

BASES AND PROCEDURE OF THE CONTINUING TRAINING OF THE ESTONIAN BAR ASSOCIATION

Established by resolution of the Board of the Estonian Bar Association of 29.11.2005, no. 25.1 by reference to the Bar Association Act § 34¹ par. 2.

Amended by resolution of the Board of the Estonian Bar Association of 17.10.2006, no. 20.6

Amended by resolution of the Board of the Estonian Bar Association of 13.11.2007, no. 22.1

Amended by resolution of the Board of the Estonian Bar Association of 14.12.2010, no. 25.7

§ 1. General provisions

(1) An attorney-at-law and a senior assistant of the attorney-at-law are obliged to take a periodical continuing training.

(2) Passing the continuing training shall be assessed by five year periods (assessment period). The first assessment period starts from the last attorney`s examination passed.

(3) For assessment of passing the continuing training, a credit system will be taken as the basis. One continuing training credit will be rated as equal to one hour of continuing training, taking into consideration the coefficients presented in p. 2, provided the respective basis exists.

(4) In every year of the assessment period, at least 10 continuing training credits shall be collected. (13.11.2007). 80 continuing training credits shall be collected during five year assessment period. Continuing training credits, collected during the assessment period, in excess of those required, can be transmitted to the next assessment period, but not more than 24 credits.

(5) Approval of the due passing of the continuing training shall be report-based. An attorney-at-law and a senior assistant of the attorney-at-law shall be obliged, within 15 days before expiration of the assessment period, to submit to the professional suitability assessment committee, in the report format presented in appendix hereto, the data on continuing training passed by her/him during the assessment period. The professional suitability assessment committee shall inform the attorney-at-law and the senior assistant of the attorney-at-law about expiration of the assessment period, according to the procedure and terms specified in law.

(6) In case the attorney-at-law or the senior assistant of the attorney-at-law have taken part, during the assessment period, in the trainings organised by the Estonian Bar Association, in the scope named in § 1 (4), and the professional suitability assessment committee has the relevant data, the professional suitability assessment committee may exempt the attorney-at-law or the senior assistant of the attorney-at-law from submitting a report, delivering to the attorney-at-law or the senior assistant of the attorney-at-law a respective notice. When delivering the notice, the professional suitability assessment committee may also take into consideration other reliable data about passing the continuing training, for instance lecturing at trainings organised by the Bar Association or membership in the body or committee of the Bar Association. (17.10.2006)

§ 2. Supervision

3.1 Supervision over the fulfilment of the obligation of the continuing training will be carried out by the professional suitability assessment committee.

3.2 The professional suitability assessment committee is entitled to oblige the attorney-at-law and the senior assistant of the attorney-at-law to present to the professional suitability assessment committee the documents, information, data etc., which will enable the professional suitability assessment committee to verify the correctness of the data presented in the report referred to in § 1 (5), their conformity with the goal of the continuing training and passing the continuing training in the scope and on conditions, specified in this procedure.

3.3 In case of failure to pass the continuing training in the scope and on conditions specified in this procedure, in case of failure to present the required documents or information by a due date, and also in case the professional suitability assessment committee, as a result of checking the documents, develops a reasonable suspicion in regard to the passing of the continuing training in the scope and on conditions, specified in this procedure, the professional suitability assessment committee shall carry out an assessment conversation with the attorney-at-law or the senior assistant of the attorney-at-law, under the procedure specified in law.

§ 3. Enforcement

(1) This procedure shall take effect as from 1 January 2006.

(2) If the assessment period terminates before expiration of five years, as from 1 January 2006, an attorney must collect by the end of such assessment period a number of credits proportional with the time period starting on 1 January 2006, at 16 credits per annum.

Calculation of credits of the continuing training

No.	Activity	Complementary training credits
1.	Attending lecture in the subject field organised by Estonian Bar Association (incl. by Estonian Law Centre), or some other lecture in the subject field (incl. however not limited thereto, the in-house office trainings, foreign trainings), participation in a conference in the subject field as an audience	1 lecture hour = 1 credit
2.	Publication in the journal Juridica or in a scientific publication of similar level (incl. foreign publication) of an article in the subject field	1 article = 8 credits
3.	Delivering lectures within the framework of an accredited law curriculum or at law training programme, and delivering a presentation at a law conference or seminar (17.10.2006)	1 lecture hour = 2 credits
4.	Master study on the basis of an accredited law curriculum	1 lecture hour = 1 credit
5.	Defending Master thesis in the subject field	60 credits
6.	Doctoral studies on the basis of an accredited law curriculum	1 lecture hour = 1 credit
7.	Defending Doctor thesis in the subject field	80 credits
8.	Supervising or reviewing of a Doctoral, Master or Bachelor thesis (17.10.2006).	8 credits
9.	Activity in the bodies and committees of the Estonian Bar Association (except General Assembly)	1 year of activity = 8 credits
10.	In the interests and upon assignment of the Bar Association composing legal opinions to draft laws, drafting a law or participation in drafting the Bar Association legal acts (17.10.2006)	1 legal opinion, composing a draft or working out a legal act of Bar Association = 8 credits.
11.	In the interests and upon assignment of the Bar Association representing the Bar Association in law committees or working groups (17.10.2006)	1 representation = 1 credit, however not over 8 credits per year
12.	Attending lectures (incl. participation in conferences etc.) in areas contiguous with attorney`s activities (for instance: business management, marketing, document administration, negotiating skills, development of customer service, avoiding burning out at work) .	1 lecture hour = 1 credit, while the credits, which are in excess of 40% of credits, to be collected during the assessment period, will not be taken into account.
13.	Attending in Estonian language courses by an attorney whose native language is not Estonian language.	1 course with duration 60 lecture hour = 6 credit, however not over 6 credits per year