

THE SWEDISH REGIME FOR CONTINUING PROFESSIONAL TRAINING OF ADVOCATES

SECTION 36 OF THE CHARTER OF THE SWEDISH BAR ASSOCIATION

A member shall maintain and develop his or her professional qualifications. The Board may issue further regulations on members' duties to participate in continuing professional training for this purpose and to supply information about this to the Board.

GUIDELINES FOR CONTINUING PROFESSIONAL TRAINING OF ADVOCATES

1. Background

1.1 At the General Assembly meeting in June 2003, the Swedish Bar Association decided to pass a proposition from the Board on continuing professional training of advocates. Therefore, a new regulation, Section 36, on a member's duty to maintain and develop his professional skills has been introduced.

1.2 At their meeting the 6–7 November 2003, the Board of the Swedish Bar Association approved the following guidelines for the application of the requirement for professional training, to come into effect on 1 January 2004. The guidelines were revised by the Board at meetings on 11 March 2004 and 29 August 2008.

2. Guidelines

2.1 A practicing advocate shall every year, with effect from the year after he or she was granted admission to the Bar Association, participate in minimum 18 hours of structured training. By structured training is understood an advocate's participation, or an advocate's commission as a teacher or seminar leader, in internal or external training events such as courses, seminars, and conferences. For every training event, there shall be a plan fixed in advance, with a responsible training leader.

2.2 When calculating the requirement for training time, 18 hours may be considered as corresponding to 3 days of six hours' effective training time each. If an advocate participates in more than 18 hours of structured training for one calendar year, the advocate may transfer maximum 12 hours of the surplus time to the following year. In order to attain the quality requisite for the training, one training event should not go below 1½ hours' effective training time. The number of participant in one training event should not go below five, the training leader excluded.

2.3. The training shall have a bearing upon the legal profession, and shall be of a character typically appropriate for being useful for the advocate's practice. Besides training with legal contents, training within other areas, such as economics, or languages, may also be counted, provided that the contents have a bearing upon an advocate's practice.

2.4. Temporary breaks in work, such as absence due to illness, parental leave, and the like, entitles to a reduction of the requirement for professional training in relation to the actual time worked, provided that the break amounts to three months minimum.

2.5 An advocate is obliged to document his or her training activities. In connection with the annual financial report for his or her practice, an advocate shall give information on whether the requirement for professional training was fulfilled for the last full calendar year. It shall be evident from the auditor's report sent to the Bar Association that such information has been given; for joint-stock companies this information is best given in connection with the certificate concerning the holding of shares in the law firm.

2.6 If an advocate has failed to fulfil the requirements for professional training, the Board of the Bar Association may order the advocate to rectify his or her shortcomings without further requests, and to specially account for his or her training activities.

2.7 If there exists a substantial deficiency, or repeated deficiencies, in an advocate's duties as stated above, the Board of the Bar Association may consider whether a disciplinary matter should be instigated.
