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Szkolenie wstępne prawników w Unii Europejskiej

Initial training of lawyers in the European Union

Chorwacja

General description

Is initial training offered, if yes is it compulsory?

The profession of lawyers (advocates) is a regulated profession. The Constitution of the Republic of Croatia stipulates that the legal profession is independent and autonomous.

A person wishing to enter the profession of lawyer must meet all of the following requirements:

hold a Master of Laws Degree (LLM)

pursue a minimum of three-years of practice as a trainee lawyer, or a minimum of four years practice as an in-house lawyer

pass the Bar exam

Such training and requirements are compulsory.

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

The initial training is different for in-house lawyers and for advocates.

The differences are stipulated in the Legal Profession Act and in the Act on the Bar Exam and on Trainees in the Judiciary.

Initial training for advocates foresees a three-year-period of practice as a trainee lawyer and having passed the Bar exam.

Initial training for in-house lawyers foresees a four-year-period of practice as an in-house lawyer responsible for legal jobs, where one year (out of the said four) must be practiced in a court, and having passed the Bar exam.

Which entities are responsible for organising initial training?

The Croatian Bar Association (hereinafter "CBA") is responsible for organizing the initial training of trainee lawyers.

What is the statutory basis for initial training?

Legal Profession Act

Act on the Bar Exam and on Trainees in the Judiciary

Byelaws of the CBA

Collective Agreement between the CBA and the Association of Trainee Lawyers of the CBA

Access to the initial training

Are there conditions for accessing the training?

The main access conditions include:

Master of Laws Degree (LLM)

Admission to the Register of Trainee Lawyers of the CBA

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

Access to initial training is provided to all candidates who meet the requirements to be admitted to the Register of Trainee Lawyers of the CBA.

Are there alternative access routes to the training?

Alternative access routes to initial training is provided in compliance with the provisions of Directives 2005/36/EC and 2013/55/EU.

Format and content of the initial training

What is the duration and time frames of the training?

The initial training duration is stipulated by the Legal Profession Act as stated below.

Initial training is divided into two stages.

Under the Legal Profession Act a trainee lawyer acquires the right to take the Bar exam upon completion of a period of 18 months-practice as a trainee lawyer with a law office/law firm.

If a trainee lawyer fails to pass the Bar exam within a next period of 18 months, such trainee shall be removed from the Register of Trainee Lawyers of the CBA.

The second stage encompasses a period of maximum two years during which the trainee lawyer may practice as a trainee lawyer holding the Bar exam.

The theoretical part of initial training (modules) is provided via a platform, i.e. a Learning Management System, and is thus flexible and may be adjusted to the needs of the single user.

How is the training organised?

The training is run in a centralized manner.

Who are the trainers?

Trainers of the practical part of initial training are lawyers with whom trainees are employed.

The theoretical part of initial training is provided via a platform and the trainers are justices of the Supreme Court and of other courts as well as lawyers who are members of the Bar Exam Commission of the Ministry of Justice and Administration.

What is the content and objectives of the initial training?

The learning content intended for the purposes of preparation for the Bar exam is stipulated by law and covers the areas of civil and criminal law with their respective codes of procedure, company law, labour law, family law, administrative law, EU law, the Constitution and the organization of the judiciary as well as the drafting of papers in various areas of law.

Who designs the initial training programmes?

The Act on the Bar Exam and on Trainees in the Judiciary

The CBA, i.e. the Lawyers' Academy of the CBA

What methodology is used for the training?

Lectures

Seminars

Legal drafting exercises

Practical part of initial training is part of their job as a trainee lawyer

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

Trainee lawyers are obliged to work as trainee lawyers with a law office/law firm, where they work on the legal cases of such law office/law firm, and this by representing clients in court, drafting claims, remedies, contracts, legal opinions etc.

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

Trainees are evaluated by the lawyer with whom they work, by the CBA, by the Bar Exam Commission of the Ministry of Justice and Administration.

The CBA monitors trainee's attendance of various lectures/seminars etc. and issues certificates where appropriate.

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

N/A.

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

Training in EU law is provided.

EU law is part of the Bar exam.

Linguistic training is supported.

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

The number of trainees accepted changes every year.

There is no limit to the number of trainees.

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?

Please see 3.1.

The Bar exam is organized by the Ministry of Justice and Administration and consists of two parts: the oral exam and the written part of the exam.

The Ministry of Justice and Administration is responsible for the Bar exam.

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

There are no further procedures to become a lawyer apart from those already stated above.

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