

**DENMARK**  
(Introduced in 2008)

| 1. Legal basis              |   |  |  |
|-----------------------------|---|--|--|
|                             | <ul style="list-style-type: none"> <li>- Danish Administration of Justice Act</li> <li>- <a href="#">Executive Order</a><sup>1</sup> on mandatory continuing education for lawyers and assistant attorneys (Order No.1474)</li> <li>- Adopted by the Ministry of Justice on 12/12/2007, amended 25/06/2010 (Order No. 820)</li> <li>- Entry into force: 01/01/2008</li> </ul> |  |  |
| 2. Training                 |   |  |  |
| 2.1. Basic information      |   |  |  |
|                             | Extent  | <ul style="list-style-type: none"> <li>- Min. 54 lessons/3 years</li> <li>- Transmission of surplus possible (max. 54 lessons; limitations to such training activities as teaching and writing/publishing also refers to transmission (please see below))</li> </ul>   |  |
|                             | Exemptions  | <ul style="list-style-type: none"> <li>- Motivated reasons:               <ul style="list-style-type: none"> <li>- legal leave from the job (e.g. maternity leave, sick leave, parental leave etc.) entitles to a reduction of the extent of the obligation (2 months of absence from the office = 3 lessons less)</li> <li>- personal circumstances (mainly health-related) justifies discretionary reduction</li> </ul> </li> <li>- Exemptions granted by the Training Committee of the General Council</li> </ul> |  |
| 2.2. Activities and methods |   |  |  |
| Activities                  | Courses   | ✓  | <ul style="list-style-type: none"> <li>- 45 minutes = 1 lesson</li> <li>- Max. lessons: no limitations</li> </ul>                                    |
|                             | Language courses  | ✓  | <ul style="list-style-type: none"> <li>- 45 minutes = 1 lesson</li> <li>- Max. lessons: no limitations</li> </ul>                                    |
|                             | Teaching  | ✓  | <ul style="list-style-type: none"> <li>- 45 minutes = 1 lesson</li> <li>- Max. 27 lessons/3 years<sup>2</sup></li> </ul>                             |
|                             | Writing/publishing  | ✓  | <ul style="list-style-type: none"> <li>- 2340 characters (excluding spaces) = 1 lesson</li> <li>- Max. 18 lessons/3 years</li> </ul>                 |
|                             | Foreign training activities   | ✓  |  |
|                             | Other   | ✓  | <ul style="list-style-type: none"> <li>- Legal aid (only for assistant attorneys): max. 18 lessons</li> </ul>  |
| Methods                     | Availability of e-methods   | ✓  | <ul style="list-style-type: none"> <li>- E-learning: 45 minutes = 1 lesson</li> <li>- Max. lessons: no limitations</li> </ul>                        |
| 2.3. Course providers       |   |  |  |
|                             | Bar/Law Society   | NO   |  |
|                             | Accredited provider   | NO   |  |
|                             | Other provider (free market providers)  | ✓  | <ul style="list-style-type: none"> <li>- Number of providers: N/A<sup>3</sup></li> <li>- Prior application for a course accreditation: NO</li> </ul> |

<sup>1</sup> Please further click for short description of the Danish Bar and Law Society, information about the Order No. 1474 available on page 7.

<sup>2</sup> If a teacher holds several, essentially identical courses in the 3-year cycle, only one of the repeated courses will be taken into account.

<sup>3</sup> It is estimated that approximately 5-10 national providers specifically target legal continuing education as their core business.

### 3. Assessment of training activities

- Self-assessment by the lawyer who, when choosing the training activities, has to take into account the following criteria:
  - *General relevance*  
General importance to practicing law or specific importance to the job
  - *Specific relevance*  
Specific importance to the assistant attorney's or lawyer's performance of his/her job
- For courses/teaching/e-learning – formal requirements:*
  - At least three 45-minutes lessons
  - Programme, goal/subject or similar description to be available
  - Provider to be able to document the teacher's professional competency
  - Participation to be documented, e.g. by a certificate
- For writing/publishing – formal requirements:*
  - Book or article dealing with questions on law or legal research thesis
  - In case of several authors, number of lessons are calculated on the share of the work
- Training activities are further assessed during the compliance procedure (please see below 4.1.)

### 4. Supervision

#### 4.1. Compliance procedure

|  |                 |  |
|--|-----------------|--|
|  | Regular control | <ul style="list-style-type: none"> <li>- Lawyer submits a digital statement to the Bar at the end of each 3-year cycle<sup>4</sup></li> <li>- The Training Committee of the General Council assesses statements</li> <li>- If statement is not provided or less than 54 lessons are reported, the lawyer is subjected to further scrutiny and eventually disciplinary action</li> <li>- Documents of proof are only assessed in connection with the random controls (please see below)</li> </ul>              |
|  | Random control  | <ul style="list-style-type: none"> <li>- Min.10% lawyers annually</li> <li>- Based on outgoing visits to law firms and other places employing lawyers (randomly selected by staff of the Secretariat of the Danish Bar and Law Society)</li> <li>- Goes beyond controlling the fulfillment of the continuing training obligation; its aim is also to assess compliance with other specific requirements (such as handling of conflicts of interests, anti-money laundering requirements and others)</li> </ul> |

#### 4.2. Sanctions

|  |                  |  |
|--|------------------|--|
|  | Non-disciplinary | <ul style="list-style-type: none"> <li>- The General Council has a right to order the lawyer to undergo additional training (within a fixed time-limit)</li> </ul>   |
|  | Disciplinary     | <ul style="list-style-type: none"> <li>- The General Council<sup>5</sup> may file a complaint to the Disciplinary Board which can pronounce:           <ul style="list-style-type: none"> <li>- Reprimand</li> <li>- Fine</li> <li>- Disbarment</li> </ul> </li> </ul> |

<sup>4</sup> The statement should be submitted within 3 months from the expiry of a 3 -year period. The system, however, provides for the possibility to register training activities on an on-going basis and by a simple click transfer the registered lessons to the statement when it needs be submitted.

<sup>5</sup> Cases of non-compliance are firstly brought before the Training committee which decides on whether or not to bring the case before the Disciplinary Board. The decision of the Training Committee has to be approved by the General Council.