

[Home](#) > [Training, Judicial Networks and Agencies](#) > Flemish bar association

Flemish bar association

General description

Is initial training offered, if yes is it compulsory?

Initial training is compulsory and organised by the "Orde van Vlaamse Balies" (OVB) itself, through a commission made up of 2 representatives of each of the 8 bar associations who are all member of OVb. There are 5 local departments who follow up the practical organisation of the initial training.

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

Initial training organised by the OVb is only applicable to trainee advocates (who can register on the lawyers' roll afterwards), not for in-house lawyers.

Which entities are responsible for organising initial training?

The traineeship school is responsible for the organisation of the training.

What is the statutory basis for initial training?

The statutory basis for initial training is provided by article 495 of the Judicial code:

“L'Ordre des Barreaux francophones et germanophone et l'Orde van Vlaamse Balies ont, chacune en ce qui concerne les barreaux qui en font partie, pour mission de veiller à l'honneur, aux droits et aux intérêts professionnels communs de leurs membres et sont compétentes en ce qui concerne l'aide juridique, le stage, la formation professionnelle des avocats-stagiaires et la formation de tous les avocats appartenant aux barreaux qui en font partie.”

The training is regulated in our [Code of Ethics](#) (article 40 - 51 bis) on basis of the above mentioned law.

Access to the initial training

Are there conditions for accessing the training?

A master degree in law is required.

Registration with the Bar:

- Check/verification of diploma
- Evaluation by the Bar of a written application submitted by the applicant. The person who wishes to become a lawyer must send an application to the Bar and submit all the required documents which prove that all requirements (such as the obtainment of a Master diploma in Law, the date of the oath etc.) are met.
- Aptitude test (written exam + evaluation of a case). This aptitude test is called the B.U.B.A. (“Bewaamheidsattest tot het uitoefenen van het beroep van advocaat”, freely translated as “certificate of competence to practice the profession of lawyer”). This test is taken during the first year of the trainee’s internship. In some cases, before being able to start an internship, some new graduates must pass a test of knowledge in Belgian law. This is applicable for non-Belgian persons who have finished their studies in another Member State or for Belgian persons who have done all or a part of their studies in another Member

State (it is, for example, common that law students in the border region of Limburg and the Netherlands finish their Bachelor degree in Belgium and then obtain their Master degree in the Netherlands).

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

Candidate trainee lawyers must provide the documents described in article 26 of the Deontological Code to the secretariat of the Bar Council. Once they have taken the oath, they request subscription to the Bar of the location where their office is. They can register with all the other bar associations as well, if they choose to have a secondary office in the jurisdiction of those bar associations. When the Bar Council approves the application, the trainees will be added to the list of trainees and they receive access to the private website of the Bar, where they can subscribe for the initial training. The procedure is not competitive.

Are there alternative access routes to the training?

Alternative routes to the profession: NO

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

Format and content of the initial training

What is the duration and time frames of the training?

At least 3 years.

No different stages.

How is the training organised?

The traineeship lasts 3 years and is monitored by the supervising principal. The professional training (in the first 18 months of the traineeship) is organised by the traineeship school of the OVB.

Who are the trainers?

Lawyers and professional trainers.

What is the content and objectives of the initial training?

- Apprenticeship supervised by a private practice
- Law training with specific curriculum common to all trainee lawyers
- Training on non-legal professional skills (e.g. communication, management of an office, etc.)
- Training on legal professional skills (e.g. drafting claims, working with clients, etc.)
- Judicial procedures and judicial organisation
- Criminal law and criminal law procedure
- Administrative law procedure
- Family law
- Labour law
- Commercial and bankruptcy law
- Financial sector law
- Ethics rules
- Business accounting

Who designs the initial training programmes?

The traineeship school of the OVB.

What methodology is used for the training?

E-learning

Practical seminars

Exams

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

The lawyer-trainee takes the oath and consequently has the same responsibilities as other lawyers. He/she will of course be assisted by his/her supervising principal. The rights and duties of the trainee are mentioned in the aforementioned chapters of the OVB Code of Ethics.

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

Trainee lawyers are evaluated on different occasions:

- Report of their supervising principal (at the end of their traineeship or a change of office along the way)
- Exams, organised by the OVB and drawn up by the teachers (ethics, civil procedural law, criminal procedural law): Exams take place on the same day and hour (mostly in the beginning of April, with 3 exams planned on as follows: one on Monday, one on Wednesday and one on Friday), in an online controlled environment.
- Active participation during the lessons, assessed by the teachers
- Papers, assessed by the members of the traineeship school
- Participation in moot court exercises, assessed by a jury containing lawyers and magistrates
- Management of pro deo cases, assessed by the bureau for legal assistance.

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

No.

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

No.

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

In 2021-2022 a total of 599 trainees have started with the professional training. This number fluctuates yearly and there is no limitation.

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?

The trainee is evaluated in different ways (article 48 of the Code): exams, essays and permanent evaluation (e.g. course on written communication). When successfully passing the exams, the trainee receives a certificate of competence from the OVB. This certificate is valid for 5 years (article 49).

The traineeship school is competent to decide on the format and content of the exams and evaluations (article 43).

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

Yes, the trainee will have to fulfill a mandatory pleading exercise and present his/her participation to the bureaus of legal assistance. Local bars can make additional requirements.

Article 25 of the Code:

The traineeship is the training lawyers undergo before they are included on the lawyers' roll and which aims to

train them to be competent and independent lawyers, who know the ethics, respect professional privilege and the essential duties of independence and partiality, avoid conflicts of interest and have mastered the principles of dignity, righteousness and discretion that are the foundation of the profession of lawyer.

This training has various parts, including training by a supervising principal at a law firm, obtaining a certificate of professional competence and fulfilling obligations imposed by the Flemish Bar Council or by the Bar Council to which the trainee belongs.

■ Last update: 04/03/2025

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