

General description

Is initial training offered, if yes is it compulsory?

Yes. Initial training for lawyers in Italy is compulsory. When completed, the candidate can obtain a certificate, which is required to take part to the State examination to become lawyer.

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

Yes, there are different rules for the various categories. For example, Judges have their initial training after passing the state exam and becoming a magistrate, while for lawyer the initial training is a condition to access to the State examination.

The rules are not different for the access to the profession for different types of lawyers (in particular there are no different rules for the access to the profession of "in house" lawyers). However, there are different rules for so-called "Avvocati dello Stato". This figure is not a professional in the private sector, but a civil servant who enters through a competition into a career with the Ministry of Justice, just like judges and prosecutors. For the latter, different rules apply (for example: access is by competition and not by examination, and they are not registered in a register held by the "Consiglio nazionale Forense" or the local bar).

Which entities are responsible for organising initial training?

The graduate who wants to become a lawyer must enrol in the appropriate register at the Bar association of the place where he intends to do the internship. The Lawyer or the head of the Public Office where the trainee undertakes the training is responsible for organising the training. The Local Bar is the body who controls and verifies the training. The Local Bar organises also the Training School for trainees.

What is the statutory basis for initial training?

[Legge 247/2012](#) the national professional Law

[Regolamento 70/2016](#) regarding the training to access the profession of Lawyer

[Regolamento 58/2016](#) regarding the initial training in public judiciary offices

[Regolamento 17/2018](#) regarding the courses in the Law School for trainers.

Access to the initial training

Are there conditions for accessing the training?

be an Italian citizen or a citizen of a State belonging to the European Union, except as provided in paragraph 2 for foreigners who are citizens of a State not belonging to the European Union;

be professionally domiciled in the district of the court where the Order's Council has its seat;

enjoy full exercise of civil rights;

not to be in one of the situations of incompatibility referred to in Article 18;

not to be subject to custodial sentences, precautionary measures or disqualification;

not have been convicted of any of the offences referred to in Article 51, paragraph 3-bis, of the Code of Criminal Procedure and those referred to in Articles 372, 373, 374, 374-bis, 377, 377-bis, 380 and 381 of the Criminal Code;

be of irreproachable conduct in accordance with the standards laid down in the Code of Legal Ethics.

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

No competitive recruitment procedure for the training in a law firm.

In a public judiciary office it depends on the call for proposal to have training. In other words, there are calls for training as a trainee lawyer in a public judiciary office, together with a magistrate. The calls are public and indicate the requirements for participation, terms and conditions for admission.

Are there alternative access routes to the training?

The trainee should replace one year of practice in a law firm with attendance at a two-year school of specialisation for the legal profession, provided that the qualifying examination is passed.

The trainee should anticipate six months of practice in a law firm during the last year of University if the course of study is regular, if they have taken the main exams in substantive and procedural law and have a good grade average.

Format and content of the initial training

What is the duration and time frames of the training?

Total duration fix: 18 month

at least six months with a registered lawyer or with the State Bar

maximum six month abroad

six month can be anticipated during the last year of University (see answer 2.3)

twelve month can be done in a public judiciary office. There are public calls for tenders to carry out this type of professional training in judicial offices

In addition the trainee has to attend a training school (mandatory from 31/03/2022).

How is the training organised?

The practical initial training is organized locally. The school line guides are decided centrally.

Who are the trainers?

In the practical initial training the trainers are the head of the law firm or the head of the public judiciary office. The training in the school is offered by experienced lawyers, academics, magistrates who need to have experience in training for lawyers.

What is the content and objectives of the initial training?

Contents: in-depth study of the main legal subjects, techniques for drafting documents and for case law research, legal language and legal argumentation, organisation of the law office, lawyers' welfare and taxation

Objectives: the training courses, with both theoretical and practical content, are organised to support and supplement the trainee's preparation necessary for carrying out their professional activity and in preparation for taking the State examination admission test. The courses must also ensure that trainees are aware of the ethical principles of the profession.

Who designs the initial training programmes?

The Minister of Justice according with the National Bar designs the contents of the School program.

What methodology is used for the training?

In the school training various teaching techniques are used, but the course is problem solving oriented and starts with case studies. This type of training methodology is called the case study approach and is intended to provide a very practical approach. The state exam focuses, in its main part, on opinions and acts and on the solution of practical cases.

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

In the practical training the trainees must respect the instructions of the owner of the firm or office and are obliged to respect professional secrecy as well as the rules of ethics of the lawyer.

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

During the practical training the trainees must fill in a diary that is signed by the head of the legal firm or the head of the public office where they undertake the training.

The diary is controlled every six months by the Local Bar during a short examination of the trainee.

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

There are no regulated interprofessional training activities, but they can be carried out under authorisation and under the supervision of the Local Bar.

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

EU law training is mandatory in the training School. Linguistic training is not mandatory.

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

The head of the Law firm can host a maximum of three trainees. There are no limits for the training in the public judicial offices. The law schools may plan the number of enrolments in each course, taking into account the number of persons entered in the register of practitioners, the possibilities of ensuring the effectiveness of the training and the overall training offer existing in the districts concerned.

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 practical training is concluded with a final examination by the Local Bar which must certify the successful completion of the internship. This certificate is indispensable to the trainee for registering for the state examination.

The school training includes three tests - one every semester - with a qualifying examination. These examinations are set by the Minister of Justice, who determines the questions, but are managed by the schools themselves.

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

After the training the trainees have to pass the State examination. See the Italian answer in the document "Overview _ request from Romanian delegation (September 2021)

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