



Activity Title and Number: Study Assignment on lawyers practice and law firm management A417-C1

Beneficiary: Ministry of Justice

Location and Date: Czech Republic, Austria, Portugal, 02-11 November 2015

Stakeholders: Ministry of Justice of Portugal, the Bar Association of Czech Republic, the Portuguese Bar Association, the Austrian Federal Bar Association, the Bar Association of Vienna, Leading law firms in Czech Republic, Austria and Portugal

Brief Activity Report

Relevance and Impact

China's legal services sector and the number of lawyers have increased rapidly in the last 30 years, putting pressure on its fragile and young legal supervisory system. By the end of 2014, there were more than 22,000 local law firms including around 1,400 state-owned firms, 5,300 solo firms and 15,300 partnerships. China now has over 270,000 practicing lawyers. Following the instructions from China's top leadership on judicial and legal system reform, the Ministry of Justice (MOJ) has adopted many measures in order to:

- Improve lawyers' rights protection mechanism by ensuring lawyers criminal defence and litigation rights; regulate the relationship between judicial officers and lawyers.
- Strengthen the disciplinary system for illegal practitioners by drafting amendments to the Penalties for Violations by Lawyers and Law Firms.
- Improve lawyers' ethics by implementing the Opinions on Further Strengthening the Construction of Legal Ethics and the Code of Ethics for Lawyers.
- Improve lawyers' administrative system by increasing the supervision on lawyers practice.

In January 2015, the annual Central Political and Legal Affairs Conference called for the creation of an effective administration system over lawyers' performance in China which is regarded as a prerequisite to further opening up the country's legal services market.

Activity Description

The Department of Directing Lawyers and Notarization of MOJ supervises and administers lawyers' performance, notarization work and foreign law firms representative offices in China. The Department expressed interest in understanding the development of lawyers and legal services sector in the EU. In this context, the EUCTP II organised 8 meetings in Austria, the Czech Republic and Portugal for 6 delegates from the Ministry of Justice and bar associations. The delegation was headed by Ms. HE Min, Deputy Director General of the Department of Directing Lawyers and Notarization of MOJ.



Exchanges between the Ministry of Justice of Portugal and the MOJ delegation

Results and Dissemination

The participants:

- ✓ gained a deeper understanding of the management of legal profession and law firms in EU member states
- ✓ discussed legal cooperation – lawyers exchange and lawyers training – with their counterparts
- ✓ gained useful information to improve the Chinese legal profession that will benefit the opening up of China's legal service market