



LAWYEREX

PRACTICAL GUIDE 2019-2021



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European Lawyers Foundation

ANBI – Dutch Public Benefit Organisation

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I. Background

The European Lawyers Foundation

The European Lawyers Foundation (ELF), coordinator of this project, is a non-profit organisation headquartered in The Hague, The Netherlands. It was established by the Council of Bars and Law Societies of Europe (CCBE) in 2014. ELF's objective is to undertake projects that relate to the exercise of the profession of lawyers, the development of the law and practice pertaining to the rule of law and administration of justice and substantive developments in the law itself, both at a European and international level. For more information on ELF's work, please visit our website: <http://elf-fae.eu>.

The Exchange programme

The Multilateral Exchange of Lawyers is an important initiative, co-funded by the European Union (EU), which allows greater mobility of lawyers within the European Union and contributes to the development of a European judicial culture. It has set up the first Europe-wide training exchange scheme for lawyers, based on the good practices established by the European Judicial Training Network for the exchange of judges and prosecutors.

As its predecessor, the second edition of the Multilateral Exchange of Lawyers (LAWYEREX) is led by the European Lawyers Foundation, in partnership with the national Bars of Cyprus, Czech Republic, Italy, Romania, Slovakia, and Spain, the Polish Bar of Attorneys-At-Law, and the local Bars of Athens, Barcelona and Paris. During its life cycle (August 2019 – July 2021), lawyers from 9 EU Member States (young lawyers with up to 7 years of professional experience) will have the opportunity to be trained abroad in host institutions from the legal sector.

The duration of each placement will be two weeks (10 working days), and host institutions in partner countries will be either private law firms with cross-border activities within Europe or national or local Bars. The first exchanges are expected to take place in November 2019, and the total number of lawyers to participate in the exchanges will be 107.

Objectives of the exchange

The exchange offers the opportunity to young lawyers to become familiar with other EU Member States' legal systems, to create or consolidate cross-border networking capacities, and to improve their legal and linguistic skills and competences. Lawyers offered a placement in national or local Bars should expect institutional type of work for issues affecting the legal profession, whereas lawyers offered a placement in law firms will work on practical cases according to their field of expertise. Each lawyer participating in the exchange will be guided by a "supervisor", who will provide the necessary guidance to quickly integrate the lawyer into the working life of the host institution. The supervisor will be responsible for giving assignments to lawyers participating in the exchange, providing information and insights on national legislation in any area of law relevant to the lawyer's work and accompanying him or her in day-to-day professional work, including relations with other colleagues and clients. Other activities such as attendance at court hearings, participation in conferences and seminars, visits to national institutions or European organisations based in the host country, or attendance at networking events, are strongly recommended to be included in the exchange programme whenever possible.

II. Selection procedure

Call for applications

The call for applications is launched by the respective partner organisations in different periods throughout each year (see indicative tables below). Information about the calls and the exact deadlines can be requested from the national contact points in each partner country (see also section V – useful contacts). Regarding the application process, applicants must fill in the project's application form and provide information about their preferred countries for the exchange (3 preferences), their preferred dates, their spoken languages and their preferred practice areas. Their CV (in English) should also be attached to the application form. Lawyers selected for the first round of exchanges will be offered a placement during the period December 2019 – February 2020, taking into account their preferences and the availability of posts in the host institutions. Likewise, the second round of exchanges will take place from March until June 2020 and so on. Submitting an application means that candidates have agreed to the ELF's [data protection policy](#).

	2019				2020					
	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Selection procedure 1 st round										
Exchanges 1 st round										
Selection procedure 2 nd round										
Exchanges 2 nd round										
Selection procedure 3 rd round										

	2020						2021			
	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR
Exchanges 3 rd round										
Selection procedure 4 th round										
Exchanges 4 th round										

Pre-selected candidates

After the end of the selection process, partner countries will need to provide within one week a list of pre-selected candidates to ELF. The ELF will then place the pre-selected lawyers in the most suitable destination country according to their 3 preferences, and taking into account the following criteria:

- a) **their spoken languages** (for example a lawyer with C2 level in French has good chances of being selected in France)

b) **a fair geographical balance** (for example Greece offers 10 placements in total, so these placements should be distributed to lawyers of as many partner countries as possible)

c) **the preferences of other pre-selected lawyers** (for example if only one pre-selected lawyer has chosen Cyprus as first preference in the first round, then this person will be accepted in Cyprus)

d) **other elements of their CVs which link them to a specific country** (for example a Romanian lawyer who has selected Poland as first preference because he was in Poland as an Erasmus student has good chances of being selected in Poland).

ELF will use its best efforts to place pre-selected candidates in one of their three preferred countries, but there is no guarantee that pre-selected candidates will finally be offered a placement or that the final placement will correspond to their 3 preferences. Participants are not notified at this stage about their country of destination, but only after a final placement in the country of destination is found (see below the final placement procedure).

Final placement

After placing the pre-selected candidates in countries of destination, the ELF will transfer their files to the national contact points, who will then be responsible to find the most suitable national host institution according to the preferences of the candidates (bar or law firm, practice areas, months of availability, spoken languages) and after matching them with the needs of the host institutions participating in the specific round of exchanges.

After the final placements are confirmed, the ELF's project manager will inform the candidates about the final placement offer, and the latter should provide a final answer within a deadline of one week. In case of an affirmative reply, candidates will secure their placement and will be able to proceed to travel and accommodation arrangements in the country of destination (for financial aspects see section IV). They will also be able to establish contact with their supervisor in their host institution.

Candidates rejecting the offer can apply for future rounds but they will not have any preferential treatment over other candidates. In the round in question, they will be replaced by candidates from the reserve list, which is kept by every partner organisation after each selection process.

III. Before, during and after the exchange

Before the exchange

— Selected participants

The selected participants are responsible for making their own travel and accommodation arrangements and for sending the following documents to the ELF's project manager, Vasileios Stathopoulos (stathopoulos@elf-fae.eu) no later than two weeks before the start date of the exchange:

1. **A scanned copy of the Exchange Agreement** with the signature of the contact person in their respective Bar (see also section V – Useful contacts), which is considered as their sending institution. The remaining two signatures – from the participant and the supervisor – will be placed during the first day of the exchange (start date) and will serve as a proof that the participant has taken up his/her duties as expected in the host institution.
2. **A copy of their travel tickets** as proof that selected participants are intending to travel to the country of destination, following to the approval of the placement.
3. A scanned copy of their **European health insurance card or a similar private health insurance**, which should cover them for any health expenses incurred abroad for the whole duration of the exchange. Participants should also make sure that they are insured against accident, death and sickness risks.

— Supervisors

One week before the start date of the exchange, supervisors in host institutions should communicate to selected participants a provisional exchange programme, including a list of activities and assignments which participants will work on during their placement. The exchange programme should include at least the following components:

1. Training session about the national law in the host jurisdiction.
2. An "out of the office" activity, such as attendance of a court hearing, a networking event, a visit to the local Bar etc.
3. Work on a specific case or shadowing a meeting with clients (for placements in law firms).

The final exchange programme should be communicated to the participant by his/her supervisor during the first day of the exchange.

During the exchange

— First day of the exchange

During the first day of the placement, both the participant and the supervisor should originally sign the **Exchange Agreement**, which should enter immediately into force and serve as proof that the participant took up his/her duties as expected (this is important for the first payment of the subsistence allowance and the reimbursement of the travel costs). In order to be valid, the Exchange Agreement should have all three signatures (from the contact point at the sending institution, the participant and the supervisor). A scanned

version of the Exchange Agreement should be sent to the European Lawyers Foundation (stathopoulos@elf-fae.eu).

Further, the participant needs to fill in the **Expense Sheet** with all personal information requested (including an IBAN number and personal or professional address), the travel itinerary and the exact travel costs for his/her whole travel from the city of residence to the city of destination and return. The subsistence costs of the Expense Sheet are pre-filled (1400 EUR) because they are based on a per diem system and not on real cost, like the travel costs. The Expense sheet needs to be sent electronically to the European Lawyers Foundation (stathopoulos@elf-fae.eu) in order to trigger the first reimbursement of funds to the participant's account (see the detailed procedure in Chapter IV). Together with the Expense Sheet, selected lawyers should send electronically the official invoice(s) which will serve as supporting documents to their travel cost claims (see also Chapter IV for the detailed procedure of reimbursement)

Finally, during the first day, the supervisor should communicate to the participant the final **Exchange Programme**, namely a list of tasks and activities that the participant will work on during the 2 weeks of the exchange.

— **Duration, work behaviour and interruption**

The minimum number of working days for the completion of the exchange programme should be 10 consecutive working days (excluding the weekends). Working days should be from Monday to Friday as a general rule. Selected participants are free to arrive earlier at their country of destination or prolong their stay after the end of their placement (but in case participants plan to stay much longer than 14 days, they are advised to contact ELF). Regardless the duration of the stay, the daily allowance will cover 14 days and the total amount of 1400 EUR.

Selected participants and their supervisors are expected to interact with professionalism, ethical behaviour and mutual respect, following the core principles of the legal profession and the values of the EU Charter of Fundamental Rights. Any issues arising during the exchange should first be addressed to the supervisor of the host institution and, if no satisfactory solution is found, participants or supervisors should contact either the contact point in the country of the exchange, or the European Lawyers Foundation.

If an exchange is expected to be interrupted before the planned end date, the ELF should be notified immediately (unless there is force majeure) either by the supervisor or the participant (mentioning the exact reason for the interruption). The ELF will cover the daily allowance from the start date of the exchange until the date it was interrupted, and only if the interruption is duly justified. In case the participant received a higher amount than the one he/she was entitled to receive on the date when the exchange was interrupted, then the participant will need to transfer back to ELF's bank account the undue amount already advanced. Participants will be receiving EU public funds, so the transfer of ineligible funds back to ELF is mandatory in all cases. Written proof of the interruption of the exchange, mentioning the exact date of interruption and the reason, should be sent to ELF by the supervisor of the host institution through the form of a "declaration of honour". Even in the case of interruption, the participant will still need to complete all the reporting documents (Exchange Report, Evaluation Form and Expense Sheet) and send them to the European Lawyers Foundation.

— **Last day of the exchange**

On the last day of the exchange, the participant will need to complete (in English) and send to the ELF's project manager, Vasileios Stathopoulos (stathopoulos@elf-fae.eu) the following reporting documents (templates are attached below):

- A. **“The participant’s report”**, a comprehensive document where the participant takes stock of the most important elements from the exchange programme.
- B. **“The evaluation form”**, a document where the participant is asked to evaluate certain aspects of the exchange programme and make a self-assessment of the learning outcome.

In addition, on the last day of the exchange, the host institution’s supervisor will need to complete (in English) and send electronically to the ELF’s project manager, Vasileios Stathopoulos (stathopoulos@elf-fae.eu) the following documents:

- A. **“The exchange certificate”**, including the names of the participant and the supervisor, the host institution and the duration of the exchange. The certificate should be duly signed by the supervisor.
- B. **“The supervisor’s report”**, a short document where the supervisor will evaluate the work undertaken by the lawyer participating in the exchange.

After the exchange

Within one month after the end date of the exchange, and provided that the ELF has received on the last day of the exchange (the end date) all reporting documents mentioned above, duly completed by both the participant and the supervisor, the ELF will proceed to the second and final payment of the travel and subsistence allowances to the participant (see detailed procedure in chapter IV).

Further, after the exchange, the ELF might contact either the participant or the supervisor (or both) in order to provide a quote related to the experience gained from the LAWYEREX project. The quote, together with a personal photo of the person quoted, will be included in a common template prepared by ELF, which will be published and disseminated through the ELF’s and the partner organisations’ social media in order to promote the project. Participation in this project activity is of course optional and entirely up to the participant or the supervisor. Participants who agree to participate in the testimonial activity will be requested to give their consent to the ELF’s [data protection policy](#).

IV. Financial conditions

Travel allowance and daily allowance

Travel allowance: Each participant is entitled to an allowance of a **maximum of 400 EUR** to cover the travel cost (flight tickets and/or long-distance train and bus tickets) from the place of residence to the place of destination and vice versa. Local transport within the city of residence or within the city of destination, including transport from/to the airport, will not be covered through the travel allowance, since the daily allowance (see below) aims to cover these costs. As explained above (chapter III), participants should fill in an **Expense Sheet** with the detailed description of the travel itinerary and the corresponding costs. The travel costs claimed need to be properly justified with the supporting invoices issued by the airlines, train or bus companies. Please note that only official electronic invoices will be accepted as supporting documents, given that confirmation e-mails, e-tickets etc. are not reliable documents since the amounts and information are editable. The final expense sheet should be signed and sent by e-mail to Vasileios Stathopoulos (stathopoulos@elf-fae.eu) together with the supporting invoices for the flight tickets during the first day of the exchange.

Daily allowance: Each participant is entitled to a daily allowance of **100 EUR per day** (1400 EUR for the whole duration of the exchange). The daily allowance is a fixed amount and it aims to cover the participant's subsistence costs (accommodation, local transport and living expenses) during the exchange. Every participant who fulfilled the requirement of working 10 consecutive working days in his/her host institution will receive the maximum amount of 1400 EUR, no matter of the total duration of his/her stay in the country of destination (it will not thus make any difference if the person stays 13 or 16 days in total abroad). Since daily allowances are reimbursed based on a per diem system and not on real cost, participants will not be requested to provide any supporting documents for their subsistence costs (for example invoices for accommodation, meals or local transport will not be necessary).

The participant is fully responsible for the travel and accommodation arrangements during the period of the exchange. The organisation responsible for the payments of the daily and travel allowances will be the European Lawyers Foundation. There will be no financial commitment of any kind from the host institution or the sending institution vis-à-vis the participant.

Payment procedure and requested documents

The payment of the daily and travel allowances will take place in two different instalments as follows:

- A. **At the beginning of the exchange after signature of the Exchange Agreement and completion of the Expense Sheet:** after the participant has taken up his/her duties in the host institution as expected and has sent to ELF the signed Exchange Agreement and the Expense Sheet, ELF will reimburse the travel cost from the place of residence to the place of destination and will make a first payment to the participant for an amount of 50% of the total allowance (700 EUR in total). If the participant had advanced travel and accommodation costs but, for any reason, he or she was unable to participate in the exchange, then these costs will not be covered by the project.
- B. **At the end of the exchange after reception of all the reporting documents:** on the last day of the exchange, the participant will need to complete (in English) the participant's report and the evaluation form and send them electronically to the

ELF. During the same day, the supervisor will need to complete (in English) and send electronically to the ELF the "supervisor's report" and a copy of the "exchange certificate" properly signed. Once ELF receives all these documents and after checking them, it will proceed to the reimbursement of the travel cost from the city of destination to the city of residence and to the payment of the remaining 50% of the total allowance (700 EUR). This second and final payment by the ELF will take place within one month after the electronic reception of all abovementioned reporting documents. If any of the reporting documents is missing from the participant's file, there will be significant delays in the reimbursement process. Finally, if the ELF does not receive the reporting documents duly completed during the last day of the exchange and following to one reminder, the final reimbursement will not take place.

V. Useful contacts

Contact persons in partner organisations

Organisation	Contact person	Contact details
European Lawyers Foundation (Coordinator)	Vasileios Stathopoulos (Project Manager)	stathopoulos@elf-fae.eu info@elf-fae.eu (functional e-mail)
Česká Advokátní Komora	Veronika Slováčková	Slovackova@cak.cz
Ordre des Avocats de Paris	Ariane Baux	abaux@avocatparis.org
Cyprus Bar Association	Koulia Vakis	cybar@cytanet.com.cy
Krajowa Rada Radców Prawnych	Maria Napiontek	komisjazagraniczna@kirp.pl
Consejo General de la Abogacía Española	Carlos Magdalena González	carlos.magdalena@abogacia.es
Uniunea Națională a Barourilor din România	Cristina Gheorghe Veronica Morecut	unbr@unbr.ro veronica.morecut@unbr.ro
Il·lustre Col·legi de l'Advocacia de Barcelona	Patricia Diaz	pdiaz@icab.cat
Athens Bar Association	Georgios Papadopoulos Anastasia Tsiri	gkpapadopoulos@yahoo.gr tsiri.an@dsa.gr
Consiglio Nazionale Forense	Moira Agrimi	humanrights@consigionazionaleforense.it