the Court are appointed.

5. At its first meeting, the members of the Court of Honour of Advocates shall elect its chairman and secretary.

6. Minutes shall be taken of all the sittings of the Court of Honour of Advocates.

Article 62. Auditing Commission

1. The Auditing Commission shall be the supervisory body of the Lithuanian Bar Association reviewing the financial activities of the Lithuanian Bar Association.

2. The Auditing Commission shall be elected for a term of four years from among advocates having a record of at least five years of practice as an advocate.

CHAPTER XII

RIGHT OF LAWYERS FROM MEMBER STATES OF THE EUROPEAN UNION TO PROVIDE SERVICES ON A TEMPORARY BASIS IN THE REPUBLIC OF LITHUANIA

Article 63. Right of Lawyers from Member States of the European Union to Provide Services on a Temporary Basis in the Republic of Lithuania

1. Lawyers from Member States of the European Union bearing the professional title conferred by the competent authority in their home country which is included in the list approved by the Government of the Republic of Lithuania or an institution authorised by it shall have the right to provide services on a temporary basis in the Republic of Lithuania under Article 50 of the Treaty establishing the European Community in accordance with the provisions of this Chapter.

2. A lawyer from a Member State of the European Union shall provide services on a temporary basis in the Republic of Lithuania under the professional title conferred on him by the competent authority in the Member State of the European Union, expressing his professional title in the official language or one of the official languages of that Member State of the European Union and indicating the professional (self-governing) organisation of which he is a member or the competent authority by which he is authorised to practise under the professional title of the Member State of the European Union. A lawyer from a Member State of the European Union shall provide services on a temporary basis in the Republic of Lithuania within the scope of qualifications
obtained in the Member State of the European Union in which the professional title was conferred on him.

3. A lawyer from a Member State of the European Union providing services in the Republic of Lithuania on a temporary basis shall have the right to:

1) in the pursuit of activities relating to the representation of clients in court or before state and municipal institutions and agencies, provide services in accordance with the requirements laid down for Lithuanian advocates entered in the List of Practising Advocates of Lithuania, with the exception of requirements for the place of practice of an advocate or membership in the Lithuanian Bar Association;

2) in such cases where laws provide for the mandatory participation of advocates, provide services in legal proceedings only in conjunction with an advocate entered in the List of Practising Advocates of Lithuania. This case shall not give rise to contractual relations between the client and the advocate entered in the List of Practising Advocates of Lithuania, unless otherwise agreed by the parties;

3) exercise the rights established by laws of the Republic of Lithuania in respect of the provision of legal services.

4. A lawyer from a Member State of the European Union referred to in paragraph 1 of this Article pursuing activities relating to the representation of clients in court or before state and municipal institutions and agencies must comply with the requirements of laws of the Republic of Lithuania and the Lithuanian Code of Ethics for Advocates, in addition to the requirements of legal acts of the Member State of the European Union in which the professional title was conferred on him.

5. A lawyer from a Member State of the European Union referred to in paragraph 1 of this Article pursuing activities other than those referred to in paragraph 4 of this Article must comply with the conditions and rules of professional conduct of the Member State of the European Union in which the professional title was conferred on him, without prejudice to laws of the Republic of Lithuania and the Lithuanian Code of Ethics for Advocates, especially the rules governing the activities of advocates, relating to the incompatibility of the exercise of the advocate’s activities with the exercise of other activities in the Republic of Lithuania, professional secrecy, relations with other lawyers, prohibition on the same lawyer acting for parties with mutually conflicting interests, and publicity. These rules shall be applicable only if they are capable of being observed by a lawyer from a Member State of the European Union who is not established in the Republic of Lithuania and to the extent to which their observance is objectively justified to ensure the proper exercise of a lawyer’s activities in the Republic of Lithuania and the standing of the profession.
6. In the event of breach of the duties established in this Chapter, a lawyer from a Member State of the European Union providing services in the Republic of Lithuania on a temporary basis shall be held liable in accordance with the disciplinary procedure established in Chapter X of this Law. The lawyer from a Member State of the European Union must furnish the Lithuanian Bar Association with all the information required for hearing and deciding the disciplinary action against him. The decision taken in the disciplinary action against the lawyer from a Member State of the European Union providing services in the Republic of Lithuania on a temporary basis must be notified by the Lithuanian Bar Association to the competent authority of the Member State of the European Union in which the professional title was conferred on that lawyer.

7. Prior to providing legal services in the Republic of Lithuania on a temporary basis, a lawyer from a Member State of the European Union must present to the Lithuanian Bar Association a document issued by the competent authority of the Member State of the European Union attesting to his qualifications as a lawyer. The Lithuanian Bar Association may request additional documents if his qualifications as a lawyer may not be established on the basis of the provided documents.

CHAPTER XIII
RIGHT OF LAWYERS FROM MEMBER STATES OF THE EUROPEAN UNION TO PROVIDE LEGAL SERVICES ON A PERMANENT BASIS IN THE REPUBLIC OF LITHUANIA (RIGHT OF ESTABLISHMENT)

Article 64. Conditions for Acquiring the Right of a Lawyer from a Member State of the European Union to Provide Legal Services on a Permanent Basis in the Republic of Lithuania under the Professional Title Conferred by the Competent Authority of his Home Country

1. The right to provide legal services on a permanent basis in the Republic of Lithuania shall be enjoyed by a lawyer from a Member State of the European Union bearing the professional title conferred by the competent authority in his home country which is included in the list approved by the Government of the Republic of Lithuania or an institution authorised by it.

2. A lawyer from a Member State of the European Union wishing to provide legal services on a permanent basis in the Republic of Lithuania shall be registered by the Lithuanian Bar Association.

3. A lawyer from a Member State of the European Union wishing to provide legal services on a permanent basis in the Republic of Lithuania shall submit an application to the Lithuanian Bar Association. The application must be accompanied by the following documents:

1) a document attesting to his identity and nationality;
2) a document issued by the competent authority of the Member State of the European Union attesting to his registration with the competent authority in the Member State of the European Union. This document must be issued not earlier than three months before its presentation to the Lithuanian Bar Association;

3) a document of insurance against professional civil liability for the damage caused to the client in providing legal services or a guarantee of compensation for such damage.

4. The documents referred to in paragraph 3 of this Article drawn up by the applicant shall be produced in the Lithuanian language. Documents issued in foreign states to be submitted to the Lithuanian Bar Association must be legalised or certified (Apostille), except for the cases provided by laws or international treaties. Documents to be submitted shall be translated into the Lithuanian language, and their translation must be certified by the signature of the person who has done the translation, unless legal acts provide otherwise.

5. A lawyer from a Member State of the European Union shall acquire the right to provide legal services on a permanent basis in the Republic of Lithuania from the date of his registration in the list of lawyers from Member States of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania which is administered by the Lithuanian Bar Association. This list and amendments thereto shall be published by the Lithuanian Bar Association on its website. The registration of a lawyer from a Member State of the European Union in the list of lawyers from Member States of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania which is administered by the Lithuanian Bar Association shall also be notified by the Lithuanian Bar Association to the competent authority of the home country of that lawyer.

6. A lawyer from a Member State of the European Union shall be deregistered from the list of lawyers from Member States of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania if he violates the rules of professional conduct or ethics for advocates set out in this Law or loses the professional title conferred by the competent authority in the Member State of the European Union.

7. Decisions of the Lithuanian Bar Association to refuse the registration of a lawyer from a Member State of the European Union in the list of lawyers from Member States of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania or to deregister him from this list must be reasoned. These decisions may be appealed against to Vilnius Regional Court within 30 days from the delivery of the decision to the lawyer from a Member State of the European Union.

8. A lawyer from a Member State of the European Union providing legal services on a permanent basis in the Republic of Lithuania under the professional title conferred by the competent
authority of his home country shall be subject to the provisions of this Law, except for subparagraphs 3 and 5 of Article 7, Articles 9–19, Article 23, paragraph 2 of Article 39 and Article 41 of this Law.

**Article 65. Rights of a Lawyer from a Member State of the European Union Providing Legal Services on a Permanent Basis in the Republic of Lithuania**

1. A lawyer from a Member State of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania under the professional title conferred by the competent authority of his home country shall have the right to:

   1) provide legal services in accordance with the procedure laid down in this Law, except for the representation in legal proceedings in the Supreme Court of Lithuania;

   2) in such cases where laws provide for the mandatory participation of advocates, provide legal services in legal proceedings only in conjunction with an advocate entered in the List of Practising Advocates of Lithuania. This case shall not give rise to contractual relations between the client and the advocate entered in the List of Practising Advocates of Lithuania, unless otherwise agreed by the parties;

   3) exercise the rights established by laws of the Republic of Lithuania in respect of the provision of legal services;

   4) open a branch in the Republic of Lithuania to provide legal services if it is without prejudice to the provisions of the national law governing practice of the profession in the Member State of the European Union in which the professional title was conferred on him.

2. A lawyer from a Member State of the European Union shall provide legal services on a permanent basis in the Republic of Lithuania under the professional title conferred on him by the competent authority of the Member State of the European Union within the scope of qualifications obtained in the Member State of the European Union in which the professional title was conferred. A lawyer from a Member State of the European Union providing legal services on a permanent basis in the Republic of Lithuania under the professional title conferred by the competent authority of the Member State of the European Union must express his professional title in the official language or one of the official languages of that Member State of the European Union, in an intelligible manner and in such a way as to avoid its confusion with the Lithuanian professional title of advocate. A lawyer from a Member State of the European Union providing legal services on a permanent basis in the Republic of Lithuania under the professional title conferred by the competent authority of the Member State of the European Union must also indicate the professional (self-governing) organisation of which he is a member or the competent authority by which he is authorised to practise under the professional title of the Member State of the European Union.
3. A lawyer from a Member State of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania under the professional title conferred by the competent authority of his home country shall have the right to participate in the self-governance of Lithuanian advocates.

**Article 66. Duties of a Lawyer from a Member State of the European Union Providing Legal Services on a Permanent Basis in the Republic of Lithuania**

1. A lawyer from a Member State of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania under the professional title conferred by the competent authority of his home country must:

   1) be covered by insurance against professional civil liability for the damage caused to the client in providing legal services under this Law, except for the cases where a lawyer from a Member State of the European Union can prove that he is covered by insurance taken out against his professional civil liability for the damage caused to the client in providing legal services or another guarantee provided for compensation for damage in accordance with laws of the Member State of the European Union in which the professional title was conferred, and such insurance or guarantee is equivalent in terms of conditions and extent of cover. Insofar as such insurance or guarantee is not equivalent in terms of conditions and extent of cover, he must take out additional insurance against his professional civil liability or otherwise guarantee compensation for such damage so as to meet the requirement of this Law;

   2) comply with the Lithuanian Code of Ethics for Advocates and other rules of professional conduct as well as the requirements of legal acts of the Member State of the European Union in which the professional title was conferred on him;

   3) inform the Lithuanian Bar Association about the loss of the professional title conferred by the competent authority of the Member State of the European Union (suspension or withdrawal of the right to provide legal services);

   4) where he practises jointly with other persons, furnish the Lithuanian Bar Association with the information about a grouping to which he belongs in the Member State of the European Union and other relevant information on that grouping.

2. A lawyer from a Member State of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania under the professional title conferred by the competent authority of his home country shall pay compulsory contributions established by the general meeting of advocates of the Lithuanian Bar.
Article 67. Disciplinary Liability of a Lawyer from a Member State of the European Union Providing Legal Services on a Permanent Basis in the Republic of Lithuania

1. A lawyer from a Member State of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania under the professional title conferred by the competent authority of his home country shall be held liable in accordance with the disciplinary procedure established in Chapter X of this Law. In addition to the disciplinary sanctions listed in subparagraphs 1-3 of Article 53 of this Law, a sanction – deregistration from the list of lawyers from Member States of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania – shall be imposed on a lawyer from a Member State of the European Union. Decisions of the Lithuanian Bar Association concerning the imposition of a disciplinary sanction on a lawyer from a Member State of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania under the professional title conferred by the competent authority of his home country must be reasoned.

2. Before instituting a disciplinary action against a lawyer from a Member State of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania under the professional title conferred by the competent authority of his home country, the Lithuanian Bar Association must inform the competent authority in the Member State of the European Union in which the professional title was conferred on him of its intention to initiate disciplinary proceedings, as well as furnish it with all the relevant information. The Lithuanian Bar Association must cooperate throughout the disciplinary proceedings with the competent authority of the Member State of the European Union in which the professional title was conferred on the lawyer from the Member State of the European Union. That authority must also be informed about a decision taken by the Court of Honour of Advocates concerning that lawyer.

3. Throughout the disciplinary proceedings the competent authority in the Member State of the European Union in which the professional title was conferred on the lawyer from the Member State of the European Union shall have the right to be heard (right to participate in the disciplinary proceedings, make relevant submissions, etc.).

4. If the competent authority in the Member State of the European Union in which the professional title was conferred on a lawyer from a Member State of the European Union suspends or withdraws the right of the lawyer from a Member State of the European Union to provide legal services (practise the profession of lawyer), the lawyer from a Member State of the European Union shall not have the right to provide legal services in the Republic of Lithuania either. Upon the receipt of the notification of the lawyer from a Member State of the European Union or the information of the Member State of the European Union in which the professional title was conferred on the lawyer from a Member State of the European Union about the suspension or
withdrawal of such right, the Lithuanian Bar Association shall deregister the lawyer from a Member State of the European Union from the list of lawyers from Member States of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania. Where the right to provide legal services (practise the profession of lawyer) is temporarily suspended, the Lithuanian Bar Association shall, on the application of the lawyer from a Member State of the European Union upon the expiration of the period of the suspension of that right, register the lawyer from a Member State of the European Union in the list of lawyers from Member States of the European Union entitled to provide legal services on a permanent basis in the Republic of Lithuania.

**Article 68. Conferment of the Lithuanian Professional Title of Advocate on a Lawyer from a Member State of the European Union after a Period of Three Years of Professional Practice**

1. A lawyer from a Member State of the European Union practising under the professional title conferred by the competent authority of a Member State of the European Union who has regularly and effectively provided legal services on a permanent basis in the Republic of Lithuania for a period of three years in the national law of Lithuania, including Community law, shall have the right to apply for his recognition as a Lithuanian advocate and entry on the List of Practising Advocates of Lithuania in accordance with the procedure laid down in this Law. In this case, he shall be exempted from the requirements set out in subparagraphs 3 and 5 of Article 7 of this Law. Regular and effective provision of legal services on a permanent basis shall mean actual exercise of the professional activity without any interruption other than that resulting from the events of everyday life.

2. The lawyer referred to in paragraph 1 of this Article must furnish the Lithuanian Bar Association with proof of such regular and effective provision of legal services on a permanent basis in the Republic of Lithuania for the last three years in the national law of Lithuania. To that end:

   1) the lawyer from a Member State of the European Union must provide the Lithuanian Bar Association with all the information and documentation (in particular on the number of legal services provided on a permanent basis and their nature) necessary for recognising him as a Lithuanian advocate and entering him on the List of Practising Advocates of Lithuania in accordance with the procedure laid down in this Law;

   2) the Lithuanian Bar Association shall have the right to verify the effective and regular nature of the legal services provided on a permanent basis and, if needed, request the lawyer to
provide, in writing or orally, clarification of or further details on the provided information and documentation.

3. Documents submitted to the Lithuanian Bar Association under this Article shall be subject to the requirements laid down in paragraph 4 of Article 64 of this Law.

4. A decision of the Lithuanian Bar Association to refuse to recognise the lawyer from a Member State of the European Union as a Lithuanian advocate and to enter him on the List of Practising Advocates of Lithuania in accordance with the procedure laid down in this Law under the conditions set out in paragraph 1 of this Article must be reasoned. This decision may be appealed against to Vilnius Regional Court within 30 days from the delivery of the decision to the lawyer from a Member State of the European Union.

**Article 69. Conferment of the Lithuanian Professional Title of Advocate on a Lawyer from a Member State of the European Union after a Period of less than Three Years of Professional Practice in the National Law of Lithuania**

1. A lawyer from a Member State of the European Union practising under the professional title conferred by the competent authority of a Member State of the European Union who has regularly and effectively provided legal services on a permanent basis in the Republic of Lithuania for a period of at least three years but for a lesser period in the national law of Lithuania and gained the required knowledge of the national law of Lithuania shall have the right to apply for his recognition as a Lithuanian advocate and entry on the List of Practising Advocates of Lithuania in accordance with the procedure laid down in this Law. In this case, he shall be exempted from the requirements set out in subparagraphs 3 and 5 of Article 7 of this Law.

2. In order to take a decision to recognise a lawyer from a Member State of the European Union as a Lithuanian advocate and to enter him on the List of Practising Advocates of Lithuania in accordance with the procedure laid down in this Law, the Lithuanian Bar Association shall verify the regular and effective provision of legal services on a permanent basis during the period referred to in paragraph 1 of this Article, any knowledge and professional experience of the national law of Lithuania, as well as any attendance at lectures or seminars on the national law of Lithuania, including the rules regulating professional practice and conduct. The lawyer from a Member State of the European Union must provide the Lithuanian Bar Association with the necessary information and documentation (in particular on the legal services provided on a permanent basis). The regular and effective nature of the services provided and the capacity of the lawyer from a Member State of the European Union to continue the provision of legal services shall be assessed and verified by the Lithuanian Bar Association during an interview.
3. Documents submitted to the Lithuanian Bar Association under this Article shall be subject to the requirements laid down in paragraph 4 of Article 64 of this Law.

4. A decision of the Lithuanian Bar Association to refuse to recognise the lawyer from a Member State of the European Union as a Lithuanian advocate and to enter him in the List of Practising Advocates of Lithuania in accordance with the procedure laid down in this Law under the conditions set out in this Article must be reasoned. This decision may be appealed against to Vilnius Regional Court within 30 days from the delivery of the decision to the lawyer from a Member State of the European Union.

Article 70. Conferment of the Lithuanian Professional Title of Advocate on a Lawyer from a Member State of the European Union Holding a Diploma Attesting to the Professional Qualifications Recognised in the Republic of Lithuania

A lawyer from a Member State of the European Union providing legal services on a permanent basis under the professional title conferred by the competent authority of a Member State of the European Union whose diploma attesting to the professional qualification and received in a Member State of the European Union, a country of the European Economic Area or the Swiss Confederation has been recognised in accordance with the procedure established by the Government of the Republic of Lithuania shall have the right to be recognised as a Lithuanian advocate and entered on the List of Practising Advocates of Lithuania in accordance with the procedure laid down in this Law. In this case, that lawyer shall be exempted from the requirements set out in subparagraphs 3 and 5 of Article 7 and Articles 68 and 69 of this Law.

Article 71. Right to Use the Professional Title Conferred by the Competent Authority in a Member State of the European Union alongside the Lithuanian Title of Advocate

A lawyer from a Member State of the European Union recognised as a Lithuanian advocate and entered in the List of Practising Advocates of Lithuania in accordance with the procedure laid down in this Law shall be entitled to use the professional title conferred on him by the competent authority in the Member State of the European Union, expressed in the official language or one of the official languages of that Member State of the European Union, alongside the Lithuanian title of advocate.

Article 72. Cooperation of the Lithuanian Bar Association with the Competent Authorities in Member States of the European Union Conferring Professional Titles on Lawyers from Member States of the European Union
For the purpose of implementing the provisions of legal acts of the European Union regulating the activities of lawyers, the Lithuanian Bar Association must cooperate with the competent authorities of Member States of the European Union in which professional titles were conferred on lawyers from Member States of the European Union and afford them the required assistance.

CHAPTER XIV
FINAL PROVISIONS

Article 73. Entry into Force of the Law

This Law shall enter into force in accordance with the Law on the Entry into Force and Implementation of the Law of the Republic of Lithuania on the Bar.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

ROLANDAS PAKSAS
EU LEGAL ACTS IMPLEMENTED BY THE LAW ON THE BAR


3. Directive 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained.

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