

Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

- 29 January 1998 [shall come into force from 19 February 1998];
- 4 June 2002 [shall come into force from 5 June 2002];
- 30 October 2003 [shall come into force from 28 November 2003];
- 19 February 2004 [shall come into force from 1 March 2004];
- 27 May 2004 [shall come into force from 18 June 2008];
- 19 June 2008 [shall come into force from 23 July 2008];
- 28 October 2010 [shall come into force from 1 January 2011].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The Supreme Council

of the Republic of Latvia

Law

Adopted 27 April 1993

Advocacy Law of the Republic of Latvia

Part One General Provisions

1. This Law regulates the professional and corporate activities of advocates.
2. Advocacy shall be an integral element of the judicial system of a law-governed state.
3. An advocate shall be an independent and professional lawyer who provides legal assistance in defending and representing the lawful interests of persons in court proceedings and pre-trial investigations, providing legal consultations, preparing legal documents and performing other legal activities.
[27 May 2004]
4. In accordance with the procedure specified by this Law, the following persons may work as advocates in Latvia:
 - 1) sworn advocates;
 - 2) assistants to sworn advocates;
 - 3) citizens of European Union Member States who have obtained the qualification of an advocate in one of the European Union Member States (hereinafter – advocates of European Union Member States).
Foreign advocates, except for advocates of European Union Member States, may practice in Latvia in accordance with the international agreements on legal assistance binding to the Republic of Latvia.
[27 May 2004]
5. Advocates shall be persons belonging to the court system for conducting cases in any court and pre-trial investigation institution of the Republic of Latvia upon being commissioned and chosen by the parties, the accused and other participants (clients) of the case, as well as in cases specified in the Law upon being commissioned by court judges, chairpersons of pre-trial investigation institutions and the Latvian Council of Sworn Advocates. Advocates shall also provide other legal assistance in accordance with the procedures specified by law.

[19 February 2004]

6. Advocates shall be independent and shall be subject only to the Law in their professional activities.

State authorities and local government institutions, courts, prosecutors and pre-trial investigation institutions shall guarantee the independence of advocates.

It is prohibited to:

1) interfere in the professional activities of advocates, exert influence or bring pressure upon them;

2) request information and explanations from advocates, as well as interrogate them as witnesses regarding the facts which have become known to them in providing legal assistance;

3) control postal and telegraph correspondence and the documents, which advocates have received or prepared in providing legal assistance, to examine or confiscate them, as well as to execute a search in order to find and confiscate such correspondence and documents;

4) control, also by applying the procedural measures referred to in Clause 3 of this Section, the information systems and means of communication, including electronic means of communication, used by advocates in providing legal assistance, to remove information from them and to interfere with the operation thereof;

5) request information from clients regarding the fact of assistance provided by advocates and the contents thereof;

6) subject advocates to any sanctions or threats in relation to the provision of legal assistance to clients in accordance with the Law;

7) hold advocates liable for written or oral announcements, which they have made while performing their professional duties in good faith.

An unlawful action of an advocate in the interests of a client, as well as an action for the promotion of an unlawful offence of a client shall not be recognised as a provision of legal assistance.

[29 January 1998]

7. Advocates shall not be identified with their clients or the cases thereof in relation to the fulfilling of the professional duties of an advocate.

8. Clients have the right to freely choose an advocate for the defence and representation of their interests and to meet the advocate without any restrictions and hindrance. All detained, arrested, imprisoned and convicted persons shall be provided with the possibility, time and resources to meet privately with or contact an advocate in order to receive legal assistance without delay, interference or censorship, respecting complete confidentiality.

9. All persons shall be provided with equal rights to legal assistance. Natural persons shall be provided with legal assistance irrespective of their citizenship, origin, social, financial, official and other status, race, nationality, language, sex, education, religious, political and other views, party affiliation, type and nature of occupation and place of residence.

10. State authorities and local government institutions, courts, prosecutors, pre-trial investigation institutions and any individual shall ensure that the provisions for providing legal assistance specified in regulatory enactments are fulfilled in relation to advocates and their clients.

11. The procedure and regulations which, in accordance with the Law, exist in the places in which legal assistance is provided shall be binding to advocates and their clients.

12. The State shall pay for legal assistance provided by advocates and the expenses related to the provision thereof in the cases specified by law.

The compensation and reimbursable expenses, which have occurred to the elder of the sworn advocates when organising the performance of defence and representation provided by the State, shall be covered from the funds from the State budget which are intended for such purposes.

The procedures for determination of compensation of the elder of the sworn advocates and amounts thereof, the types of reimbursable expenses, the procedures for determination of reimbursable expenses and amounts thereof, as well as the procedures for granting of compensation and reimbursable expenses of the elder of the sworn advocates and the content of the report on the use of the referred to financial resources and the procedures for the submission thereof shall be determined by the Cabinet.

[19 February 2004; 19 June 2008; 28 October 2010]

13. The state authorities have an obligation to listen to the Latvian Collegium of Sworn Advocates regarding matters related to the development of regulatory enactments and the drafts thereof.

[19 February 2004]

Part Two Sworn Advocates

14. Persons may be admitted as sworn advocates if they:

- 1) are citizens of the Republic of Latvia;
- 2) have a faultless reputation;
- 3) have reached the age of twenty-five;
- 4) have received a state-recognised diploma of second-level higher education in law and have obtained the qualifications of a lawyer;
- 5) are fluent in the official language at the highest level;
- 6) have obtained work experience by working in any of the following positions:
 - a) at least three years – in the position of judge,
 - b) at least five years – in the position of prosecutor, sworn bailiff or sworn notary, or assistant to a sworn advocate,
 - c) at least seven years – in the position of academic personnel specialising in law at an institution of higher education or in any other position with a juridical speciality;
- 7) have passed the advocate examination.

Doctors of Law shall be exempted from the advocate examination.

[19 February 2004; 27 May 2004; 28 October 2010]

15. Persons may not be admitted as sworn advocates if:

- 1) they do not meet the requirements specified in Section 14 of this Law;
- 2) trusteeship has been established over them;
- 3) they have been declared insolvent debtors by a court;
- 4) they are the suspects or defendants in the criminal proceedings for committing an intentional crime;
- 5) the criminal proceedings for committing an intentional crime against them have been terminated for reasons other than exoneration;
- 6) they have been punished for committing an intentional crime, regardless of whether or not the conviction has been extinguished or set aside;
- 7) they have committed an intentional crime previously, but have been released from serving the sentence;

8) they have been withdrawn the right to hold the position of the advocate or the positions specified in Section 14, Paragraph one, Clause 6 of this Law by a judgment of the court in the criminal proceedings;

9) on the basis of a decision in a disciplinary matter they have been dismissed from the position of judge, sworn bailiff, assistant to a sworn bailiff, sworn notary or assistant to a sworn notary, have been debarred from the number of sworn advocates, assistants to sworn advocates or dismissed from the position of prosecutor until five years have not passed since the coming into effect of the decision taken in the disciplinary matter;

10) the Latvian Council of Sworn Advocates regards their occupation as incompatible with the position of sworn advocate in the society due to ethical reasons; or

11) they are employed in a direct or indirect State administrative institution, derived public person, other State institution or State (local) government capital company, except for teaching staff in educational establishments and persons performing the duties of legal adviser in accordance with an agreement, or they have not fulfilled the requirements specified in Section 42 of this Law.

[27 May 2004; 19 June 2008]

16. Persons shall be debarred from the number of sworn advocates if they:

1) have been declared insolvent debtors by a court;

2) trusteeship has been established over them;

3) the criminal proceedings for committing an intentional crime against them have been terminated for reasons other than exoneration;

4) have been punished for committing an intentional crime, regardless of whether or not the conviction has been extinguished or set aside;

5) have committed an intentional crime, but have been released from serving the sentence;

6) have been deprived from the right to hold the position of advocate by a judgment of the court in the criminal proceedings;

7) have falsely declared in the submission referred to in Section 39 of this Law that there are no obstacles to their admission to the number of sworn advocates;

8) have not terminated the activity referred to in Clause 10 or 11 of Section 15 of this Law upon the proposal of the Latvian Council of Sworn Advocates; or

9) have been imposed a disciplinary sanction – debarring from the numbers of sworn advocates.

[27 May 2004; 19 June 2008]

16.¹ The Latvian Council of Sworn Advocates may suspend the activities of a sworn advocate for a time period while he or she is employed in a direct or indirect State administrative institution, derived public person, other State institution or State (local) government capital company, or for the time period of studies or prolonged illness, as well as upon justified request of the advocate in other cases.

The Latvian Council of Sworn Advocates shall suspend the activities of such sworn advocate whom the court has sentenced with the deprivation of liberty for a crime committed unintentionally – for the time period while he or she is held in the place of imprisonment.

[19 February 2004; 27 May 2004; 19 June 2008]

17. Upon the receipt of the information in writing from a performer of procedures sworn advocates who are held in suspicion of or are accused of a crime committed intentionally, which is not connected to the performance of professional duties of sworn advocate, shall be suspended from performing the duties of sworn advocates during the time period of the pre-trial criminal procedure and proceedings in the criminal matter.

Upon the receipt of the information in writing from a performer of procedures sworn advocates who are held in suspicion of or are accused of a crime committed intentionally, which is connected to the performance of professional duties of sworn advocate, or for whom a prohibition of a definite occupation has been applied as a security measure in accordance with the procedures specified in the Criminal Procedure Law shall be suspended from performing the duties of sworn advocates during the time period of the pre-trial criminal procedure and proceedings in the criminal matter.

[27 May 2004 19 June 2008]

Part Three Corporate Activity of Sworn Advocates

Division One Collegium of Sworn Advocates

18. The Latvian Collegium of Sworn Advocates is an independent professional corporation of Latvian sworn advocates which unites all sworn advocates practising in Latvia. Only the Latvian Collegium of Sworn Advocates has the rights and duties prescribed by this Law.

19. Natural persons shall be united in the Latvian Collegium of Sworn Advocates following the principle of profession in order to maintain the prestige of their profession, promote the professional development, the improvement of the creative abilities and the obtaining of the experience of sworn advocates, in order to fulfil the tasks specified in this Law and other Laws.

20. The Latvian Collegium of Sworn Advocates shall operate on the basis of this Law and by-laws as a self-governing, autonomous body governed by public law.

[27 May 2004]

21. The institutions of the Latvian Collegium of Sworn Advocates shall be the General Meeting of Sworn Advocates, the Latvian Council of Sworn Advocates, the Audit Board and the Disciplinary Proceedings Commission.

[27 May 2004]

22. The resources of the Latvian Collegium of Sworn Advocates shall be constituted by sums paid according to the procedures and in the amount specified by the Latvian Council of Sworn Advocates for the membership in the Latvian Collegium of Sworn Advocates.

The Latvian Council of Sworn Advocates is entitled to specify a fee for the membership in the Latvian Collegium of Sworn Advocates for a sworn advocate or assistant to a sworn advocate whose activity in the Latvian Collegium of Sworn Advocates has been suspended. Such fee shall not be specified, if the reason for suspending the activity of a sworn advocate or assistant to a sworn advocate is work in the institutions referred to in Section 16.¹ of this Law.

[28 October 2010]

23. In order to provide advocates with material support, the Latvian Collegium of Sworn Advocates may create special funds from the contributions of advocates, as well as from the donations of natural and legal persons.

Division Two

General Meeting of Sworn Advocates

24. The Latvian Council of Sworn Advocates shall convene a General Meeting of Sworn Advocates.

24.¹ Advocates of the European Union Member States who have registered in the Latvian Council of Sworn Advocates in accordance with Section 121 of this Law, also have the right to participate and to vote in the General Meeting of Sworn Advocates.

[27 May 2004]

25. Only the General Meeting of Sworn Advocates shall:

1) determine the number of members of the Latvian Council of Sworn Advocates, the Audit Board and the Disciplinary Proceedings Commission;

2) elect the chairperson, vice-chairperson of the Latvian Council of Sworn Advocates, the members of the Council, the Audit Board and the Disciplinary Proceedings Commission for three years;

3) approve the report on the activities of the Latvian Council of Sworn Advocates;

4) approve the budget and the report on the implementation of the budget of the previous year;

5) approve the articles of association of the Latvian Collegium of Sworn Advocates, the code of advocate ethics and other acts related to the internal activities of advocacy.

[27 May 2004]

26. There shall be annual general meetings and extraordinary general meetings. Extraordinary general meetings shall be convened as appropriate, the convening thereof may also be requested by not less than one tenth of all sworn advocates.

27. A general meeting is not entitled to make decisions if less than one third of all sworn advocates are present.

[27 May 2004]

28. If, due to a lack of quorum, elections of the Latvian Council of Sworn Advocates have not taken place, the chairperson of the Council shall convene a new general meeting within a time period of not more than one month, but if less than one third of all sworn advocates gather at such general meeting, then the minutes thereof shall be prepared, new elections shall not be organised and the Council shall retain its authority until the general meeting of the following year.

29. A general meeting shall be presided over by persons who have been elected for this purpose by the sworn advocates present and from amongst the numbers thereof and the minutes shall be approved by the sworn advocates who have been assigned to such duty by the general meeting.

30. Elections of the Latvian Council of Sworn Advocates in the general meeting shall be conducted after the general meeting has discussed the activity report and the report on the implementation of the budget of the previous year and has determined the number of members of the Latvian Council of Sworn Advocates to be elected.

31. The Latvian Council of Sworn Advocates, the chairperson, vice-chairperson, Audit Board and the Disciplinary Proceedings Commission thereof shall be elected by secret ballot with a simple majority of votes.

Other issues shall be determined by the general meeting by open ballot with a simple majority of vote.
[27 May 2004]

32. The newly elected Latvian Council of Sworn Advocates shall commence the fulfilment of the duties thereof two weeks after the day it was elected.

Division Three
Latvian Council of Sworn Advocates, Audit Board and Disciplinary Proceedings
Commission

[27 May 2004]

33. The Latvian Council of Sworn Advocates is an administrative, supervisory and executive institution of the Latvian Collegium of Sworn Advocates.

34. The Latvian Council of Sworn Advocates shall:

1) take a decision regarding the admission and inclusion of sworn advocates and assistants to sworn advocates, and the exclusion, suspension or dismissal of sworn advocates and assistants to sworn advocates, as well as the suspension of the activities of individual sworn advocates and assistants to sworn advocates;

2) compile lists of sworn advocates and assistants to sworn advocates, as well as the elders of sworn advocates practising within the court operation territory and ensure public access to these lists;

3) manage the organisational matters of the Latvian Collegium of Sworn Advocates;

4) supervise the activities of sworn advocates and assistants to sworn advocates, examine the issued complaints regarding their activities, as well as initiate disciplinary proceedings;

5) manage the training of assistants to sworn advocates;

6) taking into account the location of courts, the Office of the Prosecutor and pre-trial investigating authorities, as well as the number of inhabitants in the relevant court operation territory, determine the minimum number of sworn advocates therein which is required in order to ensure sufficient legal assistance, but not limit the maximum number of sworn advocates practising within this court operation territory;

7) approve the elder of the sworn advocates practising in the court operation territory, as well as dismiss him or her from the duties of the elder of the sworn advocates upon his or her request or if he or she fails to fulfil the duties specified in this Law;

8) issue certificates of sworn advocates and assistants to sworn advocates;

9) assign advocates to conduct cases in courts, pre-trial investigation institutions and in other institutions in return for payment for those persons who due to a good reason cannot find an advocate to conduct their case, as well as upon the request of the elders of the sworn advocates of the court operation territory assign advocates to perform defence and representation provided by the State in the criminal proceedings or to provide State ensured legal assistance in the cases specified by the Law;

10) establish consultations for the provision of legal assistance to poor persons or persons of low-income;

11) see to the settling of the cases of such sworn advocates and assistants to sworn advocates who have died, are missing without information as to his or her whereabouts, have fallen ill or are unable to handle their own cases and the cases of their clients;

12) determine the amount of compensation for an advocate and other expenses related to the provision of legal assistance according to Section 57 of this Law if the advocate and his or her client have differences of opinion related to this matter and they do not have a written mutual agreement;

13) determine the procedures for and the amounts of payments required from sworn advocates and assistants to sworn advocates for the maintenance of the Latvian Collegium of Sworn Advocates;

14) determine the procedures by which the elders of the sworn advocates organise the work of advocates practising in the court operation territory, as well as determine the procedures for drawing up the duty schedule for advocates necessary for the performance of State ensured defence and representation in the criminal proceedings;

15) ensure the organisation of the work of advocates for the performance of defence and representation in the criminal proceedings upon the request of the performer of procedures, as well as for the provision of State ensured legal assistance in the cases specified in the Law;

16) administer the financing granted from the State budget for the elders of the sworn advocates of the court operation territory in accordance with the procedures provided for in the Cabinet Regulation referred to in Section 12, Paragraph three of this Law;

17) determine the procedures for the selection of the elder of the sworn advocates practising in the court operation territory.

[30 October 2003; 19 February 2004; 27 May 2004; 19 June 2008; 28 October 2010]

35. Meetings of the Latvian Council of Sworn Advocates shall have a quorum if not less than half of all members of the Council participate therein, including the chairperson or vice-chairperson of the Council.

36. The Latvian Council of Sworn Advocates shall take decisions by open ballot with a simple majority. In the event of a tied vote, the vote of the chairperson of the Council shall be the deciding vote.

The decision shall enter into effect the next day after it has been taken if it has not been stated otherwise in the decision.

[27 May 2004]

37. The decisions of the Latvian Council of Sworn Advocates may be appealed in accordance with the procedure specified by the Administrative Procedure Law.

Appeal of a decision of the Latvian Council of Sworn Advocates regarding exclusion, suspension or dismissal of a sworn advocate from the number of the advocates or regarding suspension of the activities of a sworn advocate shall not suspend the operation of such decision until the day of the coming into effect of the final adjudication in the matter.

[19 February 2004; 19 June 2008]

38. The Audit Board shall control the financial operation of the Latvian Council of Sworn Advocates.

The chairperson of the Audit Board shall be elected from amongst the members of the Board.

[27 May 2004]

38.¹ The Disciplinary Proceedings Commission shall examine the disciplinary proceedings of sworn advocates.

The chairperson of the Disciplinary Proceedings Commission shall be elected from amongst the members of the Commission.

[27 May 2004]

Division Four
Admission to and Inclusion in the Numbers of Sworn Advocates

39. A person who wishes to join the number of sworn advocates shall submit an application and the relevant documents to the Latvian Council of Sworn Advocates. In the application, the applicant shall confirm that there are no obstacles to his or her admission referred to in Section 15 of this Law.

[27 May 2004; 19 June 2008]

40. The Latvian Council of Sworn Advocates shall display on premises thereof the list of the persons who have submitted documents for admission to the number of sworn advocates and send it to the elder of the sworn advocates practising in the territory of operation of each court and to the Court Administration together with an invitation to submit a comment regarding such persons within a time period of one month.

[19 February 2004; 19 June 2008]

41. The Latvian Council of Sworn Advocates shall examine the submission and documents of the applicant, gather and consider all the necessary information and evaluate the compliance of the applicant with the requirements of this Law. If the applicant conforms to the requirements of this Law, the Latvian Council of Sworn Advocates shall accept him or her to take the advocate examination.

[19 February 2004]

41.¹ The Latvian Council of Sworn Advocates shall organise the advocate examination not less than once every six months. The examination shall be received by a commission, which shall include:

- 1) three Doctors of Law delegated by the legal science promotion council;
- 2) three senators assigned by the Chief Justice of the Supreme Court;
- 3) three sworn advocates assigned by the Latvian Council of Sworn Advocates;
- 4) an authorised representative of the Minister for Justice.

The Minister for Justice shall approve the composition of the examination board.

The chairperson of the examination board shall be elected from amongst the members of the Commission.

[19 February 2004]

41.² The Cabinet shall determine the fee for advocate examination. The money contributed by the examination shall be disbursed as a compensation to members of the examination board and used to cover the expenses of organising the examination.

The Cabinet shall determine the procedures for the examination of a sworn advocate and the fields in which the knowledge and skills of the applicant for the position of a sworn advocate are examined, as well as the procedures for their assessment.

[19 February 2004; 19 June 2008]

41.³ If the applicant has passed the examination for the position of advocate and the Latvian Council of Sworn Advocates has not received additional information that the obstacles referred to in Section 15 of this Law have arisen, the Latvian Council of Sworn Advocates shall admit him or her to sworn advocates.

If the applicant has not passed the examination for the position of advocate, he or she has the right to pass this examination repeatedly no sooner than after 12 months. If the applicant has not passed the examination for the position of advocate repeatedly, it shall be permitted to take this examination each next time when at least three years have elapsed after the previous non-passed examination.

[19 February 2004; 19 June 2008; 28 October 2010]

42. If an application regarding admission to the numbers of sworn advocates has been submitted by a person who has an occupation which cannot be combined with the duties of an advocate (Section 15, Clauses 10 and 11 of this Law), the Council may take a decision regarding the admission of such person, yet the decision shall enter into effect and the person shall be allowed to take the oath and be included in the list of sworn advocates only after such person has terminated the referred to occupation.

[27 May 2004; 28 October 2010]

43. [19 February 2004]

44. [30 October 2003]

45. When admitting a sworn advocate, the Latvian Council of Sworn Advocates shall determine in which regional court these sworn advocates shall work and in the territory of operation of which court these sworn advocates shall practice.

[19 June 2008]

46. The Latvian Council of Sworn Advocates shall report on the admission of a sworn advocate to the Chief Justice of the Supreme Court, who shall receive the oath of the newly admitted sworn advocate:

“I swear to be faithful to Latvia, to observe the State laws in good faith and with conviction, to treat the courts and national authority with respect, not to write and speak anything in my work as an advocate that could harm the State, society, family and morality, to honestly fulfil the duties of a sworn advocate, to defend the interests of my authorising persons or the interests of such persons whose cases I conduct, aware that I shall be liable for my actions before the Law.”

47. After giving the oath, the person admitted to the numbers of sworn advocates shall be included in the list of sworn advocates, the Latvian Council of Sworn Advocates shall make an announcement regarding his or her admission to the numbers of sworn advocates in the official newspaper, inform the Minister for Justice and issue a special certificate to the newly admitted sworn advocate.

Part Four Duties, Rights and Liabilities of Sworn Advocates

Division Five Rights and Duties of Sworn Advocates

48. In providing legal assistance, a sworn advocate is entitled to:

1) defend and represent a person requesting legal assistance and his or her rights and legal interests in all courts, the Offices of the Prosecutor and pre-trial investigation institutions, as well as in all State and local government institutions, as well as in other institutions, organisations and companies (undertakings);

2) amass evidence, also requesting all documents necessary for the provision of legal assistance from State and local government institutions, as well as from other institutions, organisations and companies (undertakings) which must submit these documents or true copies thereof in accordance with the procedures and cases specified by the Law and shall ensure the advocate with the opportunity to become acquainted with them, as well as to

receive the opinion of experts in issues which require the relevant knowledge, in accordance with the procedures related to the provision of legal assistance prescribed by the Law;

3) become acquainted with the regulatory enactments and individual enactments of State and local government institutions, court, the Offices of the Prosecutor and pre-trial investigation institutions, as well as other information related to the provision of legal assistance, as well as to receive true copies of these documents.

State and local government institutions, as well as other institutions shall issue the documents referred to in Paragraph one, Clause 2 of this Section or true copies thereof upon the request of a sworn advocate within one month, unless otherwise specified in the Law.

[19 June 2008; 28 October 2010]

48.¹ The authorisation of the sworn advocate and the scope thereof, as well as the right to fulfil the tasks specified in Section 48 of this Law shall be attested by a retainer, the sample of which is approved by the Latvian Council of Sworn Advocates.

[19 June 2008]

49. The sworn advocate shall use all resources and methods provided for in the Law in defending and representing the rights and legal interests of persons requesting legal assistance.

50. Sworn advocates shall wear special clothing – a gown.

51. Sworn advocates shall provide legal assistance to any person in civil proceedings, administrative proceedings or in other matters in cases specified by the law upon agreement with clients or in cases specified in this Law – upon being commissioned by the Latvian Council of Sworn Advocates or the elder of the sworn advocates.

[19 February 2004; 19 June 2008]

52. In criminal cases, sworn advocates shall undertake to defend persons, who have the right to defence, and convicted persons, represent victims and provide legal assistance to any person in the criminal proceedings.

A sworn advocate shall perform the activities referred to in Paragraph one of this Section:

1) upon agreement with a person or representative thereof;

2) in the cases specified in this Law – upon being commissioned by the Latvian Council of Sworn Advocates or the elder of the sworn advocates; or

3) upon being commissioned by the performer of proceedings – separate procedural activities specified in the Criminal Procedure Law.

[27 May 2004; 19 June 2008]

52.¹ Sworn advocates have a duty to perform the State ensured defence and representation in separate procedural activities specified in the Criminal Procedure Law in the time indicated by the performer of the procedures in accordance with the duty schedule for advocates drawn up in accordance with the procedures specified by the Latvian Council of Sworn Advocates.

If a sworn advocate cannot participate in separate procedural activity himself or herself in the time indicated by the performer of proceedings, he or she shall ensure that another sworn advocate arrives instead of him or her for the provision of legal assistance and shall inform the performer of proceedings thereof.

[19 June 2008; 28 October 2010]

53. A client may request a sworn advocate to conduct his or her case to the full extent until the conclusion thereof or to authorise him or her to complete a particular task. It is not prohibited to hire several sworn advocates for the same case.

54. The Latvian Council of Sworn Advocates shall assign a sworn advocate to conduct cases only after co-ordination with the elder of the sworn advocates of the relevant court operation territory.

[27 May 2004; 19 June 2008]

54.¹ The elder of the sworn advocates shall:

1) organise the work of advocates practising in the court operation territory, as well as shall draw up the duty schedules for advocates for the performance of the State ensured defence and representation in the criminal proceedings upon the request of a performer of proceedings or upon being commissioned by the Latvian Council of Sworn Advocates – also in other matters;

2) immediately but not later than within three working days after receipt of the request from a performer of the proceedings, notify him or her regarding participation of the advocate in the criminal proceedings;

3) assign the performance of the State ensured defence and representation to the advocates practising in the relevant court operation territory;

4) provide the support to other elders of the sworn advocates of the court operation territory for the provision of the State ensured defence and representation.

The elder of the sworn advocates has the right to receive the compensation from the funds from the State budget which are intended for such purposes for organising the work of advocates for the performance of State ensured defence and representation, as well as reimbursement for covering of the expenses which have occurred performing the referred to functions.

[19 June 2008; 28 October 2010]

55. Sworn advocates may not refuse the agreement entered into or to fulfil the duties assigned to them without providing justification.

[19 June 2008]

56. *[27 May 2004]*

57. Sworn advocates shall enter into a written agreement with the client regarding undertaking to conduct a case and the amount of the relevant compensation.

The client may hire one sworn advocate to replace another at any time or to undertake the conducting of the case himself or herself, remunerating the advocate for the job he or she has performed in accordance with the written agreement.

In case of a dispute, if the agreement between a sworn advocate and a client has not been entered into writing, the compensation in double amount, as well as other reimbursable expenses related to the provision of legal assistance shall be determined for the advocate in amounts specified in regulatory enactments regarding the remuneration for the State ensured legal assistance. The compensation for the advocate and other reimbursable expenses shall be covered by the client. In addition to the compensation and other expenses related to the provision of legal assistance, the expenses related to acquiring of written evidence shall be reimbursed in actual amount of such expenses.

The compensation for the advocate and other reimbursable expenses related to the provision of legal assistance in the case referred to in Paragraph three of this Section shall not be covered from the funds from the State budget.

[19 June 2008]

58. [19 June 2008]
[19 February 2004; 19 June 2008]

59. Sworn advocates shall keep records of client cases in accordance with the procedures determined by and by the Latvian Council of Sworn Advocates and under the control thereof.
[27 May 2004]

60. Sworn advocates shall have a stamp with their given name and surname.

61. [19 June 2008]
[27 May 2004; 19 June 2008]

62. [19 June 2008]

63. It is prohibited for a sworn advocate to purchase or acquire in some other way the rights of authorising persons in their cases not only in his or her name, but also in such a way as if he or she acquired these rights for other persons. Any deals of this kind shall be deemed invalid.

64. A sworn advocate may not act in court as the authorised person of his or her relatives in ascending and descending line, spouse, brothers or sisters of whole blood, as well as the brothers and sisters of his or her father or mother.

65. A sworn advocate may not simultaneously be both the advisor and the authorised person of both parties, and he or she may not change sides from one party to the other in one and the same case.

66. A sworn advocate may not undertake to conduct a case or the duties of defender if the judge of this case or the official examining this case is his or her spouse, his or her relative or a relative of his or her spouse in a direct line without any restrictions as to the degree of kinship, but in collateral lines – kinship of the first three degrees or affinity of two degrees.

67. A sworn advocate may not divulge the secrets of his or her authorising person not only while conducting the case, but also after being relieved from the conducting of the case or after the completion of the case. The advocate shall ensure that these requirements are also observed in the work of his or her staff.

68. A sworn advocate shall notify the Latvian Council of Sworn Advocates regarding a change of the address of his or her practice.
[28 October 2010]

69. A sworn advocate shall be discharged from the numbers of sworn advocates on the basis of his or her application or due to his or her death, or upon the initiative of the Latvian Council of Sworn Advocates if he or she is unable to perform the duties of a Sworn Advocate due to his or her health condition, as well as if he or she has not made payments for the maintenance of the Latvian Collegium of Sworn Advocates for more than six months due to unjustified reasons. The procedures for discharging shall be determined by the articles of association of the Latvian Collegium of Sworn Advocates.
[27 May 2004]

Division Six

Liability of Sworn Advocates

70. Sworn advocates shall have disciplinary and material liability for their actions in accordance with the procedures specified by this Law.

70.¹ Sworn advocates shall, in accordance with the procedures specified in this Law regarding the performance of duties of the elder of the sworn advocates, be held disciplinary liable.
[19 June 2008]

71. For violations of the Law and other regulatory enactments, the articles of association of the Latvian Collegium of Sworn Advocates, as well as for violations of the instructions regulating the work of sworn advocates and the norms of the professional ethics of sworn advocates, the Latvian Council of Sworn Advocates may initiate disciplinary proceedings upon the proposal of the court or prosecutor, as well as on the basis of the complaints of persons or upon their own initiative, sending the case materials for examination to the Disciplinary Proceedings Commission.

The Latvian Council of Sworn Advocates is entitled to explain to sworn advocates the wrongfulness of their conduct, without initiating disciplinary proceedings.
[27 May 2004]

71.¹ Meetings of the Disciplinary Proceedings Commission shall be recorded in minutes. The chairperson of the Commission and the recorder of minutes shall sign the minutes.
[27 May 2004]

71.² After an examination of disciplinary proceedings the Disciplinary Proceedings Commission shall take one of the following decisions:

- 1) regarding the imposition of disciplinary sanction upon a sworn advocate;
- 2) regarding the termination of disciplinary proceedings.

The Disciplinary Proceedings Commission is entitled to take a decision if more than one half of the members thereof is present at the Commission meeting.

The Disciplinary Proceedings Commission shall take decisions with a simple majority of votes. In the event of a tied vote, the vote of the chairperson of the Commission shall be the deciding vote. If any of the members of the Disciplinary Proceedings Commission have a differing opinion, it shall be recorded in the minutes.

All members of the Disciplinary Proceedings Commission present at the meeting shall sign the decision.

The decision shall indicate whether the activities performed by the sworn advocate are qualified as a disciplinary violation and what kind of punishment is imposed upon him or her.
[27 May 2004]

72. When initiating disciplinary proceedings or during the examination of a disciplinary matter, the Latvian Council of Sworn Advocates has the right to suspend a sworn advocate from fulfilling his or her duties.
[27 May 2004]

73. The Disciplinary Proceedings Commission has the right to impose the following sanctions:

- 1) to issue a reproof;
- 2) to issue a reprimand;
- 3) to determine another location for a practice or to prohibit to practice in a location for a time period of up to three years;

4) to prohibit to perform the duties of an advocate for a time period not longer than one year;

5) to debar from the numbers of sworn advocates.

On the basis of the decision referred to in Paragraph one, Clause 5 of this Section, the Latvian Council of Sworn Advocates shall debar a person from the numbers of sworn advocates.

[27 May 2004]

74. A disciplinary sanction – a debarring from the numbers of sworn advocates – may be imposed:

1) for an intentional violation of the Law;

2) for a severe violation of the norms of the ethical code of sworn advocates;

3) if a disciplinary sanction has been repeatedly imposed;

4) if a sworn advocate does not perform the duty imposed by a disciplinary sanction.

[27 May 2004]

75. *[27 May 2004]*

76. A disciplinary sanction may be imposed upon a sworn advocate not later than three months after the day the disciplinary violation was disclosed and not later than two years after the disciplinary violation was committed.

[27 May 2004]

77. The Disciplinary Proceedings Commission may not impose any of the sanctions referred to in Section 73 of this Law upon a sworn advocate if it has not previously requested a written explanation from such sworn advocate.

[27 May 2004]

78. When examining a disciplinary matter, the Disciplinary Proceedings Commission shall invite a sworn advocate to provide an oral explanation.

[27 May 2004]

79. If a sworn advocate does not provide explanations within the time period specified by the Disciplinary Proceedings Commission or fails to attend the meeting of the Disciplinary Proceedings Commission without justifying reasons, the Disciplinary Proceedings Commission shall take a decision on the basis of the circumstances ascertained in the matter and the information at its disposal.

[27 May 2004]

80. When examining disciplinary matters, the Disciplinary Proceedings Commission has the right to also listen to the explanations of other persons and to request the opinions of experts, to request information and documents from State and local government institutions, as well as from other institutions, organisations, companies (undertakings) and the officials thereof.

[27 May 2004]

81. A person upon whom a disciplinary punishment has been imposed may appeal to the court the decisions of the Disciplinary Proceedings Commission in accordance with the procedures specified in the Administrative Procedure Law.

[27 May 2004]

82. The Disciplinary Proceedings Commission shall make an announcement regarding the punishment of a sworn advocate to the submitter of the complaint, the Latvian Council of

Sworn Advocates and the Minister for Justice after the entering into effect of the decision. The Latvian Council of Sworn Advocates shall also announce the debarring of a sworn advocate in the official newspaper.

[27 May 2004]

Part Five Assistants to Sworn Advocates

Division Seven General Provisions

83. An assistant to a sworn advocate may be a citizen of Latvia who has reached the age of twenty-one and who:

1) complies with the provisions provided for in Section 14, Clauses 2, 4 and 5 of this Law;

2) has indicated which of the sworn advocates has agreed to be his or her patron – who has undertaken to guide, teach, employ and supervise the assistant;

3) has successfully passed the admittance examination of an assistant to a sworn advocate.

[27 May 2004; 28 October 2010]

84. The patron of an assistant to a sworn advocate may be a sworn advocate who has practised as a sworn advocate for at least seven years and is capable of guiding, employing and supervising the assistant. The Latvian Council of Sworn Advocates shall make a case-by-case judgement regarding this.

[28 October 2010]

85. A sworn advocate may have not more than one assistant.

[19 February 2004; 28 October 2010]

86. The persons referred to in Section 15, Clauses 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of this Law may not be admitted as assistants to sworn advocates, and the persons referred to in Section 16, Clauses 1, 2, 3, 4, 5, 6 and 8 of this Law shall be debarred from the number of assistants sworn advocates.

The activities of assistants to sworn advocates shall be stopped or they shall be suspended from the fulfilment of their duties in accordance with the provisions of Sections 16.¹ and 17 of this Law.

[27 May 2004; 19 June 2008]

Division Eight Admission as an Assistant to Sworn Advocates

87. The Latvian Council of Sworn Advocates shall admit assistants to sworn advocates not less than twice per year, determining in advance the time period of admission.

[19 February 2004]

88. *[19 February 2004]*

89. An applicant for the position of assistant to a sworn advocate shall submit the documents referred to in Section 39 of this Law to the Latvian Council of Sworn Advocates. If the applicant conforms to the requirements of this Law, the Latvian Council of Sworn Advocates shall take a decision to admit him or her to the numbers of assistants to sworn advocates.

[19 February 2004]

90. The chairperson or the vice-chairperson of the Latvian Council of Sworn Advocates shall announce in the Council meeting the decision regarding admission to the numbers of assistants to sworn advocates, shall give the newly admitted person the general instructions regarding the work and duties of an assistant to a sworn advocate, but persons who have been admitted to the numbers of assistants to sworn advocates shall give an oath to honestly and conscientiously fulfil his or her duties.

91. The Latvian Council of Sworn Advocates shall make an announcement in the official newspaper and shall inform the Minister for Justice, as well as the elder of the practising sworn advocates of the relevant court operation territory regarding persons who have been admitted to the numbers of assistants to sworn advocates, as well as regarding where and with which patron he or she shall work.

[19 June 2008]

Division Nine Duties and Rights of Assistants to Sworn Advocates

92. Assistants to sworn advocates shall work under the guidance and supervision of sworn advocates.

[30 October 2003]

93. Assistants to sworn advocates may not conduct cases in courts and pre-trial investigation institutions during the first six months after their admission. During this period, assistants to sworn advocates shall prepare themselves for the fulfilling of the duties of an advocate, working under the guidance of a patron and performing separate tasks under the supervision of the patron.

[19 February 2004; 27 May 2004]

94. After one year an assistant to a sworn advocate shall take the first examination of an assistant to a sworn advocate according to the procedures specified by the Professional Preparedness, Activity Supervision and Examination Commission of Assistants to Sworn Advocates. After passing this examination, the assistant to a sworn advocate may conduct cases in courts, the Offices of the Prosecutor and pre-trial investigation institutions upon the basis of the reauthorization of a patron and under the guidance thereof.

If an assistant to a sworn advocate does not pass the examination within a time period of two years, the Latvian Council of Sworn Advocates shall take a decision on his or her debarment from the number of assistants to sworn advocates.

[27 May 2004; 19 June 2008; 28 October 2010]

95. After two years an assistant to a sworn advocate shall take the second examination of the assistant to the sworn advocate according to the procedures specified by the Professional Preparedness, Activity Supervision and Examination Commission of Assistants to Sworn Advocates.

If the second examination has been passed and the relevant pre-trial investigation institutions, the Offices of the Prosecutor, the courts, as well as the elder of the sworn advocates of the relevant court operating territory have not given negative comments regarding legal assistance provided by the assistant to the sworn advocate, the Latvian Council of Sworn Advocates may allow the assistant to the sworn advocate to conduct cases in pre-trial investigation institutions, the Offices of the Prosecutor and courts without reauthorization, except for criminal cases in regional courts and the Supreme Court; the

assistant to the sworn advocate may conduct these cases upon the reauthorization of a patron and under the guidance thereof.

[27 May 2004; 19 June 2008; 28 October 2010]

96. After an assistant to a sworn advocate has worked under the guidance of a patron for five years, he or she may take the advocate examination.

[27 May 2004; 28 October 2010]

97. *[27 May 2004]*

98. The Latvian Council of Sworn Advocates shall issue the relevant certificate to the assistant to a sworn advocate for the conducting of cases without the reauthorization of a patron in accordance with the procedures specified in Section 95 of this Law.

[27 May 2004]

99. Each assistant to a sworn advocate shall register all the cases conducted by him or her in accordance with the procedures approved by the Latvian Council of Sworn Advocates and the list of such cases shall be submitted to the Council together with explanations regarding his or her activities, which have been certified by a patron.

100. It is mandatory that assistants to sworn advocates participate in all events organised by the Latvian Council of Sworn Advocates for the raising of qualifications, as well as shall perform all other duties imposed upon them by the Council.

Assistants to sworn advocates shall, after passing the examinations of an assistant to a sworn advocate specified in Sections 94 and 95 of this Law, perform State ensured defence and representation in the criminal proceedings in all court operation territories upon being commissioned by the Latvian Council of the Sworn Advocates or in the cases specified in this Law – upon being commissioned by the elder of the sworn advocates of the relevant court operation territory, or upon invitation of a performer of proceedings in the cases specified in Section 52.¹ of this Law.

[19 June 2008; 28 October 2010]

101. An assistant to a sworn advocate shall work for five years. An assistant to a sworn advocate who is not admitted to the numbers of sworn advocates within the time period of the next two years shall be debarred from the numbers of assistants to sworn advocates. The Latvian Council of Sworn Advocates may extend the term for a time period of one year due to justified reasons.

[19 February 2004; 28 October 2010]

102. In relation to the rights and duties of assistants to sworn advocates, the provisions of Sections 48-69 shall be applied.

Division Ten

Preparation, Supervision and Liability of Assistants to Sworn Advocates

103. The Latvian Council of Sworn Advocates shall establish the Professional Preparedness, Activity Supervision and Examination Commission of Assistants to Sworn Advocates for the professional training of assistants to sworn advocates, supervision of the activity thereof and guidance.

The Professional Preparedness, Activity Supervision and Examination Commission of Assistants to Sworn Advocates shall develop and approve questions and procedures for the

admission examination of an assistant to a sworn advocate, as well as shall grade this examination.

[28 October 2010]

104. The direct supervision of the activities of an assistant to a sworn advocate shall be performed by a patron whose instructions shall be binding to the assistant.

105. In relation to the liability of assistants to sworn advocates, the provisions of Sections 70-82 of this Law shall be applied.

Part Six Financial Activities of Sworn Advocates

106. Sworn advocates shall practice a liberal profession.

107. The professional activities (practice) of sworn advocates shall be qualified as intellectual work, and the aim thereof shall not be the making of a profit.

108. The practice of sworn advocates shall be organised exclusively in the manner prescribed by this Law.

109. Sworn advocates shall commence their practise only after their admission into the list of sworn advocates.

[30 October 2003; 28 October 2010]

110. If a sworn advocate has permitted an infringement of the rights of a client and the consequences thereof are some kind of damage, the client has the right to request satisfaction from the sworn advocate, in so far as he or she may be at fault for such infringement.

111. In the cases specified in Section 110 of this Law, a sworn advocate shall be liable for the damages caused to the client which have occurred as a result of legal assistance provided by such an assistant to a sworn advocate performing duties under his or her guidance who has not passed the second examination of an assistant to a sworn advocate, as well as the result of the conducting of cases upon the basis of the reauthorization of a patron.

[27 May 2004]

112. An assistant to a sworn advocate shall be responsible to his or her client in the cases specified in Section 110 beginning with the moment when the assistant to a sworn advocate has received the permission of the Latvian Council of Sworn Advocates (Section 98 of this Law) and has begun to conduct cases without the reauthorization of a patron.

113. Only Latvian sworn advocates and assistants to sworn advocates are entitled to offer the assistance of an advocate for the conducting of cases in courts, as well as to advertise such assistance.

The advertising provisions of Latvian sworn advocates and assistants to sworn advocates shall be determined by the articles of association of the Latvian Collegium of Sworn Advocates.

[30 October 2003]

114. The possible risk of losses resulting from the professional activities of sworn advocates and assistants to sworn advocates may be insured.

A sworn advocate shall inform his or her client if he or she has not been insured.

115. Sworn advocates shall be financially independent in their professional activities.

116. Sworn advocates shall practice individually or also in collaboration exclusively with other sworn advocates.

Sworn advocates may establish offices of sworn advocates, which shall be registered in the Latvian Council of Sworn Advocates.

[27 May 2004]

117. Sworn advocates shall practice directly and personally.

118. Sworn advocates may employ technical, financial or advisory staff on the basis of a contract of employment for whose activities they shall be liable and who are prohibited to engage in the providing of legal assistance.

119. Sworn advocates shall maintain accounts of their income and expenses. Income from the practice of a sworn advocate shall consist of the payments of clients for the legal assistance provided. The expenses of sworn advocates shall be expenses related to the provision of legal assistance or that are specified in this Law.

[30 October 2003]

120. *[30 October 2003]*

Part Seven

Activities of Advocates of European Union Member States in Latvia

[30 October 2003]

Division Eleven

Procedures for the Registration of Advocates of European Union Member States and the Professional Activities thereof under their Home-country Professional Titles

121. If an advocate of a European Union Member State submits a certificate attesting to his or her registration with the competent authority of his or her home Member State (the European Union Member State in which the advocate has acquired the rights to use the vocational title of an advocate prior to the commencement of activities in Latvia) to the Latvian Council of Sworn Advocates, the Latvian Council of Sworn Advocates shall register the advocate of the European Union Member State in a separate register. Such certificate shall be valid for registration in Latvia for three months from the day it was issued.

[19 June 2008]

122. The Latvian Council of Sworn Advocates shall inform the competent authority of the home Member State of an advocate regarding the registration of the advocate and the given name and surname of the registered advocate shall be published in the newspaper “*Latvijas Vēstnesis*” [the official Gazette of the Government of Latvia].

123. When registering in accordance with the provisions of Section 121 of this Law, an advocate of a European Union Member State shall receive a certificate with an indication regarding the right to perform professional activities under their home-country professional title. The professional title shall be expressed in the official language of the home Member State in such a way as to avoid the confusion of such title with the professional title of Latvian sworn advocates.

The professional body of which the advocate of a European Union Member State is a member in his or her home Member State, or the judicial body before which he or she is entitled to practice pursuant to the laws of his or her home Member State shall be indicated in the certificate.

124. An advocate of a European Union Member State who practices with under their home-country professional title is entitled to participate in court proceedings in criminal cases only together with an advocate of the Latvian Collegium of Sworn Advocates.

[27 May 2004]

125. Advocates of European Union Member States who practice in Latvia under their home-country professional title may establish a joint practice under the same conditions as Latvian sworn advocates.

126. Advocates of European Union Member States may establish branches of the advocate associations of their home Member State in Latvia, as well as use the names of the advocate associations of their home Member State if full-fledged advocates of European Union Member States have joined together in the advocate association of the home Member State.

127. The Latvian Council of Sworn Advocates has the right to initiate disciplinary proceedings against an advocate of a European Union Member State regarding a violation of laws and other regulatory enactments, as well as the norms of the professional ethics of Latvian sworn advocates.

Prior to the initiation of disciplinary proceedings, the Latvian Council of Sworn Advocates shall inform the competent authority of the home Member State of the advocate regarding all the relevant facts and, during the examination of disciplinary matters, shall collaborate with the competent authority of the home Member State of the advocate. The competent authority of the home Member State of the advocate shall take a decision regarding the imposing of a disciplinary sanction in accordance with the material and procedural legal norms of their State.

128. If the competent institution of the home Member State of an advocate of a European Union Member state prohibits the advocate from practising in the State territory thereof, the advocate of the European Union Member State may not practice in Latvia under their home-country professional title.

129. A decision of the Latvian Council of Sworn Advocates to refuse or to annul the registration of an advocate of a European Union Member State may be appealed to a court.

Division Twelve

Recognition of the Professional Qualification of an Advocate of a European Union Member State as Adequate for Permanent Activity

130. If an advocate of a European Union Member State certifies his or her knowledge of the official language and Latvian laws and the Latvian Council of Sworn Advocates recognises the professional qualification of the advocate of the European Union Member State as adequate for permanent activity, he or she has the same right to professional activity and duties as a sworn advocate of Latvia.

131. If an advocate of a European Union Member State has performed professional activities in Latvia under their home-country professional title for at least three consecutive years and if he or she has certified the necessary knowledge and practice obtained in the field of Latvian

law to the Latvian Council of Sworn Advocates, he or she shall be issued a certificate for the recognition of professional qualification.

132. In order to certify the necessary skills and knowledge, an applicant shall submit an application and the relevant documents regarding the number and content of the cases, which he or she has handled to the Latvian Council of Sworn Advocates. The Latvian Council of Sworn Advocates shall examine the efficiency and regularity of the activities of the relevant advocate, additionally requiring explanations from the advocate in oral or written form.

133. If an advocate of a European Union Member State has not been working in Latvia under their home-country professional title for at least three years, he or she shall submit to the Latvian Council of Sworn Advocates an application and the evidence confirming his or her qualification and the rights recognised in his or her home Member State. The Latvian Council of Sworn Advocates shall organise an examination of the conformity of the professional qualification in accordance with the Law On Regulated Professions and the Recognition of Professional Qualification. After the successful passing of such examination, the advocate shall be issued a certificate for the recognition of professional qualification.

134. The Latvian Council of Sworn Advocates may refuse to recognise the professional qualification of an advocate pursuant to a substantiated decision if the professional qualification of the advocate is not in conformity with the provisions of the professional qualification of a Latvian sworn advocate or if there have been disciplinary and other infringements in the professional activity of the advocate. A decision of the Latvian Council of Sworn Advocates to refuse to recognise the professional qualification may be appealed to the court.

Transitional Provisions

1. The amendment to Section 4 of the Law regarding the practising of advocates of European Union Member States in Latvia and Part Seven of the Law shall come into force on 1 May 2004.

2. The Latvian Council of Sworn Advocates shall elect the Disciplinary Proceedings Commission the first time for the remaining term of office of the Council chairperson, vice-chairperson, Council members and the Audit Board.
[30 October 2003; 27 May 2004]

3. The Latvian Council of Sworn Advocates shall, until 1 January 2009, taking into account the procedures for the selection of the elders of the sworn advocates in force until 1 January 2009, approve the elders of the sworn advocates of a court operation territory for one year, which commence their operation on 1 January 2009.
[19 June 2008]

4. The Latvian Council of Sworn Advocates shall, not later than by 1 January 2009, taking into account the procedures for drawing up the duty schedule for advocates in force until 1 January 2009, ensure that the duty schedules for advocates applicable from 1 January 2009 are drawn up for all court operation territories for at least one month.
[19 June 2008]

5. The Latvian Council of Sworn Advocates shall, not later than by 1 November 2009, organise the selection of the elders of the sworn advocates of court operation territories and

approve the elders of the sworn advocates of court operation territories who commence their activity from 1 January 2010.

[19 June 2008]

6. Until the day of coming into force of the Cabinet Regulation referred to in Section 41.², Paragraph two of this Law, but not longer than until 1 January 2009, the Cabinet Regulation No. 160 of 27 February 2007, *Regulations Regarding Procedures of Advocate Examination and Amount of Minimum Knowledge*, shall be applied, insofar as they are not in contradiction with this Law.

[19 June 2008]

7. Amendments to Sections 12, 34, 51, 52, 54 and 100 of this Law which specify the participation of the Latvian Council of Sworn Auditors, the elders of the sworn auditors and sworn auditors in the provision of the State ensured legal assistance shall come into force on 1 January 2009.

[19 June 2008]

8. Sections 52.¹, 54.¹ and 70.¹ of this Law shall come into force on 1 January 2009.

[19 June 2008]

9. Amendments to Sections 14, 94, 95, 96 and 101 of this Law, which alter the provisions for admission of assistants to sworn advocates to the number of sworn advocates, shall not apply to a person who has become an assistant to a sworn advocate prior to the day of coming into force of these amendments.

[28 October 2010]

10. Amendment to Section 84 of this Law, which alter the requirements for the patrons of assistants to sworn advocates, shall not apply to a sworn advocate who has become the patron of an assistant to a sworn advocate prior to the day of coming into force of this amendment.

[28 October 2010]

11. Amendment to Section 85 of this Law, which deny a sworn advocate being a patron for more than one assistant to the sworn advocate, shall not apply to a sworn advocate who has become the patron for two assistants to sworn advocates prior to the day of coming into force of this amendment.

[28 October 2010]

Informative Reference to European Union Directives

This Law includes legal norms arising from European Union Directives 77/249/EEC and 98/5/EC.

[30 October 2003]

Chairperson of the Supreme Council of the Republic of Latvia

A. Gorbunovs

Secretary of the Supreme Council of the Republic of Latvia

I. Daudišs