

## Germany

(Information provided by the German delegation to the CCBE, December 2011.)

### A. Contact point

See [annex](#)

### B. General information

1.	Legal basis	<a href="#">DRIG</a> (§ 112 a)
2.	Overview of procedural steps	<ol style="list-style-type: none"> <li>1. The applicant has to send application to the Higher Regional Court of the applicant's chosen <i>Land</i>.</li> <li>2. The Higher Regional Court will forward the application to the Examination Office at the relevant federal Ministry of Justice of the chosen <i>Land</i>.</li> <li>3. The Examination Office will carry out an assessment comparing the relevant foreign and national qualifications and professional experiences: it might require the applicant to sit an aptitude test. The aptitude test replaces the 1<sup>st</sup> State exam.</li> <li>4. The Examination Office will inform the Higher Regional Court about the outcome of its Assessment (and any aptitude test).</li> <li>5. After successful completion of the assessment (and any aptitude test) through the Examination Office, the applicant – following the approval of the Higher Regional Court – is eligible to commence with the 2-year traineeship (organised by the Higher Regional Courts).</li> <li>6. Upon successful completion of the traineeship/any relevant exams, the applicant is eligible to seek registration as a lawyer.</li> </ol>

### C. Processing of application

1.	Information and documents requested from the applicant	<p>The applicant has to enclose any relevant documents:</p> <ol style="list-style-type: none"> <li>1. Curriculum vitae</li> <li>2. University diplomas, certificates etc.</li> <li>3. Passport or identity card</li> <li>4. Birth certificate</li> <li>5. Police clearance</li> </ol> <p>Documents need to be accompanied by authenticated translations.</p> <p>For more information in detail, contact the relevant examination office or Higher Regional Court.</p>
2.	Submission of application	The application will need to be sent in German to the relevant Higher Regional Court. Higher Regional Courts (see annex)
3.	Application fees	None as far as is known. Different regulations in the federal states may be possible.
4.	Expected duration of the application processing	Approximately 3 months.

### D. Initial assessment of application and possible outcomes

1.	General requirements	<ol style="list-style-type: none"> <li>1. Be a citizen of the EU, EEA or Switzerland</li> <li>2. Be a holder of a law degree that was obtained in the EU, EEA or Switzerland.</li> </ol>
2.	Equivalence of relevant knowledge and/or professional qualifications	The competent authority will assess whether the applicant has equivalent knowledge to the level required of the German 1 <sup>st</sup> State Exam. For an example <a href="#">see</a> .
3.	Outcome	Depending on previous education and professional experience, the applicant might be required to undertake an aptitude test (which replaces the 1 <sup>st</sup> State Exam). The amount of written examinations will depend on previous education and professional experience.

<b>E. Steps following initial assessment</b>		
1.	Aptitude test	<p>If the applicant does not have sufficient knowledge in 1 or more of the 3 listed fields, he or she needs to pass all or part of the aptitude test:</p> <ol style="list-style-type: none"> <li>1. German civil law, including procedural law</li> <li>2. German criminal law, including procedural law</li> <li>3. German constitutional and administrative law, including procedural law</li> </ol> <p>If the applicant has sufficient knowledge, the written examinations normally to be taken in that field will be considered as passed.</p> <p>The applicant has passed the aptitude test if he or she passes the required number of written examinations (2 or 3 tests per field, the number and the fields of law differ between the federal states) under the specific examination regulations of the 1<sup>st</sup> State Exam. At least half of the written examinations (5 out of 8 or 9 examinations) as well as examinations in at least 2 of the 3 listed fields (civil law, criminal law, and constitutional and administrative law) have to be passed, with at least 1 written examination passed in the field of civil law.</p> <p>An oral examination is not carried out.</p> <ul style="list-style-type: none"> <li>• The test can be retaken once.</li> <li>• The Examination Boards are comprised of academics, members of the judiciary and lawyers.</li> <li>• Submissions of appeals are to be sent to the examination offices in the same way as the regular exam might be appealed (objection to the examination office and legal action at the administrative court).</li> </ul>
2.		When passed, a certificate (declarative statement) <sup>1</sup> will be issued to the applicant and access will be granted to a 2-year postgraduate legal training.
<b>F. Normal route to qualify as a lawyer</b>		
1.	Academic stage - 1 <sup>st</sup> State Exam	Legal studies - 1 <sup>st</sup> State Exam will be taken at the end.
2.	Traineeship	<p>2 years organised by the Federal State, there of:</p> <ul style="list-style-type: none"> <li>• 3 months with a judge</li> <li>• 3 months with a prosecutor</li> <li>• 3 months in an administration office</li> <li>• 9 months with a lawyer</li> <li>• 6 month in an institutional of personal choice.</li> </ul> <p>In addition to this, there are numerous theoretical courses to be undertaken by the trainee.</p>
3.	2 <sup>nd</sup> State Exam	<p>At the end of the legal traineeship, the 2<sup>nd</sup> State exam must be taken. This exam consists of an 8- 9 part written exam and is similar to the 1<sup>st</sup> State Exam, but contains many more procedural questions.</p> <p>Once completed, the trainee will have the possibility to be admitted to the legal profession.</p>
<b>E. Statistics</b>		
1.	Closed cases	2007: 29 applications (10 unsuccessful, 2 successful and had to take the aptitude test). No further information available.
2.	Outstanding cases	No information available.

<sup>1</sup> The declarative statement of "equivalence" issued in one federal state automatically gives access to the legal traineeship in every other federal state of the Federal Republic of Germany.

## ANNEX: Contact points for Germany

Institution	Street / post office box	postal code	City	eMail
Landesjustizprüfungsamt beim Justizministerium Baden-Württemberg	Postfach 10 34 61	70029	Stuttgart	poststelle@jum.bwl.de
Landesjustizprüfungsamt beim Bayerischen Staatsministerium der Justiz	Prielmayerstraße 7	80335	München	pruefungsamt@stmjv.bayern.de
Gemeinsames Juristisches Prüfungsamt der Länder Berlin und Brandenburg	Salzburger Straße 21-25	10825	Berlin	jpa@senjust.verwalt-berlin.de
Justizprüfungsamt beim Senator für Justiz und Verfassung der Freien Hansestadt Bremen	Richtweg 16-22	28195	Bremen	verwaltung@oberlandesgericht.bremen.de
Gemeinsames Prüfungsamt beim Hanseatischen Oberlandesgericht	Dammtorwall 13	20354	Hamburg	
Justizprüfungsamt bei dem Hessischen Ministerium der Justiz und für Europaangelegenheiten	Zeil 42	60313	Frankfurt/Main	Poststelle@hmdj.hessen.de
Justizprüfungsamt bei dem Hessischen Ministerium der Justiz und für Europaangelegenheiten	Luisenstraße 13	65185	Wiesbaden	Poststelle@hmdj.hessen.de
Landesjustizprüfungsamt beim Justizministerium Mecklenburg-Vorpommern	Puschkinstraße 19-21	19048	Schwerin	
Landesjustizprüfungsamt im	Fuhsestraße 30	29221	Celle	poststelle@mj.niedersachsen.de
Landesjustizprüfungsamt Nordrhein-Westfalen	Martin-Luther-Platz 40	40212	Düsseldorf	ljpa@jm.nrw.de
Landesprüfungsamt für Juristen beim Justizministerium Rheinland-Pfalz	Ernst-Ludwig-Straße 3	55116	Mainz	lpa@mjv.rlp.de
Landesjustizprüfungsamt beim Saarländischen Ministerium der Justiz	Franz-Josef-Röder-Straße 15	66119	Saarbrücken	pruefungsamt@justiz.saarland.de

Landesjustizprüfungsamt beim Sächsischen Staatsministerium der Justiz	Hospitalstraße 7	01097	Dresden	poststelle-p@smj.justiz.sachsen.de
Landesjustizprüfungsamt beim Justizministerium Sachsen-Anhalt	Klewitzstraße 4	39112	Magdeburg	poststelle.ljpa@mj.sachsen-anhalt.de
Justizprüfungsamt bei dem Schleswig- Holsteinischen Oberlandesgericht	Gottorfstraße 2	24837	Schleswig	justizpruefungsamt@olg.landsh.de
Justizprüfungsamt beim Thüringer Justizministerium	Werner- Seelenbinder- Straße 5	99096	Erfurt	Poststelle@TJM.Thueringen.de