



Lawyers training systems in the EU

Romania

Information provided by: The National Association of the Romanian Bars (Uniunea Națională a Barourilor din România - U.N.B.R.)

April, 2014

DESCRIPTION OF THE NATIONAL TRAINING SYSTEM FOR LAWYERS in Romania

1. Access to the Profession

Higher education / university education	YES
A law degree is compulsory	YES
Steps to becoming a fully-fledged lawyer:	<ul style="list-style-type: none"> • Registration with the Bar • State Examination (The exam is organized by the Romanian National Union of Bar Associations (UNBR) (Uniunea Nationala a Barourilor din Romania) and held by the National Institute for Training and Development of Lawyers (Institutul National pentru Pregatirea si Perfectionarea Avocatilor). The exam is based on the methodology designed and approved by the Romanian National Bar Association) • Completion of an induction period <p>There are 2 categories of attorneys in Romania: Lawyers are registered with the Romanian Bars</p> <p>Legal advisors are employed by private or public entities or appointed by public bodies. They are not registered with the Romanian Bar association</p> <p>Legal advisors have the obligation to defend the rights and interest of the represented authority or entity (Article 14, law No. 514 of 28 November 20013 (see below "legal basis"))</p>

Alternative routes to the profession:	<p>Transfer routes from other professions:</p> <p>Subject to having passed the exams for the profession of lawyer and for persons who have obtained a position as judges, prosecutors, public notaries, legal counsellors, legal specialists in the Parliament, the Presidential Administration, Government, Constitutional Court, Ombudsman, Court of Accounts or Legislative Council for 5 years, the person acquires the position of fully qualified lawyer without having to undergo an induction period or a state exam, provided that the candidate had successfully passed the examination after undergoing an induction period in his previous position.</p> <p>Trainee lawyers having held the position of a member of Parliament, mayor, vice-mayor, president of a County Council or Vice President of a County Council may acquire status of fully qualified lawyer upon request.</p>
---------------------------------------	--

2. Training during induction period

Is there an induction period?	YES	<p>Legal basis:</p> <p>Lawyers:</p> <ul style="list-style-type: none"> • Legea Nr 51/1995 (in Romanian) (Law No 51/1995 for the arrangement and the practise of the lawyers' profession) • Statute of Lawyers (published in the Official Journal No 898 of 19 December 2011) <p>Legal advisors:</p> <ul style="list-style-type: none"> • In Romanian: Legea nr. 514 din 28 noiembrie 2003 (in English: Law no. 514 of 28 November 2003)
Compulsory	YES	<p>Set length:</p> <p>2 years (for lawyers and Legal advisors)</p>
Types of structures responsible for organising induction training	<p>Lawyers:</p> <p>Institutul National pentru Pregatirea si Perfectionarea Avocatilor (The National Institute for Training and Development of Lawyers)</p>	

	Legal Advisors: Uniunea Colegiilor Consilierilor Juridici din Romania (The Colleges Union of the Romanian Legal Advisers)	
Form of induction training	<ul style="list-style-type: none"> • Lawyers: Apprenticeship supervised by a private practice • Legal advisors must undergo an induction period under the supervision of a senior legal advisor 	
Entrance exam / check before induction period	YES	<ul style="list-style-type: none"> • Check/verification of diploma
Set curriculum during induction period	YES Main topics covered: <ul style="list-style-type: none"> • Civil Law and Civil Procedural Law • Criminal Law and Criminal Procedural Law • EU Law, European Convention of Human Rights • The professional statute of Lawyers, Management of Professional Organization Competition Law	
Specificities regarding EU law and linguistic training:	Requirements regarding EU law - Topics covered: <ul style="list-style-type: none"> • EU institutions, • EU legislation • EU Court of justice • EU case-law No requirements on linguistic training	
Induction period divided into different stages	YES	<ul style="list-style-type: none"> • Different periods for covering various aspects of law • Different periods for covering various levels of the court system • Different periods for covering various aspects of the profession
Post-induction period assessment / exam	YES	<ul style="list-style-type: none"> • Written exams • Oral exams
3. Continuous training system		
Differentiation between continuous training / specialisation training	NO	

Obligations regarding continuous training	YES	<p>Legal basis:</p> <p>Article 23 paragraph 4 of the Law No 51/1995 and Section 3 (articles 314-317) of the Statute of Lawyers</p> <ul style="list-style-type: none"> • Compulsory training obligations as decided by state law • Compulsory training obligations as stated in the internal regulations of the Bar
Obligations regarding specialization training	NO	Specialization training is not mentioned either by the state law or internal regulations
Obligations regarding learning foreign languages	No obligation	
Obligations regarding EU law content in relation to continuous / specialization training?	<p>YES - according to the legal basis:</p> <p>The continuous training implies updating knowledge in</p> <ul style="list-style-type: none"> • new areas of law; • procedures and legislation applicable in the European Union; <p>continuous training of lawyers should be of the same level as in the other member states of the European Union</p>	
4. Accreditation systems and training providers		
Possibility for accreditation	<ul style="list-style-type: none"> • of training courses • of national training providers 	
Number of training providers offering continuous training activities	Between 21 and 50	
Type of training providers developing accredited continuous training activities	Bars	
Activities and methods		
Type of training activities accepted under the obligations of continuous or specialization training	<ul style="list-style-type: none"> • Attending face to face training sessions • Completing distance training sessions • Completing e-learning modules • Watching a webinar • Completing blended-learning activities 	<p>participation in training activities in another Member State</p> <p>Yes, training obligations can be fulfilled through participation in training activities in another Member State of the EU</p>

	<ul style="list-style-type: none"> • Attending training conferences • Participating in training activities as trainer or teacher • Writing/publishing 	
5. Supervision of training activities		
Organizations involved in supervising continuous training activities	Bars	
Supervision process	Assessment of how written requirements of the Bar are fulfilled	

Source: Pilot Project - European Judicial Training: "Lot 2 – Study on the state of play of lawyers training in EU law", carried out by the Council of Bars and Law Societies of Europe (CCBE) and the European Institute of Public Administration (EIPA)