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The Perspective of the CCBE on the Use of the e-Justice Portal Database, other Electronic Tools or Networks to Find Legal Experts in a European Union Setting

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CCBE background

- 31 full member countries, 11 associate and observer member countries

- Around 1,000,000 lawyers in Europe

- Members are bars and law societies

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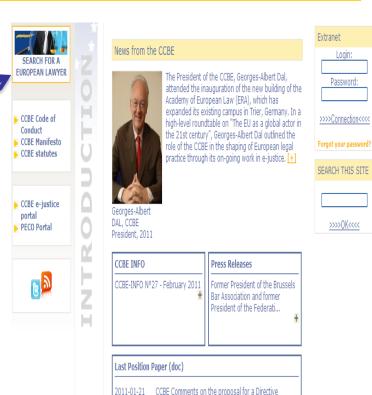
CCBE and e-Justice

- CCBE fully supports the developments in e-Justice in two ways:

  a). Policy: CCBE contributes to EC consultations as well as prepares position papers on e-Justice topics

  b). Active participation in e-Justice projects: Find-A-Lawyer, e-CODEX, FAL 2, Defendants' rights fact-sheets

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Find-A-Lawyer background

- There is an existing search engine ('Search for a European lawyer') on our website – www.ccbe.eu

- We have a grant to develop a system with common search criteria to be located on the European e-Justice web portal and available in all official languages

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- **Main actors in Find-A-Lawyer**:

1. <u>CCBE</u>: Responsible for developing the project, management and relations with the European Commission, the IT sub-contractor and the participating Bars.

2. <u>Bars</u>: 13 national bars are participating in FAL. The CCBE hopes all EU Bars will join Find-A-Lawyer in the future. Negotiations with some Bars are taking place at this moment.

3. <u>IT contractor</u>: a Danish IT company with good experience in developing IT solutions for lawyers (InterConnect) has been subcontracted.

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FAL vs other engines

- There are currently other FALs available
- Differences between FAL SE and other engines:

FAL SE	Others
Comprehensive list of lawyers accredited and maintained by competent authorities (Bars)	People self-register and so the lists are not comprehensive
Developed by CCBE with national Bars, which have a public duty to maintain such a register (non-profit making)	Developed by private companies
Bars ensure changes in lawyer status (changes of personal or professional data, areas of expertise, whether still a lawyer etc.)	The lawyer has to update personally his/her profile
Lawyers are included in the directory on qualifying as a lawyer	The lawyer needs to know that these other search engines exist
Multilingual	Normally in one language
Developed taking into account the EC's preferences, and with the citizen in mind	Normally developed with the needs of companies in mind

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What does FAL look like?

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e-CODEX

- The CCBE is one of the partners in this project, and considers e-CODEX to be of crucial importance for the legal profession.

- Why is the CCBE participating in this project?

  - ✓ Lawyers will be among the main users of e-Justice applications

  - ✓ In some Member States, lawyers are already using national e-justice tools in their daily work: e.g. Austria, Spain

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- Participation of lawyers is regulated by lawyers' directives: **Temporary services** (77/249/EEC) and **Establishment** (98/5/EC)
- Moreover:

  - ✓ In some Member States, lawyers have to prove their lawyer's qualification on filing (lawyer's identity)

  - ✓ Members States can also request from the lawyer the mandate of the client to act on his/her behalf

  - ✓ Since the proof of lawyer's identity and client mandate are compulsory in some Member States, e-CODEX has to deal with both issues - the "electronic" world has to follow the rules of the "paper" world

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Find-A-Lawyer 2

- CCBE is working on a proposal to develop FAL 2, which will be submitted to the EC for funding within the Criminal Justice Programme.

- Main objectives:
  - ✓ To guarantee and enhance the citizens' right to access to justice

  - ✓ To create an IT prototype that, using the FAL Search Engine, will make it possible to verify lawyers' e-identity

  - ✓ To create more services that could be added to the existing FAL

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Thank you for your attention

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