

European Lawyers' Programme 2020 **Candidate Information**

This document provides basic practical information about the ELP. Details specific to the forthcoming year's Programme is found in Annexes A to this document. The information in this document and the ELP is subject to changes and cancellation.

1. Objectives of the Programme and Introduction

The European Lawyers Programme (**ELP** or **Programme**) is a two and a half to three months programme for European qualified lawyers at the Faculty of Advocates (Scottish Bar) providing an unrivalled opportunity for successful applicants to shadow advocates and a judge of the Court of Session (the highest civil court in Scotland) and the High Court of Justiciary (the highest criminal court in Scotland). The next ELP will run from 6 April 2020 until 26 June 2020.

The Scottish legal profession is divided into solicitors and advocates (split bar system). The ELP provides placements with advocates. Advocates (like English barristers) are part of an independent referral bar of specialised court pleaders, immediately recognisable by their wig and gown when appearing in court. The ELP provides a superb opportunity for up to 10 European lawyers to gain first-hand experience of an adversarial English-speaking legal system.

The Scottish legal system should also be of considerable interest for lawyers from continental Europe, as it is a "mixed" system - it is primarily a common law/adversarial system, but also contains some uncodified civil law concepts and principles. In addition to providing a professional and intellectual stimulus, the Programme will enable participants to meet with lawyers in Scotland and to network with other European lawyers on the Programme. The Programme has its own alumni association, - the European Lawyers Association (see below) which allows participants to maintain and develop these networks.

The ELP comprises of two parts:

- The first part is an introductory course on Scots law and the on the operation of the Scottish legal system of 10 days; and

- The second, and principal, part of the programme involves placements with a Court of Session/High Court judge, a senior (Queen's Counsel) and at least one junior advocate.

The introductory course includes a wide range of legal subjects (including written pleadings and oral advocacy), delivered by judges, advocates and academics. As far as possible the placements are chosen to fit in with each participant's interests and/or specialism as demonstrated in their application form and CV.

The European Lawyers Association (ELA) is the alumni association of the European Young Lawyers Scheme (the predecessor of the ELP) and was set up in 1985 with a view to maintaining the professional and social contacts established during the Programme, and to provide a forum for participants to develop these links with other participants and practitioners in the UK. It has around 700 members from 28 countries. ELA is registered in Belgium as an International Non-Profit Association (*'association internationale sans but lucratif'*/*'internationale vereniging zonder winstoogmerk'*). Further information can be found at www.european-lawyers.org. Participants who complete the Programme automatically receive an invitation to join the ELA.

2. The Programme

The Programme is organised jointly by the ELA and the Faculty of Advocates (www.advocates.org.uk), i.e. the Scottish Bar. The Programme enjoys financial support from Vialegis (www.vialegis.be). Up to 10 European lawyers will take part in the Programme.

Part 1: Introductory Course - Faculty of Advocates Training Facility (10 days)

Monday, 6 April 2020 – until Tuesday, 21 April 2020 (with a long weekend holiday break for Easter from 10 to 13 April inclusive)

The course provides all participants with an introduction to the legal system of Scotland, to give context to what they will soon experience during their placements with Advocates, QCs and Judges. The course includes: an overview of the legal system and its history, including a description of the court structure and other institutions; an outline of civil and criminal procedure (including judicial review of administrative actions); the basics of various areas of "black letter" law such as contract, delict, property and constitutional law. The introductory course also includes practical training in written and oral advocacy in an adversarial legal system. Practical matters are addressed, such as a tour of the Faculty of Advocates Library (generally regarded as the finest working law library in the UK and where most practising Advocates work day-to-day, and where all participants will also be allocated space); and obtaining access to the Faculty of Advocate's electronic resources.

Part 2: Advocates, QCs and Judges' placement (9 1/2 weeks)

Wednesday, 22 April 2020 – until Friday, 26 June 2020

Participants are assigned to at least two practising members of the Faculty of Advocates (the Scottish Bar) in Edinburgh – a Queen's Counsel (Senior Counsel) and a Junior Counsel – as well as to a Senator of the College of Justice (a judge of the High Court/Court of Session). There are opportunities to study the cases with which the Advocates are concerned; to attend consultations with Solicitors and clients; and to observe Advocates as they appear before courts and tribunals. Advocates may ask those assigned to them to do research and to assist in the preparation of legal opinions and other legal documents. In recent years there has also been an opportunity for some participants to accompany Advocates to London for cases being heard before the UK Supreme Court.

3. Recruitment profile

Candidates for the ELP should normally:

- be admitted as a practising lawyer in your home jurisdiction and, preferably, have a minimum of two years' work experience as a lawyer;
- have a good command of English, both in writing and orally (broadly equivalent to band scores 7.00 on IELTS or 100 on TOEFL); and
- show a commitment to professional and social interaction with those participating in the Programme and with lawyers in Scotland.

All candidates must indicate a commitment to spend three months in Edinburgh for the purpose of pursuing the Programme.

4. Application and selection procedure

4.1 Application stage

To apply for the Programme, all candidates must submit the documents listed below to their ELA National Representative in a single pdf file. Candidates from countries with no ELA National Representative can apply through a central application process. To apply for the Programme, you can either complete the application form on the ELA homepage (www.european-lawyers.org) or, alternatively, contact your ELA National Representative to request a word version of the form and submit the completed application by email. If you complete the application form on the homepage it will automatically be sent to the correct ELA National Representative when you submit it.

List of documents:

- a completed and signed application form;
- an up-to-date CV; and
- copies of relevant professional certification (university diploma and professional qualification certificate, school leaving examination certificates are not required).

It is important that your CV and application form reflect your areas of specialism and/or interest. The CV and the application form is used by the Programme Director within the Faculty of Advocates to help provide appropriate placements with Judges, QC's and Advocates.

4.2 Interview stage

Locally shortlisted candidates are invited to attend a selection interview in their home country. The interview panel consists of local representatives of the ELA and the interview, in whole or in part, will be conducted in English. Where no local ELA National Representatives are available, The ELA Board will conduct the interview by conference call (central application process)

The recommended candidates' applications are forwarded to the ELA Board who will make the final selection from applications received from local ELA National Representatives and candidates who have centrally applied. Before the final selection, the ELA Board may conduct a second interview with candidates. The ELA Board will then select up to 10 participants for the ELP 2020. In addition to those selected, a number of reserve participants are identified so that in the event of a first-choice candidate having to withdraw from the Programme, the vacant place can be filled.

Please note:

The ELA is committed to promoting equal opportunities in the recruitment of candidates for the ELP. All applicants will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.

The ELA regards the lawful and fair treatment of personal information as important to the maintenance of confidence between it and those with whom it deals. We will ensure that our members, and those acting on our behalf who process personal information, adhere to the data protection principles. For details how we collect, use, share and transfer personal information please see our privacy policy attached to the application form.

5. Practical information

Preliminary arrangements: Selected participants will be in regular contact with the Programme coordinators of the ELA and the Faculty of Advocates throughout the period preceding the Programme to make all the practical arrangements for the Programme (areas outlined below, plus preliminary reading, placements etc.).

Arrival: Participants are expected to arrive in Edinburgh at the latest the weekend before the Programme begins.

Health Care: Participants are responsible to ensure that they have sufficient medical insurance before beginning the programme. In the event that somehow the UK is still in the EU, or has left but with an agreement providing a transitional administrative period, you may wish to obtain a European Health Insurance Card (<https://ec.europa.eu/social/main.jsp?catId=559>) if you don't already have one. If the UK has left the EU without a withdrawal deal, participants will be treated as overseas visitors.

For further information on what health services are covered for overseas visitors, see: <https://www2.gov.scot/Topics/Health/Services/Overseas-visitors>. In any event, the advice is to get medical insurance suitable for your personal needs.

Accommodation: Advice may be given to participants selected for the Programme on how to find suitable accommodation. However, this can be a difficult task, and participants are advised to start making enquiries as soon as they can. Contact details are circulated to enable participants, if they so wish, to communicate with one another with a view to exploring opportunities for sharing accommodation.

Organisation: The ELA manages the selection of the candidates and the administration of the Programme. The Faculty of Advocates, in consultation with ELA, will organise the introductory course and placements with Advocates and Judges.

Costs: *Vialegis*, a Belgium based international recruitment firm (www.vialegis.be) will be providing financial support to the ELA to cover certain organisational expenses.

As the Programme is otherwise unfunded, candidates will be required to have the requisite financial means to cover all living and accommodation expenses during their stay in Scotland. The candidates are encouraged to seek financial support (sponsorship) for their accommodation costs and living expenses from their employer or other interested parties.

The estimated cost for shared accommodation in Edinburgh amounts to £400-600 per month. Candidates should note that Participants will not be paid a salary/stipend (nor reimbursed any expenses) by the ELA or the Faculty of Advocates.

6. Brexit

It may be the case that the UK leaves the EU without an exit deal on 31 October 2019. Even if that is the case, however, the position of the UK Government is that, after the exit date, visas will not be required for citizens of the EU, EEA or Switzerland to enter the UK for a visit of three months or less, whether for work, leisure or study. Given that the programme is for a period of just under three months, visa issues should not arise. If the UK exits the EU with a deal, including a transitional period, there will not even be a time restriction, during the transitional period, for stays in the UK. Please note that, as at present, for entry to the UK you will need to show a valid passport or national identity card. For a statement of the UK Government's position, please see its website: <https://www.gov.uk/guidance/visiting-the-uk-after-brexit>

7. Aptitude Test for EU Qualified Lawyers - Qualification as a Scottish Solicitor and Notary Public

The Aptitude Test for EU-qualified lawyers with the Law Society of Scotland allows lawyers from EU and EFTA countries, who are admitted to practise in their own jurisdictions, to dual qualify as Scottish solicitors. The ELP offers a good practical basis for undertaking the Aptitude Test for EU Qualified Lawyers. However, extra self-study time is required to prepare for this test. Additional information on the Aptitude Test for EU Qualified Lawyers may be obtained directly from the Registrar's department of the Law Society of Scotland (registrar@lawscot.or.uk). Further information is available on the Law Society of Scotland's website at <https://www.lawscot.org.uk/qualifying-and-education/qualifying-as-a-scottish-solicitor/requalifying-into-scotland/eu-lawyers/>. Please note that it is currently unclear whether the Aptitude Test for EU qualified lawyers will still be available should the UK leave the EU. This will depend on the terms of a possible future agreement between the EU and the UK. Please contact the Law Society directly for further information.

Timetable for the ELP 2020

The timetable for recruitment and for the Programme itself is subject to changes.

2019/2020

August/September 2019	Advertisement of the ELP on http://www.european-lawyers.org/ and through local ELA National Representatives.
5 November 2019	Deadline for applications through the local and central application process.
6-15 November 2019	Local selection process: shortlisting and Interviews.
16 November 2019	Deadline for local ELA National Representatives to recommend shortlisted applications to the ELA Board for selection.
16-30 November 2019	Interviews of selected candidates who applied through the central application process. Possible Second interview with the ELA Board of selected candidates by local ELA National Representative.
Beginning December 2019	Final selection of participants by the ELA Board and communication of selection to ELA National Representatives.
Mid December 2019	All candidates notified of the outcome of their applications by the Chairwoman of the ELA and selected participants will be sent a formal acceptance letter.
March 2020	Pre-departure communications.
6 April 2020	Programme begins.
26 June 2020	Programme ends.

Testimonials

"Participation in the ELA Programme in Edinburgh was one of the most valuable (and the most fun) experiences in my legal career. Not only that you learn a lot about Scottish legal system, but you also get an insight into the legal systems of other European countries from other participants. I found that to be very helpful in my everyday work with clients from different countries. Moreover, comparison with other legal systems gave me a wider perspective of Croatian legal solutions and reasoning behind such solutions. Finally, the Programme is a great opportunity for networking with other participants, advocates, judges and later with the ELA members. Through it, I met fascinating legal experts and extraordinary fun people from all over the Europe, and the most importantly I gained some close friendships for life."

Franka Baica (Croatia)

"Joining the European Lawyers Programme in Edinburgh gave me a unique opportunity to meet and work with other young lawyers from across Europe. Moreover, I learned from very talented advocates and judges in a common-law jurisdiction. Participating in the course also contributed to my international network. Until this day I benefit from my wonderful experience in Edinburgh, both on a personal and professional level!"

Stan van Liere (Holland)

"I had a great chance to participate to the amazing ELA programme in Edinburgh in 2014. It was a unique opportunity for me to have a greater understanding of the legal system in Scotland and to work side by side with brilliant and very friendly advocates. I was made very welcome and supported by the whole community of lawyers throughout the placement. I worked on very interesting public, corporate and criminal cases. I spent a lot of time in court observing the advocates examining and cross-examining the witnesses. Also I met awesome Euro devils that became very close friends. It is definitely a great intellectual and human experience that I recommend without hesitation!"

Ophelie Snoy (Belgium)

"The Programme allowed me to learn how a Common Law System works and I got to know the judicial structure in Scotland. Work with two advocates day-to-day and observing a trial with a Judge has allowed me to learn a lot about the differences between both systems.

Also, I have met colleagues from different parts of Europe and become a member of the ELA which allows me to give better services to my clients because all members are connected."

Rodrigo Royo (Spain)

"I participated in the 2014 ELP in Edinburgh and it was such an enriching experience - both from a personal and professional perspective. I had the opportunity to closely observe how the law is practised in Scotland and to learn about the common law, which allowed me to compare the main differences with the Portuguese legal system and to develop my analytical skills. I also had the opportunity to learn so much about practice from other lawyers, judges and the other participants with different cultures and different methods to apply the law. The ELP is also a great networking opportunity, not only during the 3 months of the programme but also after that with the European Lawyers Association members - the alumni association for former participants. The ELP is really a lifetime experience - I took friends, knowledge and beautiful memories for life."

Alice Bermejo Silva (Portugal)