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Initial training of lawyers in the European Union

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Latvia



Latvia

General description

Is initial training offered, if yes is it compulsory?

A distinction should be made between lawyers (persons who have acquired a lawyer's qualification after an LL.M.) and advocates – the regulated profession of lawyers and persons admitted to the Latvian Bar Association.

Taking into account the distinction, there is no initial training for lawyers, but initial training is required if person chooses to become assistants to sworn advocates.

In Latvia, the following categories of persons may work as advocates: sworn advocates, assistants to sworn advocates, advocates from EU member states, and foreign advocates. This section contains information only on sworn advocates and assistants to sworn advocates.

A person may be admitted as a sworn advocate if he/she fulfils certain criteria relating to education, age and other conditions and has passed the advocate's examination, having previously acquired professional experience in one of the following positions:

1. At least three years as a judge;
2. At least five years as a public prosecutor, a sworn bailiff, a sworn notary, or an assistant to a sworn advocate;
3. At least seven years in the position of academic staff specializing in law at a higher education institution or in any other legal position after qualifying as a lawyer.

However, in the context of this section, initial training applies only to those who choose to first become an assistant to a sworn advocate before qualifying as a sworn advocate. Both assistants and sworn advocates are members of the Latvian Bar Association.

A person may become an assistant to a sworn advocate after having obtained a lawyer's qualification, having successfully passed the admission examination for an assistant to a sworn advocate and having indicated which of the sworn advocates has agreed to be his or her patron – a sworn advocate who has undertaken to guide, teach, employ and supervise the assistant to a sworn advocate.

Does initial training differentiate between categories of trainees, e.g. for in-house lawyers and advocates?

Only assistants to a sworn advocate are subject to compulsory training.

In-house lawyers are not members of the Bar and are not regulated as a profession in Latvia. There is no system of initial training for them.

Which entities are responsible for organising initial training?

The direct supervision of an assistant to a sworn advocate is carried out by their patron.

Assistants to sworn advocates must participate in all qualification-raising events organized by the Latvian Council of Sworn Advocates (e.g., seminars, lectures, and other activities) and fulfill all other obligations set by the Council. Main institution supervising assistants to a sworn advocates is the Commission for the Professional Training, Supervision and Examination of assistants to a sworn advocates.

Private commercial training providers are not part of the mandatory initial training program.

What is the statutory basis for initial training?

1. Compulsory training obligations are set by law and detailed in the Internal Rules of the Latvian Collegium of Sworn Advocates;
2. [Advocacy Law of the Republic of Latvia](#) (available in English);
3. Articles of [Association of the Latvian Collegium of Sworn Advocates](#) (available in English);
4. The [Code of Ethics of the Latvian Sworn Advocates](#) (available in English);
5. [Operating rules of Assistants of Sworn Advocates](#) (available in Latvian);
6. [Rules and training program](#) for the training and examinations of Assistants to Sworn Advocates (available in Latvian).

Access to the initial training

Are there conditions for accessing the training?

In order to undergo training, a person must be admitted to the Bar as an assistant to a sworn advocate.

A person may be admitted to the Bar as an assistant to a sworn advocate if they meet the following criteria:

1. Are citizens of the Republic of Latvia;
2. Have a faultless reputation;
3. Have attained the age of twenty one years;
4. After completion of an accredited study programme in a higher education institution, have obtained a second-level higher vocational education in law and the professional qualification of a lawyer, and also have obtained Master's Degree in Law;
5. Have knowledge of the Latvian language at the highest level;
6. Have indicated which of the sworn advocates has agreed to be his or her patron – a sworn advocate who has undertaken to guide, teach, employ and supervise the assistant to a sworn advocate;
7. Have passed the admission examination for an assistant to a sworn advocate.

What is the main recruitment procedure? If it is competitive - who runs it?

Applicants must submit the required documents and pass the examination for assistants to sworn advocates.

The Commission for the Professional Training, Supervision, and Examination of Assistants to Sworn Advocates reviews applications and admission documents. If an applicant meets the legal criteria, they are admitted to the examination.

Upon passing the exam, the applicant is admitted to the Latvian Bar by the Latvian Council of Sworn Advocates.

Are there alternative access routes to the training?

Other than by being an assistant to a sworn advocate, a person may be admitted as a sworn advocate if he/she fulfils certain criteria relating to education, age and other conditions and has passed the advocate's examination, having previously acquired professional experience in one of the following positions:

1. at least three years - as a judge;
2. at least five years - as a public prosecutor, a sworn bailiff or a sworn notary;
3. at least seven years in the position of academic staff specialising in law at a higher education institution

or in any other position specialising in law after having qualified as a lawyer.

Format and content of the initial training

What is the duration and time frames of the training?

In general, an assistant to a sworn advocate must complete 5 years of initial training before being admitted to the sworn advocate examination. In addition, there are various obligations stipulated in the Advocacy Law of the Republic of Latvia and the Internal Regulations of the Latvian Collegium of Sworn Advocates, namely:

- during all years - to attend a monthly seminar (1.5 hours);
- During the 1st year - participate in the work of the Latvian Council of Sworn Advocates;
- After the 1st year - take the first exam;
- during the 2nd year and after passing the first exam - practice a certain number of criminal, administrative and civil cases;
- During the 2nd year - publish an article on a legal issue or participate in the work of the Latvian Council of Sworn Advocates;
- after the 2nd year - take the second exam;
- after 2nd year and after successfully passing the second exam - practice a certain amount of criminal, administrative and civil cases;
- after 5 years as an assistant to a sworn advocate - to take the sworn advocate examination.

How is the training organised?

Seminars and exams: Centralized, organized by the Commission for the Professional Training, Supervision, and Examination of Assistants to Sworn Advocates.

Practical training: Decentralized, conducted under the supervision of a patron.

Who are the trainers?

Patrons - a sworn advocate who has practiced as a Sworn Advocate for at least seven years and is capable of guiding, employing and supervising the assistant to a sworn advocate.

Seminars are organized by the Commission for the Professional Training, Supervision and Examination of assistants to a sworn advocates and lectures are professionals in the relevant field.

What is the content and objectives of the initial training?

By doing practical work the assistants to a sworn advocates knowledge in different fields of law and in drafting legal documents, and appearing before courts and public authorities.

During the same period the assistants to a sworn advocates shall take part in a number of compulsory seminars organized by the Commission for the Professional Training, Supervision and Examination of assistants to a sworn advocates. Seminars are delivered in the form of lectures and covers different law fields, substantial and procedural law, legal skills and professional ethics.

Who designs the initial training programmes?

The Commission for the Professional Training, Supervision and Examination of assistants to a sworn advocates.

What methodology is used for the training?

Lectures, seminars, exams, preparation of publications, required attendance at a certain number of court hearings, practice in a certain number of criminal, administrative and civil cases.

What practical elements of the training are applicable to the trainees?

The assistants to a sworn advocates shall:

- become involved in the work of the institutions of Latvian Collegium of Sworn Advocates (bar);
- Attend as a listener in a certain number of criminal proceedings;
- Provide defense in a certain number of pre-trial criminal proceedings and proceeding in a court;
- Gain experience in civil cases and in cases arising from administrative proceedings.

How are trainees evaluated/assessed? How often and by whom?

Assistants to sworn advocates shall work under the guidance and supervision of sworn advocates, but the direct supervision of the activities of an assistant to a sworn advocate shall be performed by a patron whose instructions shall be binding to the assistant.

Exams and the fulfilment of other obligatory duties, e.g. attendance at seminars, fulfilment of the required practical work, are examined and supervised by the Commission for the Professional Training, Supervision and Examination of assistants to a sworn advocates.

The timetable is given under *"What is the duration and time frames of the training?"*.

Are there any training activities carried out in conjunction with other legal professionals? If yes: How does it work?

No, the initial training is only intended for assistants to sworn advocates and is only concerned with the profession of sworn advocate and advocacy as such.

What are the specificities regarding EU law training, linguistic training and European components of initial training, for example participation in CCBE or ELF activities?

Linguistic training: no.

EU law: There may be a reference to EU law when certain topics are presented in seminars. Applicable EU regulation to the advocates shall be studied for admission exam of assistants to sworn advocates.

How many trainees are accepted for training? Are the numbers of trainees adjusted annually and by who?

There is no limit on trainees (assistants to a sworn advocates) accepted, as this depends on the number of applications received and approved, and the number of people who pass the examination.

Termination of the initial training and qualification process

Does the initial training conclude with a final exam? How is it organised? Who is responsible for the exam?

Yes, the initial training concludes with the Sworn Advocate examination organised by the Latvian Council of Sworn Advocates.

The Latvian Council of Sworn Advocates shall examine the submission and documents of the applicant, gather and consider all the necessary information and evaluate the compliance of the applicant with the requirements of the Advocacy Law of the Republic of Latvia. If the applicant conforms to the requirements of the Advocacy Law of the Republic of Latvia, the Latvian Council of Sworn Advocates shall accept him or her to take the advocate examination.

Is there a further recruitment procedure to become a lawyer upon completion of the initial training?

No additional recruitment procedure is required after passing the sworn advocate examination.

However, sworn advocates are obliged to raise their qualification. Each sworn advocate must dedicate not less than 16 academic hours for raising of qualification during one calendar year, procedure for raising the qualification is determined by the Latvian Council of Sworn Advocates.

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