

## Denmark

(Information provided by the Danish delegation to the CCBE, December 2011.)

### A. Contact point

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### B. General information

1.	Legal basis	<a href="#">Danish Administration of Justice Act (Article 135 a)</a>
2.	Overview of procedural steps	<ol style="list-style-type: none"><li>The applicant has to send the application to the Ministry of Justice. The Ministry will ask the Danish Agency for International Education to carry out an equivalence assessment comparing relevant foreign and national qualifications and professional experiences: the assessment takes into consideration the length and content of the foreign law degree and solely focuses on general learning outcomes, rather than making a comparison of individual subjects. The Agency does not require the applicant to have prior knowledge of Danish law. If the applicant has studied his or her national law, this will satisfy that he or she has gained a previous understanding of general legal principles. Knowledge of the Danish language and litigation is not considered at this stage.</li><li>Once it has feedback from the Agency, the Ministry will decide whether the applicant can commence a trial period within a Danish law firm (between 6 months and 2 years). Knowledge of the Danish language and litigation is considered when setting the length of the trial period.</li><li>Upon completion of the trial period, the Ministry will ask the Danish Bar and Law Society to provide input about the applicant's trial period.</li><li>The Ministry will make a final decision as to whether the applicant can commence the normal route to become a lawyer (i.e. continue with the traineeship of 3 years; trial period will be taken into account).</li><li>Upon successful completion the traineeship/any relevant exams, the trainee lawyer is eligible to ask the Ministry to be registered as a lawyer.</li></ol>

### C. Processing of the application

1.	Information and documents requested from the applicant	The applicant has to enclose any relevant documents: <ol style="list-style-type: none"><li>Law degree that was obtained in the EU, EEA, Switzerland</li><li>Information about knowledge of Danish language<sup>1</sup></li><li>Information about knowledge of Danish litigation<sup>2</sup></li></ol> Documents do not need to be accompanied by authenticated translations.
2.	Submission of application	There is no standard application form. The application must be sent by post to the Danish Ministry of Justice (there are no language requirements): Danish Ministry of Justice Civilkontoret Slotsholmsgade 10 1216 København K Tel.: + 45 72 26 84 00, e-mail: <a href="mailto:jm@jm.dk">jm@jm.dk</a> ; Website: <a href="http://www.jm.dk">www.jm.dk</a>
3.	Application fees	None
4.	Expected duration of the application processing	Approximately 3 months.

### D. Initial assessment of application and possible outcomes

<sup>1</sup> The applicant is not required to sit a language test. Language skills will be assessed on the basis of the information submitted by the applicant. For instance, if the applicant is: a native Dane who has completed his or her law degree abroad, worked for several years in Denmark and whose previous employer states that he or she is fluent in Danish, submits evidence of passing Danish language courses or undertaken part of his or her education in Denmark.

<sup>2</sup> This could be satisfied by an applicant who has for instance: already worked in a Danish law firm as a consultant (or another job other than a trainee lawyer /lawyer), worked with cases concerning Danish law in a law firm in their country, and studied some Danish law modules (for example subjects about Danish litigation).

1.	General requirements	<p>1. The applicant does <u>not</u> have to be an EU citizen.</p> <p>2. Be a law degree holder that was obtained in the EU, EEA or Switzerland.</p>
2.	Equivalence of relevant knowledge and / or professional experience	The Ministry of Justice will forward the application onto the Danish Agency for International Education to carry out an assessment comparing relevant foreign and national qualifications and professional experiences (to assess the applicant's general learning outcomes).
3.	Outcome	<p>Depending on previous education and professional experience, the applicant will be required to commence the trial period ranging from 6 months to 2 years.</p> <p>Previous professional experience is taken into consideration vis-à-vis the trial period which will eventually reduce the duration of the 3-year traineeship.</p>

#### E. Steps following initial assessment

1.	Ministry of Justice assessment	<p>The Danish Agency for International Education will inform the Ministry of Justice of the outcome of its equivalence assessment.</p> <p>Once the Ministry of Justice is satisfied that the applicant is a law degree holder which is of an equivalent level to a Danish law degree, a trial period will begin which is normally between 6 months and 2 years whereby the applicant will work as a trainee lawyer. The most important factor which will be assessed on a case-by case basis by the Ministry when deciding upon the length of the trial period is that he or she can demonstrate proficient knowledge in Danish language and litigation.</p> <p>During the trial period it will also be assessed by the employer whether the applicant has sufficient knowledge about and/or experience with Danish language and Danish litigation. This assessment will be based on the trainee's performance during the trial period. The applicant is not required to sit any test.</p> <p>When the trial period is completed, the employer must declare whether or not the trainee lawyer will be able to attain similar standards to that of trainee lawyers who hold Danish law degrees. This information will be forwarded to the Danish Bar and Law Society to provide input to the Danish Ministry of Justice.</p> <p>The trial period will be taken into account when deciding the length of the 3-year traineeship (normally half of the trial period).</p>
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#### F. Normal route to qualify as a lawyer

1.	Academic stage	Legal studies
2.	Professional Stage / Exam	<p>3 years</p> <p>During the traineeship all trainees – including trainees with a Danish law degree – must complete, in addition to a practical test in litigation, theoretical basic education and pass an examination in matters of special importance to the legal profession:</p> <p>Litigation (preparing the case)</p> <p>Client relationship and legal method</p> <p>Communication</p> <p>Rights and duties of the lawyer (ethics I)</p> <p>Litigation (the hearing)</p> <p>Financial analysis</p> <p>Rights and duties of the lawyer (ethics II)</p> <p>Negotiation, client accounts, book-keeping and anti-money laundering</p>
3.	Appointment as a lawyer	Upon completion of the traineeship and subject to the realisation of the abovementioned conditions, the trainee is eligible to ask the Ministry of Justice to be registered as a lawyer.

#### G. Statistics

1.	Closed cases	Approximately 5 cases per year (most applicants are German and Swedish)
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2.	Outstanding cases	1
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