



Lawyers training systems in the EU

Belgium

Information provided by: **Ordre des Barreaux Francophones et Germanophones (OBFG)**

April, 2014

DESCRIPTION OF THE NATIONAL TRAINING SYSTEM FOR LAWYERS in Belgium

1. Access to the Profession

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| Higher education / university education | YES |
| A law degree is compulsory | YES |
| Steps to becoming a fully-fledged lawyer: | <ul style="list-style-type: none"> • Registration with the Bar • Examination organised by the Bar (there are 4 vocational training centres (<i>Centres de Formation professionnelle</i>) for 14 Bars) • Completion of an induction period |

Alternative routes to the profession: NO

the only exception is Directive 98/5/CE of 17 February 1998 (for lawyers practising in Belgium, having acquired qualifications in another member state)

2. Training during induction period

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| Is there an induction period? | YES | <p>Legal basis:</p> <ul style="list-style-type: none"> • Art. 434 Belgian Judicial Code • Code of conduct for lawyers, Title 3 "stage et formation" (Code de déontologie de l'avocat) |
| Compulsory | YES | Set length: 3 years |

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| | | <p>In order to be admitted to the Bar advocates list, one must have completed 3 years of internship (stage) (subject to the application of article 428 bis, Belgian Judicial Code)</p> <p>For lawyers admitted to the list of professionals practising as lawyers qualified in another member state of the EU, conditions described in article 477nonies of the Belgian Judicial Code must be met.</p> <p>Legal basis: Article 434 of the Belgian Judicial Code and article 3.2. of the Code of conduct for lawyers (Code de déontologie de l'avocat)</p> |
| Types of structures responsible for organising induction training | <p>The Bar is responsible for organising the two first years of the induction training period.</p> <p>In the third year of the induction period, the candidate is obliged to follow continuous training corresponding to at least 20 training points per year (articles 3.26. and 3.27 of the Code of conduct for lawyers (Code de déontologie de l'avocat)</p> | |
| Form of induction training | <ul style="list-style-type: none"> • Apprenticeship supervised by a private practice and • Law training with specific curriculum common to all trainee lawyers and • Training on non-legal professional skills (e.g. communication, management of an office, etc.) and • Training on legal professional skills (e.g. drafting claims, working with clients, etc.) and • Participation in at least one Moot court case ("<i>exercice de plaidoirie</i>") and in the legal aid duty ("<i>participation aux permanences d'aide juridique</i>") (article 3.13 of the Code of conduct for lawyers). | |
| Entrance exam / check before induction period | YES | <ul style="list-style-type: none"> • Check/verification of diploma (this is the only check before induction period) |
| Set curriculum during induction period | YES | <p>Article 3.14 of the Code of Conduct for lawyers</p> <p>Main topics covered:</p> <ul style="list-style-type: none"> • Ethics (minimum of 14 hours) • Law firm organisation and lawyer fees (minimum 6 hours) • Judicial procedures and judicial organisation (minimum 10 hours) |

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| | | <ul style="list-style-type: none"> • Criminal law and criminal law procedure (minimum 10 hours) • Legal aid (minimum 6 hours) <p>In addition, 80 hours of mandatory training in at least 3 of the following topics. For example:</p> <ul style="list-style-type: none"> • Administrative law procedure • Family law • Labour law • Commercial and bankruptcy law • Financial sector law • Business accounting |
| Specificities regarding EU law and linguistic training: | NO | |
| Induction period divided into different stages | NO | |
| Post-induction period assessment / exam | YES | <ul style="list-style-type: none"> • Written exams and • Oral exams <p>In fact, the exam does not take place at the end of the induction period, but during the two first years of apprenticeship.</p> |
| 3. Continuous training system | | |
| Differentiation between continuous training / specialisation training | YES | |
| Obligations regarding continuous training | YES | <p>Compulsory training obligations as stated in the internal regulations of the bar</p> <p>Legal Basis:</p> <p>Art 3.26 – 3.35 of the Code of Conduct for lawyers (Code de déontologie de l'avocat) on continuous training (formation continue).</p> |
| Obligations regarding specialisation training | YES | <p>Legal basis:</p> <p>Article 4.46 – 4.53 of the Code of Conduct for lawyers (Code de déontologie de l'avocat)</p> <p>Maximum two specialisation topics for every lawyer.</p> <p>The list of possible specialisation topics is mentioned in the Code of Conduct for lawyers (Code de déontologie de l'avocat).</p> |

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| | | Specialisation is recognised by the Bar after assessing the evidence brought by the lawyer as a proof the specific knowledge and experience in the topic studied. |
| Obligations regarding learning foreign languages | | No obligations |
| Obligations regarding EU law content in relation to continuous / specialisation training | | No obligations |
| 4. Accreditation systems and training providers | | |
| Possibility for accreditation | | <p>It is possible to receive accreditation</p> <ul style="list-style-type: none"> • Of training courses • Of national training providers • Of training providers from all member states <p>Steps towards the accreditation process: A request has to be sent to the OBFG (Article. 3.28 of the Code of Conduct for lawyers - Code de déontologie de l'avocat) The requesting training provider has to pay a fee corresponding to the amount of the fee due by the participant to the training provider.</p> |
| Number of training providers offering accredited continuous training activities | | More than 50 |
| Type of training providers developing accredited continuous training activities | | <ul style="list-style-type: none"> • Bar • Organisation managed or established by Bar • Accredited private commercial training provider (incl. law firms) • Accredited private or public non-for-profit training provider • Non-accredited private commercial training provider • Non-accredited private or public non-for-profit training provider |
| Activities and methods | | |
| Type of training activities accepted under the obligations of continuous training | <ul style="list-style-type: none"> • Attending face to face training sessions • Attending training conferences | <p>Participation in training activities taking place in another Member State: Yes, it may count towards continuous training obligations</p> |

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| | <ul style="list-style-type: none"> • Participating in training activities as trainer or teacher • Writing / publishing | <p>The Belgian local bar evaluates on a case- by-case basis the amount of credit points to be granted to the participant on the basis of the program and the length of the training course.</p> <p>There are also bilateral recognition agreements valid or under discussion with some Bars in other Member States.</p> |
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5. Supervision of training activities

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| Organisations involved in supervising continuous training activities | N/A |
| Supervision process | N/A |
| Organisations involved in supervising training activities towards specialisation | N/A |
| Supervision process | N/A |

Source: Pilot Project - European Judicial Training: "Lot 2 – Study on the state of play of lawyers training in EU law", carried out by the Council of Bars and Law Societies of Europe (CCBE) and the European Institute of Public Administration (EIPA)