
Practical Guide for EU, EEA and Swiss Lawyers on Service and Establishment

LIECHTENSTEIN

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If an error is identified, please bring it to the attention of the CCBE which will correct it, where appropriate.

Structure	Information received
1. Establishment	
1.1. Registration with Host Bar	<p>You need the following supporting documents:</p> <ul style="list-style-type: none">• a completed application form;• an office in Liechtenstein;• a certificate of attestation from your home bar or law society;• an evidence of existing professional indemnity insurance;• Registration fees: 1'500.00 CHF• Membership fees: 1'000.00 CHF <p>Relevant national provision in reference to Article 3 Directive 98/5, e.g.:</p> <p>Article 59 of the Lawyers Act (Rechtsanwaltsgesetz – RAG; s link via homepage of the Liechtenstein Bar: https://www.rak.li/en-us/kammer/gesetze_verordnungenundrichtlinien/downloads.aspx)</p>
1.2. Title	<p>You must practice under your home title.</p> <p>Relevant national provision in reference to Article 4 Directive 98/5, e.g.: Article 61 of the Lawyers Act</p>
1.3. Salaried practice	<p>Employment as lawyer only is permitted to another lawyer or law firm.</p>

	Relevant national provision: Article 42 of the Lawyers Act
1.4. Legal Form and Shareholding	Must correspond with the core principles laid down for Liechtenstein lawyers: no MDPs and no participation of non-lawyers. Relevant national provision: Article 36 of the Lawyers Act
1.5. Joint Practice	As group of lawyers permitted. Relevant national provision: Article 33 of the Lawyers Act
1.6. Areas of Activity	Representation of clients before all courts and administrative authorities. Advise in the law of home and host state and European and International law. Relevant national provision: Articles 62 and 8 of the Lawyers Act
1.7. Practice Rules	Where the representation and defense are reserved to lawyers (i.e. criminal proceeding before the Landgericht), you need to work in conjunction with a host lawyer (Einvernehmensanwalt). The conjunction has to be agreed between you and the host state lawyer and must be proven to the court in the first filing in order to hold it valid. Relevant national provision: Article 57 of the Lawyers Act
1.8. Principle of Double Deontology	As established lawyer you are subject to the regulations not only by your home bar but also by your host Bar. Relevant national provision: Art 59 par 2 of the Lawyers Act
1.9. Disciplinary proceedings	See before. Article 64 of the Lawyers Act; an established lawyer is subject to both disciplinary authorities, The Liechtenstein Bar (Art 91 ff RAG) and the Superior Court of Liechtenstein (Art 46 ff RAG); before opening disciplinary proceedings against an established lawyer the respective body at the home bar is to inform and to involve in such proceedings; the bodies have to cooperate
1.10. Insurance (professional indemnity insurance, social security, etc.)	Professional Indemnity Insurance: must comply with the rules for Liechtenstein lawyers: minimum coverage: CHF 1'000'000.00 / CHF 5'000'000.00 for "Gesellschaft mit beschränkter Haftung" and "Aktiengesellschaft" or other legal form, where liability is limited. Relevant national provision: Article 35 of the Lawyers Act
1.11. Fees	Liechtenstein rules apply, in general lawyer and client can agree on a fee, however the agreement has to comply with civil and professional law; otherwise (in lack of an agreement) the Lawyers' Fees Act (RATG) and the Fee Guidelines (Honorarrichtlinien) apply. Relevant national provision: RATG + Honorarrichtlinien are to find at www.rak.li
1.12. Continuing Legal Education	Not required, but desirable.
1.13. Bar	By registration, you become member of the Liechtenstein Bar. However, you are not electible to a representative body of the

	<p>bar; you are not entitled to train young lawyers (Konzipient) or to render legal aid.</p> <p>Relevant national provision: Article 62 of the Lawyers Act</p>
1.14. Conditions for the Acquisition of the Title of a 'National Lawyer'	<ul style="list-style-type: none"> • Effective Practice for three years, under certain circumstances the lawyer is invited to a discussion in order to verify whether he has sufficient practice with regard to Liechtenstein law : see Art 74-75 of the Lawyers Act • Or: Aptitude Test (Eignungsprüfung): see Art 68-73 of the Lawyers Act
2. Services	
2.1. Under home title & representation before courts	<ul style="list-style-type: none"> • Service under your home title – before courts and administrative authorities • Courts and administrative authorities may require proof that you are lawyer in your home state • Before first rendering service in Liechtenstein, you have to inform the Liechtenstein Bar, which also can request to prove of your registration as lawyer in your home state. • Where the representation and defense are reserved to lawyers (i.e. criminal proceeding before the Landgericht), you need to work in conjunction with a host lawyer (Einvernehmensanwalt). The conjunction has to be agreed between you and the host state lawyer, and must be proven to the court in the first filing in order to hold it valid. • If you have no address for service in the host state, you may be required to appoint a person authorized to accept service <p>Relevant national provision: Article 62 and 8 of the Lawyers Act</p>
2.2. Deontology	<p>You are subject to the rule in the host state and subject to disciplinary supervision of the Bar.</p> <p>Relevant national provision: Article 64 of the Lawyers Act</p>
2.3. Fees	<p>Liechtenstein rules apply, in general lawyer and client can agree on a fee, however the agreement has to comply with civil and professional law; otherwise (in lack of an agreement) Lawyers' Fees Act (RATG) and the Fee Guidelines (Honorarrichtlinien) apply.</p> <p>See also 1.11</p>
3. Acquisition of the national lawyer's title	
3.1. Via Establishment Directive	See above point 1.14
3.2. Via Professional Qualification Directive	<p>Pass the aptitude test (or having a period of adaptation up to 3 years): see Articles 13-14 of Directive 2005/36 on recognition of professional qualifications</p> <p>Generally see Art 69-73 of the Lawyers Act</p>
4. Practicalities	

<p>4.1. Practical information</p>	<ul style="list-style-type: none"> • You can find information on the court system, addresses, contacts and opening hours of all Liechtenstein courts under: www.gerichte.li; www.vgh.li; www.stgh.li • Before the Liechtenstein courts, lawyers are not required to wear a gown in the courtroom • As a lawyer for the plaintiff you and your client sit on the right side, as a lawyer for the defendant you and your client sit on the left side from the judge's point of view • It is required to stand when the judge walks in. The same applies, when you are pleading before the criminal court.
<p>4.2. National organisation</p>	<p>Liechtensteinische Rechtsanwaltskammer (Liechtenstein Bar); www.rak.li</p>
<p>4.3. Reference to national legislation with other languages available + links</p>	<p>links above www.rak.li + further links to legislation</p>
<p>4.4. Reference to existing national guides</p>	<p>www.rak.li</p>
<p>4.5. Reference to services available for lawyers in that jurisdiction</p>	<p>No restrictions for foreign lawyers</p>
<p>4.6. Contact information</p>	<p>Contacts to and information on the organization of the Liechtenstein Bar are available under: www.rak.li. All relevant provisions (i.e. European Lawyer's Act) are found under "Kammer", "Gesetze, Verordnungen und Richtlinien"</p> <p>National Contact point the EU, EEA or Swiss lawyer should contact for information at national level: info@rak.li</p>