

**BULLET POINT PRESENTATION OF *BLC* (BUSINESS& LEGAL CONSULTING):**

**General Info on Georgia**

- Business and Investment Climate
  - Investment is protected in Georgia by special law on Investment Promotion and Guarantees;
  - Investors have basically the same rights and obligations as Georgian entities acting in the same field;
  - Customs Tariffs and Taxes are designed in a way as to facilitate development of small business in certain fields, while leaving wide range of discretion for development of large companies;
  - Interested person may practically register its company and start its entrepreneurial activities in 3 days.

**The Legal Profession in Georgia**

- Georgian Law “on Lawyers”
  - Sets out basic regulatory norms of professional conduct of Georgian Lawyers;
  - Provides for and regulates the organizational structure of Georgian Bar Association.
- Requirements for Lawyers in Georgia
  - Georgian Citizenship (Article 10);
  - High legal education (Article 10);
  - Passed Bar Exam (Article 10);
  - At least 1 year work experience as a legal expert or a lawyer’s trainee (Article 10);
  - Affiliation with Georgian Bar Association (Article 1);
  - Obedience of Georgian Laws and Norms of Ethics (Article 1);
- Georgian Bar Association
  - Legal Entity under Public Law established pursuant to Georgian Law “on Lawyers”;
  - Organizes Bar Exams on biannual basis in Criminal Law, Civil Law, or a comprehensive exam (both civil and criminal law);
  - Organizes seminars in different areas of law (very random frequency, low attendance);
  - Adopts and updates Code of Ethics for Lawyers (Ethics Commission of the Association);
  - Makes decisions on disciplinary sanctions for Lawyers (Ethics Commission of the Association);
- Professional Rules for Lawyers
  - Code of Ethics of Lawyers adopted by Georgian Bar Association;
  - Provisions of Georgian Law “on Lawyers” governing conflict of interest and other obligations of lawyers;
  - Rarely obeyed and looked at;

- Scarce statistics on applying disciplinary sanctions / disqualifying lawyers for violating professional rules;

➤ Risk Management

- Insurance of professional liability for the purposes of compensating the possible material damage to the client (Article 9 of “Georgian Law on Lawyers”) (Note: this type of insurance is very rarely practiced in Georgia);
- At least one partner in the law firm shall be liable fully with his/her own property (Article 18 of the Law “on Lawyers”, this provision is in force since June 1, 2006) (Note: most law firms have not changed their organizational-legal forms to meet the said requirement yet);

## **The Legal Practice in Georgia**

➤ Legal profession is practiced in variety of forms by:

- Law firms
- Private lawyers

➤ Inside the Practice

- Wide range of practice areas ranging from tort law to air law;
- Clients seek either Consultations or representation in Legal Proceedings;
- Lawyers/Law Firms are reluctant to invest money or make contributions to the development of the legal practice: i.e. participation in legal drafting, publishing books, organizing study sessions, conferences, training sessions, etc.

## **File Management and IT**

➤ Minimum Requirements for Law Firms

- Computers equipped with word processing and email client software, access to internet and electronic database of normative acts of Georgia (Codex);
- Web-page, with basic info on company;
- Communication devices such as phones and faxes;

➤ Ideally...

- Intranet with one common file server hosting the well organized and searchable database of all the documents (memoranda and other legal texts) prepared by the given company throughout its practice;
- Online (internet) database of cases decided by Georgian Courts

## **Conclusion**

➤ Georgian legislation provides sufficient grounds for positive development of legal profession and practice in Georgia;

➤ The progress in this field depends on the good will of the actors;

WE HOPE THAT THIS FORUM WILL FACILITATE THE EXCHANGE OF EXPERIENCES AND PROFESSIONAL BONDING AMONG THE PARTICIPANTS, WHICH ITSELF IS THE MOST VALUABLE LONG TERM INVESTMENT FOR LEGAL PRACTICES IN OUR COUNTRIES.