

CONTINUOUS PROFESSIONAL TRAINING IN SWEDEN

According to the Charter of the Swedish Bar Association a member shall maintain and develop his or her professional qualifications. With effect from January 2004 the Board issued binding Guidelines for the continuing professional training of Swedish lawyers. The guidelines were revised by the Board of the Swedish Bar Association on 6 December 2013, to come into effect on 1 January 2014. According to these guidelines a practicing lawyer shall *every year*, with effect from the year after he or she was granted admission to the Bar Association, participate in *minimum 18 hours of structured professional training*, of which a *maximum of 6 hours may constitute e-learning*. By structured professional training is understood a lawyer's participation, or a lawyer's commission as a teacher or seminar leader, in internal or external training events such as courses, seminars, and conferences. For every training event, there shall be a plan fixed in advance, with a responsible training leader. Also e-learning is considered as structured training, provided that the training includes elements of active participation from the lawyer, and the implementation and results of the education can be documented and verified by training leaders, and that education always contains elements of image.

When calculating the requirement for training time, 18 hours may be considered as corresponding to *3 day's of six hours' effective training time each*. If a lawyer participates in more than 18 hours of structured training for one calendar year, the lawyer may *transfer maximum 12 hours* of the surplus time to the following year. In order to attain the quality requisite for the training, one training event should *not go below 1½ hours' effective training time*. The number of participant in one training event should, except for e-learning, *not go below five*, the training leader excluded.

The training shall have a bearing upon the legal profession, and shall be of a character typically appropriate for being useful for the lawyer's practice. Besides training with legal contents, training within other areas, such as economics, or languages, may also be counted, provided that the contents have a bearing upon a lawyer's practice.

Temporary breaks in work, such as absence due to illness, parental leave, and the like, entitles to a reduction of the requirement for professional training in relation to the actual time worked, provided that the break amounts to *three months minimum*.

A lawyer is obliged to document his training activities. In connection with the annual financial report for his practice, a lawyer shall give information on whether the requirement for professional training was fulfilled for the last full calendar year. It shall be evident from the auditor's report sent to the Bar Association that such information has been given; for joint-stock companies this information is best given in connection with the certificate concerning the holding of shares in the law firm.

If a lawyer has failed to fulfil the requirements for professional training, the Board of the Bar Association may order him to rectify his shortcomings without further requests, and to specially account for his training activities. If there exists a substantial deficiency, or repeated deficiencies, in a lawyer's duties regarding professional training, the Board can initiate a disciplinary matter.

With effect from 1 January 2009, professional training and competence is an ethical obligation for the Swedish lawyers. According to section 2.5 in the revised Code of Conduct for the Members of the Swedish Bar Association, a lawyer has an obligation to maintain and to develop his or her professional competence *by monitoring the development of the law in the fields in which the lawyer is active and to submit to the necessary continued training*.