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### Initial training of lawyers in the European Union

#### Slovakia

#### General description

##### Is initial training offered, if yes is it compulsory?

Yes, in Slovakia there is a system of compulsory initial training as one of the conditions for entering a legal profession.

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

Only trainee lawyers wishing to enter the profession of qualified lawyers, "advocates", are obliged to undergo a compulsory training.

In-house lawyers are not members of the Bar and are not regulated as a profession in Slovakia. There is no initial training system in their case.

##### Which entities are responsible for organising initial training?

The Slovak Bar Association (compulsory seminars, workshops and lectures for trainees)

Plus, every trainee must be assigned to and employed by a registered, fully qualified lawyer ("advocate") in private practice who is responsible for the supervision of a trainee's initial training and for them to acquire the relevant skills. One lawyer may supervise a maximum of three trainees.

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

##### What is the statutory basis for initial training?

Sec. 3 Subs. (1) Par. d) of the [Act 586/2003 Coll.](#) on the Legal Profession: "*The Bar shall admit anyone within two months from receiving his written application, provided that such a person: (...) d) passed the initiative legal training scope and conditions of which are prescribed by internal Bar regulation (...).*"

Sec. 64 of the Act: "*a lawyer, limited liability partnership, general commercial partnership or a limited liability company which employs the trainee lawyer is obliged to create working conditions in which the trainee lawyer will be able to prepare duly for the practice of law. The trainee shall be especially enabled to attend training courses organised by the Bar, prepare duly for the Bar examination, and take the Bar examination.*"

Based on the Act the Bar Council adopted internal regulation - Resolutions of the Bar Council are, for example, the resolution approving the Educational Code for Trainee Lawyers of the Slovak Bar Association, the resolution on the conditions for recognising other legal practice in the mandatory traineeship of a trainee lawyer, the resolution on determining the conditions for other legal professionals when entering the list of lawyers, etc.

#### Access to the initial training

##### Are there conditions for accessing the training?

The initial training is compulsory for every trainee lawyer registered with the Bar.

The Bar shall admit a trainee lawyer, provided that they:

have full capacity to perform legal acts and are under no guardianship,

have a Master's degree in law of any law school in the Slovak Republic, or hold a recognised university diploma awarded to them by a law school in a foreign country,

are a person of integrity and good character,

are in the employment of a lawyer, limited liability partnership, general commercial partnership or a limited liability company, whereas they shall not concurrently be in any other employment or in any other similar salaried capacity with any other employer, except for activities which are not incompatible with the nature and ethical principles of the profession of a trainee lawyer.

Every trainee who is registered has equal access to training events scheduled according to the year of traineeship practice (there is three-year-long traineeship, every year the training is different).

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

The initial training organised by the Bar is mandatory and available to all trainee lawyers, there is no selection, or competition.

##### Are there alternative access routes to the training?

As it is possible to have a practice in other legal professions recognised, the Bar conducts preparatory training for other legal professionals (judges, judicial trainees, assistant judges of the Supreme Court of the Slovak Republic, court clerks, prosecutors, legal trainees, notaries, trainee notaries and notary candidates) before registration in the list of lawyers. The preparatory training aims at attendees acquiring practical and theoretical knowledge specific to the exercise of the profession of lawyer. A preparatory training is not the same as full initial training.

#### Format and content of the initial training

##### What is the duration and time frames of the training?

Duration of the traineeship period and training is set by the Act on the Legal Profession to 3 years. The training starts with a compulsory seminar on professional ethics and legal practice.

Every year the trainee lawyer is obliged to attend :

1 theoretical civil law seminar

1 theoretical criminal law seminar

1 practical civil law workshop

1 practical criminal law workshop

In the third year the trainee lawyer attends seminars dedicated to specific fields of law.

##### How is the training organised?

Seminars: centralized, in-house (Bar).

Practical traineeship: decentralized - law firms and lawyers in private practice.

##### Who are the trainers?

Seminars organised by the Bar are conducted by expert lawyers, external academics, judges and other legal practitioners.

Supervision of the trainee lawyers is required within the law firms they are employed by.

##### What is the content and objectives of the initial training?

By working in a law firm / private practice under the supervision of the employer the trainee lawyer shall acquire knowledge in different fields of law. Trainees shall acquire experience in drafting legal acts and appearing before courts and public authorities and acquire all the necessary legal skills.

During the same period the trainee lawyer shall take part in a prescribed number of compulsory seminars organised by the Slovak Bar Association.

Seminars are delivered in the form of lectures / workshops conducted by expert lawyers, external academics, judges and other legal practitioners. Curriculum of the seminars is laid down by the Bar and it is common for all trainee lawyers. It covers different law fields, substantial and procedural law, legal skills and professional ethics.

#### **Who designs the initial training programmes?**

The Bar, through its working groups specialised in different law fields. Curriculum of the seminars is approved by the Bar Council on proposal of the Training Committee of the Slovak Bar Association.

#### **What methodology is used for the training?**

Lectures and workshops dedicated to drafting different legal instruments. It is also required to attend a certain number of court hearings.

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

The trainee lawyer is obliged to take part in criminal and civil court hearings within the scope and under the conditions laid down by a Bar internal regulation.

During the traineeship period the supervisor may authorise the trainee lawyer to perform individual legal acts which the trainee performs individually.

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

Trainees are required to attend and be actively present. No continuous assessment or examination during the traineeship period is in place. Practical seminars, however, build on the theoretical seminars and it is expected to be prepared.

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

Not as a part of mandatory initial training.

#### **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 is an integral part of all seminars dealing with Slovak law as the national law is closely linked with EU law and EU instruments are mentioned during the lectures.

The Slovak Bar Association has been involved in several training projects with European dimension:

Cooperation with the Council of Europe HELP (Human Rights Education for Legal Practitioners) Programme: implementation of the course on Domestic Violence and Violence against Women, Ethics for judges, prosecutors and lawyers, Access to Justice for Women, Privacy Rights and Procedural rights and victims' rights)

Cooperation with the Academy of European Law (ERA) in organising a conference on EU Antidiscrimination law and Young Lawyers Contest, as well in promoting EU Litigation seminars and Mediation in the EU: language, Law and Practice

Cooperation with European Lawyers Foundation (ELF) in implementing project on internships of young lawyers (LAWYEREX)

Legal English courses were organised over summer

Training events with international dimension are always open for trainee lawyers.

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

Numerus clausus does not apply.

#### **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?**

In order to become a lawyers, trainees must pass the lawyer's exam. This is a qualification exam though, and there is no other exam linked to the initial training provided by the Bar.

The exams are composed of a written test, a written assignment and an oral exam – one part per day. Taking into account the number of applicants and capacity of the Bar premises, exams are organised almost daily. Participation in exams is subject to a fee.

Exams are conducted by the Examination Panels which are formed by five members selected from the Examination Commission (permanent Bar working group). At least three members of each Examination Panel are lawyers, the fourth and fifth members are usually a judge, prosecutor or other legal professional.

The written test is performed on an electronic device designated by the Bar. It contains 100 questions. Each question contains 3 possible answers, one of which is correct. An applicant who has passed a written test with a grade of "PASSED" may, within 6 calendar months, apply for participation in next parts.

The purpose of written assignments is to verify the candidate's ability to handle a specific legal problem in the form of a legal analysis, a specific legal submission, a contract or a specific legal act. The assignments cover civil, commercial and criminal law and are performed on the Bar electronic devices.

Only candidates who passed the written assignments may take part in the oral part on the very next day. The purpose of the oral part is to check the professional knowledge of the applicant, especially their ability to apply the law to a specific case. This part covers criminal, civil, public law (it involves one question of EU law) and regulation of the legal profession. The oral part of the bar exam is evaluated by members of the Examination Senate in a secret ballot. The presence of the trainee's supervisor in the oral part of the Bar exam is mandatory.

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

After fulfilling all statutory conditions (initial training and Bar exams being among them), a person is registered with the Bar upon application.

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