

**REPUBLIC OF ARMENIA
LAW**

ON ATTORNEYSHIP

Adopted on December 14, 2004
In effect since December 1, 2005

CHAPTER 1

Article 1 Subject Matter of the Law

This Law shall lay down the fundamentals of exercising attorneyship and forming professional attorney associations and shall set forth rules for practicing such activity in the Republic of Armenia.

Article 2 Legislation on attorneyship

The legislation on attorneyship shall include the Constitution of the Republic of Armenia, the Code of Civil Procedure and the Code of Criminal Procedure of the Republic of Armenia, this Law and other legal acts. The procedure set forth herein shall be uniform and binding upon all attorneys.

Article 3 Attorneyship and the state

The attorneyship shall represent a professional association of attorneys which is an institution of civil society and shall form no part of the governmental system or integrate into local self-government. The attorneyship shall be based on the principles of independence, rule of law, self-governance and legal equality of attorneys.

Article 4 Limitation of definitions used in this Law

1. Organizations are precluded from using in their names the term ‘attorney’ along with its flexed forms or phrases containing this term, as well as its semantic translations in other languages, except for the Chamber of Advocates, School of Attorneys or associations formed by attorneys to exercise attorneyship.

(Article as revised on December 8, 2011 by HO-339-N)

Article 5 Attorneyship

1. Attorneyship is a type of legal profession exercised by an attorney who seeks through all means and facilities not expressly prohibited by law to implement and protect rights, freedoms and interests of persons who receive legal assistance.

2. An attorney shall be allowed to exercise the following activities:

- 1) Consultations, including advising clients on their rights and obligations, examination of documents and preparation of other paperwork of legal nature (hereinafter: Counselling);
- 2) Representation, including representation in a court of law (hereinafter: Judicial Representation);

3) Defense in criminal cases;

4) Legal assistance to a witness when and as prescribed by law.

3. The representation in a court of law prescribed herein or its arrangement as a regular or paid service may be exercised solely by an attorney at law, except for:

- 1) Cases of pro bono representation on behalf of a close family member, including a parent, offspring, foster parent, foster child, natural, step or half brother or sister (who share the same father or mother), grandfather, grandmother, grandchild, spouse or parent of a spouse, brother or sister-in-law;

- 2) Representation in a court of law of a legal entity with over half of its equity held by a close family member(s).
4. Hereunder, the defense in criminal cases may be exercised solely by an attorney at law.
5. Attorneyship shall not be regarded as a legal assistance to an employer based on a work contract except when this refers to activities of the attorney retained by another attorney.
6. Cases where non-attorneys can act as representatives in court in civil proceedings shall be stipulated by the Civil Procedure Code of the Republic of Armenia **(added pursuant to HO-116-N of 09.02.18, will enter into force on the day of inauguration of the newly appointed President of the Republic of Armenia)**
(Article 5 as revised on December 8, 2011 by HO-339-N)

Article 6 Attorneyship fees

1. An attorney shall be entitled to remuneration against his/her services.
2. The amount and procedure of remuneration against an attorney's activities shall be set forth in a written contract (hereinafter: Contract) between the attorney and the client as per the Code of Civil Procedure of the Republic of Armenia.
3. Legal assistance may be provided free of charge with the consent of the attorney.
4. The state shall warrant a free legal assistance for persons specified under Article 41 hereof and in cases prescribed by the same Article.
5. The Board of the Chamber of Advocates may establish a list of average fees for attorney services in order to establish a reasonable remuneration to cover legal expenses (costs) incurred by courts. Such list of fees shall not be used to any other effect.

(Article 6 as revised on December 8, 2011 by HO-339-N)

CHAPTER 2

ORGANIZATION OF ATTORNEYSHIP

Article 7 Chamber of Advocates of the Republic of Armenia

1. The Chamber of Advocates of the Republic of Armenia (hereinafter: Chamber of Advocates) is an independent and self-governed professional non-commercial organization formed in compliance with this Law and with its peculiarities set forth herein. The Chamber of Advocates shall acquire the status of a legal entity upon its registration in the manner prescribed by law.
2. The Chamber of Advocates shall pursue the following tasks:
 - 1) protect rights and lawful interests of its members in their interactions with public authorities and local self-governments, organizations as well as before courts of law;
 - 2) organize the licensing process of attorneys;
 - 3) arrange for professional training of legal students and attorneys;
 - 4) Implement supervision over compliance of its members with the requirements of this Law, the Charter of the Chamber of Advocates and the Code of Conduct for Attorneys, as well as compliance with the requirements of the Law of the Republic of Armenia "On Combatting Money Laundering and Financing of Terrorism" and the normative legal acts adopted on its basis;
 - 5) take action to enhance the standing of attorneyship;
 - 6) ensure that the right to an effective and free legal assistance is equally accessible and effective to everyone in cases stipulated hereunder;
 - 7) foster public legal awareness and enhance legal culture.
3. The Chamber of Advocates may cooperate with attorney institutions from other countries, international and other organizations.
4. The Chamber of Advocates may pursue business activities on its own behalf solely when it is done for purposes set forth herein. The Chamber of Advocates may solely pursue such types of business activities as are set forth in its Charter.

(Article 7 as revised on December 8, 2011 by HO-339-N, supplemented pursuant to HO-121-N of 21.06.14)

Article 8 Entities of the Chamber of Advocates

The entities of the Chamber of Advocates shall be as follows:

- 1) General Meeting of the Chamber of Advocates;
- 2) Board of the Chamber of Advocates;
- 3) ***(clause revoked on December 8, 2011 by HO-339-N)***
- 4) Qualification Commission of the Chamber of Advocates;

The members of the entities of the Chamber of Advocates shall work therein without remuneration except for the Chairman of the Chamber of Advocates and as otherwise set forth in its Chapter.

The members of the Chamber of the Advocates shall be allowed to combine their activities in such entities with the exercise of attorneyship.

Members of the Chamber of Advocates may be elected only into one of its entities.

The powers, formation procedures, rules of operation, objectives and functions established for the entities of the Chamber of Advocates shall be defined by this Law and the Charter of the Chamber of Advocates.

The authority vested in the Chairman of the Chamber of Advocates and other competent authorities shall cease only when a new set of officials or a new chairman is elected from the moment they enter office.

(Article 8 as modified and amended on December 8, 2011 by HO-339-N)

Article 9 General Meeting of the Chamber of Advocates

1. The General Meeting of Chamber of Advocates is its supreme body which shall:

- 1) adopt the Charter of the Chamber of Advocates and the code of conduct for attorneys;
- 2) elect and dismiss the Chairman of the Chamber of Advocates, its Board Members and persons set forth under Article 39(5) hereof;
- 3) deal with other matters covered in the Charter of the Chamber of Advocates.

2. The General Meeting of Chamber of Advocates shall adopt decisions:

- 1) by convening a general meeting or
- 2) without convening a general meeting (hereinafter: by remote procedure).

3. The General Meeting of the Chamber of Advocates shall encompass all of its attorney members.

4. The procedure for convening, organizing and holding also remotely (including voting) meetings (including the terms and procedure for the nomination and campaigning of the Chairman, Board Members and persons set forth in Article 39(5) hereof) shall be established by the Charter of the Chamber of Advocates.

5. The General Meeting of the Chamber of Advocates shall be convened (in person or remotely) by the decision of the Chairman of the Chamber of Advocates or its Board. A quarter of the total membership of the Chamber of Advocates may request its Chairman to convene a general meeting in the manner and in terms set forth in the Charter of the Chamber of Advocates.

6. The General Meeting of the Chamber of Advocates constitutes a quorum, if:

- 1) a meeting convened in person is attended by over one third of the voting members of the Chamber of Advocates, or
- 2) over one third of the voting members of the Chamber of the Advocates partakes in a general meeting convened remotely.

7. The decision of the General Meeting of the Chamber of Advocates shall be passed by a simple majority of votes by open ballot except for cases set forth herein.

8. The powers of the General Meeting of the Chamber of Advocates may not be transferred to other entities.

9. The decisions by the General Meeting of the Chamber of Advocates shall take effect after becoming public in the manner laid down in the Charter of the Chamber of Advocates, if not prescribed otherwise by the same.

10. A decision passed by the General Meeting of the Chamber of Advocates may be contested in a court of law by an interested party within one month from the moment it takes effect.

(Article 9 as revised on July 8, 2005 by HO-141-N, modified on June 6 2006 by HO-105-N, revised on December 8, 2011 by HO-339-N)

Article 9.1 Commission of Accounts of the Chamber of Advocates and summary of voting results

1. The Board of the Chamber of Advocates shall form a Commission of Accounts (hereinafter: Commission of Accounts) for the purpose of registering nominations for the positions of the Chairman of the Chamber of Advocates, its Board Members and persons set forth in the Article 39(5) hereof, as well as to hold voting and summarize voting (election) results, in the manner prescribed in the Charter of the Chamber of Advocates.
2. The terms of office for members of the Commission of Accounts and their total number shall be established by the Charter of the Chamber of Advocates.
3. The Charter of the Chamber of Advocates shall establish the rights of nominee proxies and observers as well as their implementation procedure.
4. After the voting by the General Meeting of the Chamber of Advocates is completed, its Commission of Accounts shall summarize the voting results in the manner established by the Board of the Chamber of Advocates.
5. The voting results shall be made public by the Chairman of the Commission of Accounts or its other member as decided by the Commission no later than on the day following the summary of the voting results.
6. A decision by the General Meeting of the Chamber of Advocates is deemed taken after voting results are made public.

(Article 9(1) as amended on December 8, 2011 by HO-339-N)

Article 10 Board of the Chamber of Advocates

1. The Board of the Chamber of Advocates shall be the executive and disciplinary body of the Chamber of Advocates.
2. The number of members of the Board of the Advocates is established by the Charter of the Chamber of Advocates and may not be below twelve members in addition to the Chairman of the Board.
3. The members of the Board of the Chamber of Advocates (except for its Chairman) are elected based on merit by the General Meeting for the office term of four years with the exceptions of cases covered in para. 4 hereof.
4. If a board member of the Chamber of Advocates relinquishes his/her office before the end of term, a nominee attorney ranked below with pro votes but not elected shall be appointed for the remaining term of the office thus becoming vacant in the manner established by the Charter of the Chamber of Advocates.
5. The Board of the Chamber of Advocates shall:
 - 1) appoint the head of the Public Defense Attorney's Office;
 - 2) develop and submit for the approval to the General Meeting of the Chamber of Advocates a new revision of the Charter, its modifications or amendments;
 - 3) develop and submit for the approval to the General Meeting of the Chamber of Advocates the Code of Conduct for Attorneys;
 - 4) form the Commission of Accounts;
 - 5) form the Qualification Commission;
 - 6) submit recommendations to competent public authorities for modification, amendment and adoption of laws and other legal acts as well as formulate opinions on draft legal acts for developing authorities;
 - 7) approve the annual budget of the Chamber of Advocates as submitted by its Chairman;
 - 8) prepare and submit through the Ministry of Justice of the Republic of Armenia to the Ministry of Finance of the Republic of Armenia compensation requests for free legal assistance provided;
 - 9) make decisions on applications for attorneyship (hereinafter: applications) to extend attorney licenses in the manner provided under Article 29 hereof;
 - 10) decide on revocation of attorney licenses;

- 11) decide on suspension and restoration of attorney licenses;
 - 12) establish attorney membership fees and entry fees for applicants as well as training fees and their disbursement procedure;
 - 13) approve the staff list of the Chamber of Advocates;
 - 14) decide on matters of attorney liability and disciplinary action;
 - 15) hold and exercise other powers established hereunder and by the Chapter of the Chamber of Advocates.
6. The Chairman of the Board of the Chamber of Advocates shall convene its sessions as needed but no less than four times a year. Board sessions of the Chamber of Advocates may be also convened by one third of its membership or at the initiative of its thirty members. Specific details for convening Board sessions of the Chamber of Advocates to examine disciplinary issues are set forth in Article 39(6) hereof.
7. The Board sessions of the Chamber of Advocates shall constitute a quorum, if attended by at least a half of its members. The Board sessions of the Chamber of Advocates shall be held by the virtue of its present membership.
- A Board member of the Chamber of Advocates shall exercise its voting rights and other powers on its session in person.
8. Decisions by the Board of the Chamber of Advocates shall be passed by a simple majority vote of present members, if not otherwise provided under the Charter of the Chamber of Advocates.

(Article 10 as revised on July 8, 2005 by HO-141-N, modified on June 6 2006 by HO-105-N and revised on December 8, 2011 by HO-339-N)

Article 11 Disciplinary Commission of the Chamber of Advocates

(Article 11 revoked on December 8, 2011 by HO-339-N)

Article 12 Qualification Commission of the Chamber of Advocates

Qualification Commission of the Chamber of Advocates shall be formed with the purpose of organizing qualification examinations and summarizing their results.

Qualification Commission of the Chamber of Advocates shall be formed for the term established under its Chapter and shall consist of nine members with the following representation ratios:

- 1) the Chairman of the Chamber of Advocates who leads the Qualification Commission by the virtue of his/her office and four members elected in the manner provided by the Charter of the Chamber of Advocates;
- 2) One representative of the Ministry of Justice of the Republic of Armenia as nominated by the Minister of Justice of the Republic of Armenia;
- 3) One legal scholar from the National Academy of the Republic of Armenia as nominated by the head of the said institution;
- 4) One judge from the Court of Cassation of the Republic of Armenia (hereinafter: the Court of Cassation), as recommended by the President of the Court of Cassation.

(clause revoked on December 8, 2011 by HO-339-N)

The Chairman of the Qualification Commission of the Chamber of Advocates shall convene its sessions.

A session of the Qualification Commission of the Chamber of Advocates shall constitute a quorum if attended by at least a half of its membership.

(clause revoked on December 8, 2011 by HO-339-N)

(Article 12 as amended on July 8, 2005 by HO-141-N, modified and revised on December 8, 2011 by HO-339-N)

Article 13 Chairman of the Chamber of Advocates

The Chairman of the Chamber of Advocates shall be the highest office of the executive body of the Chamber of Advocates.

The Chairman of the Chamber of Advocates shall be elected from among its members with at least ten years of legal work experience by secret ballot for the term of four years but for no more than 2 consecutive terms.

The Chairman of the Chamber of Advocates shall be deemed elected, if obtaining more than half of participating votes (ballots).

If two or more nominees are voted for, and none of them obtains the required number of votes, a second stage of voting shall take place for the two top ranking nominees. In case of equal number of votes, the participation of the second nominee in the second stage of voting shall be determined by draw.

The nominee obtaining more votes shall be deemed elected at the second stage or shall be determined by draw in case of equal number of votes.

If a single nominee is voted for, he/she will be deemed elected, if obtaining more than a half of total votes.

If no Chairman of the Chamber of Advocates is thus elected, then a new voting shall take place within one month.

The Chairman of the Chamber of Advocates shall:

- 1) represent the Chamber of Advocates;
- 2) act without a power of attorney and issue powers of attorney;
- 3) conclude agreements, including work contracts;
- 4) open settlement and non-settlement bank accounts on behalf on the Chamber of Advocates;
- 5) adopt decisions on issues related to securing regular activities of the Chamber of Advocates;
- 6) appoint and dismiss staff members of the Chamber of Advocates;
- 7) define the professional duties of the staff members of the Chamber of Advocates;
- 8) put attorneys on the list of attorneys;
- 9) institute disciplinary proceedings in respect of attorneys;
- 10) terminate the license of a deceased attorney and remove the name of the deceased person from the list of attorneys;
- 11) issue certificates of attorney and assistant to the attorney;
- 12) oversee the activities of the Public Defender's Office;
- 13) submit projected costs for the Public Defender's Office to the Government of the Republic of Armenia (budget request) to be included in the projected stage budget, as recommended by the Head of the Public Defender's Office;
- 14) manage the property and financial assets of the Chamber of Advocates in the manner prescribed in its Charter;
- 15) carry out other powers prescribed by law and by the Charter of the Chamber of Advocates and not reserved for other entities within the Chamber of Advocates.

The Chairman of the Chamber of Advocates may appoint a deputy from among its attorneys in order to carry out his/her duties in his/her lieu. The Deputy Chairman of the Chamber of Advocates shall act in lieu of the Chairman of the Chamber of Advocates in his/her absence.

The Chairman of the Chamber of Advocates shall be the Chairman of the Board of the Chamber of Advocates by the virtue of his/her office.

Combining chairmanship in the Board of the Chamber of Advocates with attorneyship shall not interfere with performance of Chairman's duties.

(Article 13 as amended on July 8, 2005 by HO-141-N, modified and revised on December 8, 2011 by HO-339-N)

Article 13¹ Voting procedure by secret ballot per ranking

A blank space shall be provided in each ballot next to the name of each nominee to be filled with a word 'pro'. To vote for a nominee, every voter shall put a mark in the box corresponding to the word 'pro' or shall make no mark if his/her vote is against this nominee.

The nominees who receive the most 'pro' votes shall be deemed elected by the results of the voting. In case of equal numbers of votes a drawing shall be held.

(Article 13¹ was amended on July 08, 2005 by 08.07.05 HO-141-N)

Article 14 Monitoring of financial and economic Activities of the Chamber of Advocates

The monitoring of financial and economic activities of the Chamber of Advocates shall be conducted by an independent auditing company selected by the Board of the Chamber of Advocates at least once in two years.

Article 15 Property of the Chamber of Advocates

The property of the Chamber of Advocates shall be generated from the membership fees paid by its members and from other sources not prohibited by law.

Article 16 Public associations of attorneys

Attorneys shall be entitled to form public attorney associations or become their members pursuant to the legislation of the Republic of Armenia.

Public organizations of attorneys shall not be allowed to exercise powers reserved for the Chamber of Advocates or its entities as provided hereunder with the exception of the powers set forth in Article 10(3,5) hereof.

CHAPTER 3

ATTORNEY AND ATTORNEYSHIP

Article 17 Attorney

1. The title of attorney shall designate the person who holds a bachelor's degree or a qualified specialist's diploma in law and has obtained an attorney's license to exercise attorneyship.

(clause revoked on December 8, 2011 by HO-339N)

An attorney who provides legal counselling shall:

- 1) provide consulting on legal matters both in verbal form and in writing;
- 2) prepare applications, complaints, motions and other documents of legal nature and the drafts of any such documents;
- 3) partake in civil and administrative proceedings as the representative of his/her client; partake in judicial examination of cases before the Constitutional Court of the Republic of Armenia.
- 4) partake in criminal proceedings or judicial examination of administrative offense as a representative or defender of his/her client;
- 5) partake in examination of cases in courts of arbitration or other entities dealing with settlement of disputes as a representative of his/her client;
- 6) represent the interests of the client before public authorities and local self-governments, public associations and other organizations, public authorities, courts and law-enforcement authorities of foreign countries, investigating authorities and pre-trial authorities, international judicial authorities, non-governmental organizations of foreign countries, unless otherwise provided under the legislation of a foreign country, charter documents of international judicial authorities and other international organizations or international treaties adhered to by the Republic of Armenia.

The attorney shall be entitled to render other types of legal assistance not prohibited by law. ***(sentence***

revoked on December 8, 2011 by HO-339-N)

(clause revoked on December 8, 2011 by HO-339-N)

The attorney shall be required to pay membership fees in the amount set forth by the Chamber of Advocates for its general needs and other expenses related to the exercise of attorneyship.

(clause revoked on December 8, 2011 by HO-339-N)

(clause revoked on December 8, 2011 by HO-

339-N) (clause revoked on December 8, 2011 by

HO-339-N)

(Article 17 as modified on December 25, 2006 by HO-63-N; revised, amended and modified on December 8, 2011 by HO-339-N)

Article 17.1 Foreign Attorneys

1. A foreign attorney at law shall exercise attorneyship in the Republic of Armenia pursuant to a procedure set forth hereunder, in the Charter of the Chamber of Advocates and the Code of Conduct for Attorneys, unless otherwise prescribed by international treaties adhered to by the Republic of Armenia.

2. A foreign attorney at law shall exercise attorneyship duties in the Republic of Armenia based on a license issued by a relevant attorney institution of his/her country and must obtain an accreditation from the Chamber of Advocates. The procedure for providing accreditation and its validity term shall be established by the Board of the Chamber of Advocates. The validity of any such accreditation may be terminated by the Board of the Chamber of Advocates for any violation by the foreign attorney of requirements laid down herein, the Charter of the Chamber of Advocates and the Code of Conduct for Attorneys. A fee shall be levied for any such accreditation on a foreign attorney in the amount established by the Board of the Chamber of Advocates.

(Article 17(1) as amended on December 8, 2011 by HO-339-N)

Article 18 Principal Attorney Rights

(clause revoked on December 8, 2011 by HO-339-N)

An attorney shall be entitled to:

- 1) represent or defend individuals or legal entities in the manner laid down in the codes of civil, administrative and criminal procedure, as well as represent interests of his/her clients before public authorities and local self-governments, non-governmental and other organizations;
- 2) obtain, secure and submit evidence (information) in support of his/her client's interests, including by using video recording devices, voice recording devices, photographic or other equipment unless otherwise provided by law or not in violation of the rights and legitimate interests of others;
- 3) apply to public authorities and local self-governments, individual entrepreneurs and legal entities (hereinafter: business entities) with a request to obtain documents (information) required for rendering legal assistance. Public authorities and self-governments shall provide documents (information) so requested or the copies thereof within a period of ten days except when otherwise provided under the legislation regulating the activities of such authorities or when documents (information) so requested contain confidential information protected by law. A refusal to provide any such documents (information) shall be given in writing and duly justified. In cases referred to hereunder a fee may be levied from the attorney on any such documents (information) or copies thereof so provided, which shall not exceed the cost of their production, if there is no legislation establishing a different amount;
- 4) interview in writing persons who supposedly possess information relevant for the case on which the attorney provides legal assistance with the express consent of such persons;
- 5) employ experts on contractual basis to provide guidance on matters related to the legal assistance and requiring external expertise.
- 6) confer freely and in full confidence with his/her defendant without limitation of number and duration of his/her visits, including by inviting a licensed interpreter to attend such encounters unless otherwise provided by law; An attorney in exercise of his professional duties shall be free to act in ways not expressly forbidden by law and if not in violation of the rights and privileges of others.

(Article 18 was modified, amended and revised on December 08, 2011 by HO-339-N)

Article 19 Principal Obligations of Attorney

An attorney shall:

- 1) protect in good faith the rights and legitimate interests of his/her client by all means and manners not expressly prohibited by laws of the Republic of Armenia;
- 2) meet the requirements of this Law, the Charter of the Chamber of Advocates and the Code of Conduct of Attorneys;
- 3) refrain from making public any confidential information learned in the exercise of attorneyship except when prescribed by law;
- 4) improve constantly his/her expertise;
- 4.1) follow training in the manner and in terms laid down hereunder;

- 5) pay membership fees;
 - 6) refrain from any action in conflict with the interests of his/her client, forbear from taking any position without the consent of his/her client except when the attorney is certain of any false self-incrimination by his/her defendant, he may refuse to admit his client's position related to an offense of his/her client and his/her complicity therein.
 - 7) perform duties laid down in the Law on Combating Money Laundering and Financing of Terrorism of the Republic of Armenia, if the performance of such duties is not in conflict with the attorney-client privilege set forth herein.
 - 8) comply with requirements laid down in the legal acts adopted by the entities of the Chamber of Advocates and by its Chairman within their respective jurisdictions.
- (Article 19 as amended on December 25, 2008 by HO-87-N; amended and revised on December 8, 2011 by HO-339-N)***

Article 20 Peculiarities of principal rights and obligations of attorney

An attorney shall not accept assignments from a person requesting legal assistance, if:

- 1) such assignment is obviously of illegal nature;
- 2) the attorney holds a personal interest in the subject matter of his contractual commitment with his/her client which differs from the interest pursued by his/her client;

An attorney shall not provide legal assistance, if

- 1) he/she has conflicting interests on the same matter contrary to those of his/her client;
- 2) he/she had previous involvement in the case in the capacity of a judge, prosecuting attorney, investigator, officer of the investigating body, expert, aggrieved party or witness, as well as if involved as an official holding authority to adopt decisions in favour of his/her the client;
- 3) he/she has kinship, personal ties with or dependency from the official who was involved or is involved in the proceedings related to the assignment in question;
- 4) the attorney is retained to represent a client in any case where the interests of the latter are in conflict with those of his/her former client, unless any such former client gives his/her written consent thereto.

An attorney shall not:

- 1) make statements with reference to the guilt of his/her client as a proved matter, if the latter denies such guilt;
- 2) disclose information obtained from a client while rendering legal assistance to a client without his/her consent.

An attorney shall suspend legal assistance for the benefit of two or more persons, if there is a conflict between their interests.

An attorney shall be entitled to renounce his/her obligations assumed in respect of his/her client only in cases provided hereunder or by the terms of the contract with his/her client.

A client holds a right to decline his/her attorney's service at any time by compensating for the legal assistance rendered so far.

When declining the representation of his/her client, the attorney shall notify the client in due course by allowing his/her client a reasonable time to choose a new attorney and by submitting to the client all documents in his/her possession relating to his/her assignment.

A member of the Chamber of Advocates who is a foreign national or a stateless person or a foreign attorney shall not be entitled to render legal assistance on matters relating to the state or service secret of the Republic of Armenia.

An attorney shall hold other rights and obligations prescribed by law.

(Article 20 as amended on December 8, 2011 by HO-339-N)

Article 21 Attorneyship guarantees

1. The attorney shall be independent in discharging his/her professional duties and shall be solely guided by the Constitution and Legislation of the Republic of Armenia, international treaties and laws adhered to by the Republic of Armenia, the Charter of the Chamber of Advocates and the Code of Conduct for Attorneys.
2. Public authorities or local self-governments, as well as the officials thereof, individuals and legal persons (including the mass media) shall be precluded from to interfering with the exercise of attorneyship.
3. An attorney shall have an opportunity for individual, unhampered, confidential communication and consultation with his/her clients on the premises of public authorities and institutions, local self-governments,

including judicial authorities. Public and judicial authorities and the officials thereof shall take all necessary steps to enforce the attorney privilege for individual, unhampered and confidential communication with his/her client.

4. An attorney shall not be prosecuted, held liable, detained, arrested, put into custody or subjected to any other restriction of his/her rights in relation to the exercise of his/her professional duties, including for expression of opinions or positions before examining or any other authorities.
5. An attorney shall not be identified with his/her client in relation to the exercise of his/her professional duties.
6. The residence, vehicle or office premises, including the premises of his/her legal office shall not be searched to reveal facts related to his/her professional activities. An attorney shall not be searched while directly discharging his/her professional duties.
7. Documents and information carriers (computers, video recording devices, laser disks, tapes etc.) held with the attorney or found on the premises of his/her legal office are inviolable and may not be seized (taken) or used as evidence.
8. It shall be forbidden to question an attorney as a witness in relation to facts known to him in the exercise of any legal assistance or the seeking thereof. The status of the attorney laid down herein shall extend to any person employed by the attorney who is not an attorney himself/herself.
9. An attorney shall not be forbidden to learn all materials of the case available at the court which concern his/her client and to make any extracts and copies thereof except for information related to the identity of a person under protection.

(Article 21 as revised on December 08, 2011 by HO-339-N)

Article 22 Legal protection of attorneys

The attorney himself/herself, as well as the members of his/her family and their property shall benefit from the state protection.

Competent public authorities shall take necessary action prescribed by law to protect the attorney, if he/she or members of his/her family come under threats of physical violence, destruction of property or other unlawful action in connection with the exercise of his/her professional duties.

If an attorney becomes arrested or detained, the executing authority shall immediately inform the Chairman of the Chamber of Advocates of any such incident.

Article 23 Assistant to the attorney

1. An attorney shall be entitled to employ assistants. Solely persons with higher education in law shall be allowed to become assistants to the attorney. Persons specified in Article 33 hereof shall not be allowed to become assistants to the attorney.
2. An assistant to the attorney shall obtain this status through a simplified accreditation procedure by the Chamber of Advocates in the manner laid down by its Board.
3. In the sense hereof, the assistant to the attorney shall enjoy a status equal to that of an attorney and shall hold all rights reserved for an attorney with the following exceptions:
 - 1) an assistant to the attorney shall not be entitled to partake in investigation or judicial proceedings before a court of law or in pre-trial proceedings without his/her guiding attorney;
 - 2) an assistant to the attorney shall not be entitled to sign and file complaints, motions, objections, statements, responses, waivers, appeals or cassation requests or submit questions while partaking in investigation or judicial proceedings;
 - 3) an assistant to the attorney shall not be entitled to partake in the General Meeting of the Chamber of Advocates including in remotely held general meeting, to elect or be elected in the entities of the Chamber, including as the Chairman of the Chamber, to take part in voting on the Charter of the Chamber and the Code of Conduct.
4. Other provisions on restricting the rights of an assistant to the attorney may be laid down in the Code of Conduct for Attorneys.
5. An assistant to the attorney shall bear all obligations reserved for the attorney hereunder except for the obligations to partake in qualification trainings.
6. The Charter of the Chamber of Advocates may specify other instances of restricting the duties of an assistant to the attorney.

7. An assistant to the attorney shall be subjected to disciplinary action for any non-compliance with the requirements laid down in the Code of Conduct for Attorneys in the manner set forth in Chapter 6 hereof.
8. The termination or suspension of a license held by an assistant to the attorney shall take place in the manner and in cases set forth under Articles 36 and 38 hereof.
9. For identification purposes, an assistant to the attorney shall be issued a certificate of an assistant to the attorney the form and issuance procedure whereof shall be approved by the Board of the Chamber of Advocates.
(Article 23 as revised on December 8, 2011 by HO-339-N)

Article 24 Attorney intern

(Article 24 was revoked on December 8, 2011 by HO-339-N)

Article 25 Attorney-client privilege

1. The attorney-client privilege shall cover information and evidence communicated to the attorney by a person seeking legal assistance, the content and nature of counselling offered by the attorney as well as information and evidence (materials, information carriers) which were obtained independently by the attorney in the exercise of his/her duties.
2. The attorney and any laymen persons employed by him, including a staff member of the Chamber of Advocates shall not be entitled to disclose confidential information protected by the attorney-client privilege except for cases laid down herein.
3. The attorney may disclose confidential information protected by the attorney-client privilege, if:
 - 1) the client gives his/her consent thereto;
 - 2) it becomes necessary to support his/her claims in a judicial dispute or disciplinary proceedings with his/her client or for own protection.
 - 3) it is required for providing information stipulated by the Law of the Republic of Armenia “On Combatting Money Laundering and Financing of Terrorism” and constituting advocacy secret to the authorized body established by that law, on the basis of a suspicion about envisaged money laundering or financing of terrorism and the enquiry made by the authorized body in the cases and procedure envisaged by that law, with the exception of information that has been obtained from a client or other sources while implementing activities reserved for an attorney by law in connection with defending a client or his/her interests in judicial, administrative, arbitration or intermediary proceedings as well as while providing legal advice, except in cases where a client is provided advice for the purpose of money laundering or financing of terrorism.
4. The attorney shall disclose confidential information protected by the attorney-client privilege, if he/she holds unambiguous information on an intended serious or extremely serious offence covered by the Criminal Code of the Republic of Armenia.
5. The non-disclosure commitment for confidential information protected by the attorney-client privilege shall not be limited in time and may extend to a person whose attorney license was suspended or terminated.
(Article 25 as revised on December 8, 2011 by HO-339-N, supplemented pursuant to HO-121-N of 21.06.14)

Article 26 Legal organization forms of attorneyship

An attorney shall be free to choose any form of legal organization established under the Legislation of the Republic of Armenia for the exercise of his/her professional duties.

Article 27 Code of Conduct for Attorneys

1. The Code of Conduct shall establish uniform rules of conduct and principles of ethics for attorneys which shall be are binding upon all attorneys and their employees.
2. Attorneys shall specify the obligation to comply with the requirements of the Code of Conduct for Attorneys in the work contracts of their auxiliary staff and shall oversee their observance.
(Article 6 as revised on December 8, 2011 by HO-339-N)

CHAPTER 4

LICENSING OF ATTORNEYS

Article 28 Licensing requirements for attorneys

(Article 28 was revoked since formation of School of Attorneys, 8 December, 2011 by HO-339-N)

Article 29 Issuing procedure for attorney licenses

To obtain an attorney license, a candidate shall file a membership application to the Chamber of Advocates enclosing thereto a copy of the certificate issued by the Qualification Commission. The certificate issued by the Qualification Commission shall be valid from the day of issue till the next attorney license qualification examinations.

The application of the candidate shall be considered and decided on by the Board of the Chamber of Advocates within a period of one month.

Any discrimination of candidates on the basis of their nationality, citizenship, race, sex, language, religion, political or other views, social background, property or any other status shall be prohibited.

An application so filed may be turned down, if the requirements of Articles 28 and Article 33 hereof are not met. Such decision may be appealed in a court of law within a period of one month.

(Clause revoked on December 8, 2011 by HO-339-N)

A license bearing the seal of the Chamber of Advocates and the signature of its Chairman shall be issued within a period of 5 days to the person having acquired its membership.

Such license shall be issued for unlimited validity and without any age restrictions.

(Article 29 as modified and amended on December 8, 2011 by HO-339-N)

Article 29¹ Attorneys licensed with the Court of Cassation of the Republic of Armenia

(Article 29¹ was revoked on December 26, 2008 by HO-236-N)

Article 30 Special licenses and their issuing procedure

(Article 30 was revoked on June 1, 2006 by HO-105-N)

Article 31 Registration of attorneys holding a special license with the Court of Cassation

(Article 31 was revoked on June 1, 2006 by HO-105-N)

Article 32 Attorney's oath

The person who is issued an attorney license for the first time shall take a solemn oath in the presence of the Board of the Chamber of Advocates. The oath reads as follows:

"I solemnly swear to perform my duties of attorney in good faith and not to disclose confidential information protected by the attorney-client privilege and protect my clients' rights, freedoms and interests in compliance with the Constitution of the Republic of Armenia, its laws and the Code of Conduct for Attorneys". The oath shall be taken individually by each attorney who shall read its text.

The attorney shall affix his/her signature on the text of the oath.

Article 33 Limitations on attorney activities

A person shall not be allowed to become attorney, if:

- 1) he/she was declared by a court of law to be incapacitated or with limited capacity;
- 2) he/she was convicted of any pre-meditated offense and his/her convictions was not served or waived.

Article 34 List of attorneys and their appearance on the list

The Chairman of the Board of the Chamber of Advocates shall publish the list of attorneys on the website below: www.azdarar.am as prescribed by the Charter of the Chamber of Advocates.

The list of attorneys shall include the first and last names of attorneys, their contact details, specialization and other information required by the Charter of the Chamber of Advocates.

Within a period of 14 days upon receipt of the application filed by a foreign attorney holding a license or entitlement to practice law, the Chairman of the Chamber of Advocates shall include his/her name in the list of attorneys or list of foreign attorneys, respectively.

Attorneys shall be held liable and subject to disciplinary action for providing false information in the list of attorneys, as stipulated by law.

(Article 34 as modified and amended on December 8, 2011 by HO-339-N)

Article 35 Removal from the list of attorneys

1. An attorney shall be removed from the list of attorneys by the decision of the Board of the Chamber of Advocates, if:

- 1) he/she submits a written application to have his/her name removed from the list of attorneys;
- 2) his/her license is terminated on grounds provided hereunder;

2. An attorney shall be temporarily removed from the list if his/her license is suspended by the decision of the Chairman of the Chamber of Advocates.

3. A foreign attorney shall be removed from the list of foreign attorneys by the decision of the Board of the Chamber of Advocates, if his/her entitlement to practice law is terminated by the state which granted it, or if his/her certificate is deemed void.

(Article 35 as modified on December 8, 2011 by HO-339-N)

CHAPTER 5

TERMINATION AND SUSPENSION OF ATTORNEY LICENSE

Article 36 Termination of license

1. An attorney license shall be terminated, if:

- 1) the license holder applies in writing to the Chairman of the Chamber of Advocates to have his/her license terminated;
- 2) the license was obtained with violations of the law;
- 3) there are circumstances described in Article 33 hereof;
- 4) the license holder deceased, or a court ruling on declaring him/her dead has taken effect;
- 5) the license holder submitted false data to obtain the attorney license or to take qualification examinations;
- 6) the license expired pursuant to Article 38 hereof.

2. A license shall be terminated by the Board of the Chamber of Advocates and in cases stipulated under para. 1 (4,5) hereof shall be terminated by the Chairman of the Chamber of Advocates who shall declare it void.

3. An attorney license may also be terminated by the Board of the Chamber of Advocates when stipulated by Article 39.9 hereof.

4. A decision to declare an attorney license void may be appealed in a court of law within a period of one month.

5. A person may apply for a new license one year after termination of his/her current license.

6. A foreign attorney shall not be allowed to practice law in the Republic of Armenia, if his/her attorneyship title was revoked in the country where it was originally granted.

(Article 36 as revised on December 8, 2011 by HO-339-N)

Article 37 Termination of special license

(Article 37 was revoked on June 1, 2006 by HO-105-N)

Article 38 Suspension of attorney license *(Article title as modified on June 1, 2006 by HO-105-N)*

1. An attorney license shall be suspended, if the attorney:

1) was elected to enter a public office, to assume community leadership or to sit on the Elders Council for the period of his/her term;

2) was drafted into compulsory national military service for the duration of his service;

- 3) is unable to perform his/her professional duties for over one year but not exceeding a period of five years for reasons of health, if evidenced by supporting documents;
- 4) moved to public (state) service for the term of his/her public service, but not exceeding a period of five years;
- 5) was declared missing as prescribed by law.
2. An attorney license may be suspended, if an attorney is required to follow mandatory medical procedures pursuant to a court ruling.
3. The attorney shall notify the Board of the Chamber of Advocates of grounds set forth in para.1 (1, 2, 3 and 4) hereof within a period of ten days.
4. An attorney license shall be suspended by the Board of the Chamber of Advocates.
5. The suspension of an attorney license shall entail a waiver of guarantees granted to a license holder hereunder.
6. A member of the Chamber of Advocates whose license is suspended shall not partake in the election of its Chairman and entities.
7. An attorney license shall be restored by a decision of the Board of the Chamber of Advocates based on an application from the attorney whose license was suspended when circumstances described in Clause 1 hereof no longer exist.
8. A decision to decline recovery of an attorney license may be appealed in a court of law.
9. The attorney whose license was restored shall take a mandatory training with academic hours established by the Board of the Chamber of Advocates.

(Article 38 as modified on June 1, 2006 by HO-105-N, revised on December 8, 2011 by HO-339-N)

CHAPTER 6

LIABILITY OF ATTORNEY

(Chapter title modified pursuant to HO-339-N of 08.12.11)

Article 39. Grounds for action in respect of attorneys
(Article title as modified pursuant to HO-121-N of 21.06.14)

1. An attorney is subject to disciplinary action for violating the requirements of this Law and the Code of Conduct for Attorneys, and disciplinary liability as well as liability envisaged by the Republic of Armenia Code On Administrative Offences for violating the requirements of the Law of the Republic of Armenia “On Combatting Money Laundering and Financing of Terrorism” and normative legal acts adopted on its basis.
2. An adverse court ruling in a criminal, administrative or civil case against a client represented by the attorney shall not in itself give rise to a disciplinary action in his/her respect.

(Article 39 modified and supplemented pursuant to HO-121-N of 21.06.14)

Article 39.1 Disciplinary action in respect of an attorney and its grounds

1. The procedure for taking disciplinary action in respect of an attorney is stipulated by this Law and the Code of Conduct for Attorneys.
2. Grounds for taking disciplinary action in respect of attorneys:
 - 1) Complaints from public authorities, local self-governments, non-governmental organizations and other persons as well as publications in the mass media;
 - 2) A court permission for filing a complaint to the Chamber of the Advocates with request of a disciplinary action;
 - 3) A report from the accountant of the Chamber of the Advocates regarding a non-disbursement of membership fees by the attorney in due course;
 - 4) A report from the head of the School of Attorneys on an attorney’s failure to complete relevant trainings in due course;
 - 5) A motion by the Head of Public Defender’s Office to take disciplinary action in respect of a public defender.
3. A letter or statement bearing no signature or a forged signature or from a fictional character as well as anonymous reports calling for disciplinary action shall not be sufficient ground for taking such action.
4. Strong evidence indicating a violation of requirements set forth herein or in the Code of Conduct for Attorneys shall give grounds for disciplinary action.

Article 39.2 Attorney and applicant rights in disciplinary proceedings

1. Hereunder, attorneys and applicants shall enjoy equal rights to:
 - 1) attend all stages of disciplinary proceedings both in person and by proxy;
 - 2) review all case materials once disciplinary proceedings are instituted, make copies or extracts of any data of any volume;
 - 3) provide clarifications or refrain from doing so;
 - 4) produce evidence to be enclosed and investigated in disciplinary proceedings;
 - 5) waiver members of the Board of the Chamber of Advocates and persons responsible for preparation of the case;
 - 6) file petitions;
 - 7) summon and question witnesses called both by themselves and by other party or the Board of the Chamber of Advocates;
 - 8) question the speaker;
 - 9) make a final statement;
 - 10) receive final decisions of the Chairman of the Chamber of Advocates and the Board of the Chamber of Advocates;
 - 11) appeal against decisions of the Chairman of the Chamber of Advocates and the Board of the Chamber of Advocates in a court of law.

Article 39.3 Examination procedure for reported disciplinary violations and disciplinary action in respect of attorneys

1. Once there are sufficient grounds, the Chairman of the Chamber of Advocates shall make a decision on taking disciplinary action within one month from the identification of such grounds.
2. The Chairman of the Chamber or his/her proxy may request extra documents, explanations and other materials, as necessary within the period specified above.
3. Disciplinary action in respect of an attorney can be instituted within 6 months from the identification of its grounds but no later than a year after occurrence of such grounds. No disciplinary action shall be taken beyond the established term, and any such proceedings shall be terminated. The statute of limitations hereunder shall not apply after the initiation day of disciplinary proceedings.
4. In the manner established by the Board of the Chamber of Advocates its Chairman shall forward the disciplinary case to the person specified under Article 39.5 hereof or to the Board of the Chamber when and as specified under Article 40 within a period of 5 days following the decision to institute disciplinary proceedings.
5. A copy of the decision to institute disciplinary proceedings shall be submitted to individuals or legal entities based on whose report such proceedings were initiated as well as to the attorney becoming a subject of such proceedings within a period of 5 days following such decision.
6. The Head of the Public Defender's Office shall also be informed within a period of 5 days following the decision to institute disciplinary proceedings against a public defender.

Article 39.4. Refusal to initiate disciplinary proceedings

1. Where grounds are insufficient to initiate disciplinary proceedings, the Chairman of the Chamber of Advocates shall take a reasoned decision to reject such proceedings.
2. A copy of the decision to reject disciplinary proceedings shall be submitted to individuals or legal entities based on whose report such proceedings were requested within a period of 5 days following such decision.
3. The interested party may appeal against the decision to reject disciplinary proceedings in a court of law within one month after the receipt of decision notice.

Article 39.5 Preparation of a disciplinary case for discussion at the Board of the Chamber of Advocates

1. Disciplinary cases shall be prepared for presentation to the Board of the Chamber of Advocates by attorneys (hereinafter: persons responsible for case preparation) specifically designated to that effect and elected by secret ballot by the General Meeting of the Chamber for the term of 4 years as per their rank. The number of such attorneys shall be defined by the Charter of the Chamber of Advocates.
2. Disciplinary cases shall be assigned to persons responsible for their preparation following a procedure established by the decision of the Board of the Chamber of Advocates.
3. Persons responsible for case preparation must collect evidence to ensure legitimacy of disciplinary proceedings and to establish relevant facts for equitable settlement.
4. Persons responsible for case preparation must complete collection of such evidence and forward the disciplinary case to the Board of the Chamber of Advocates within a reasonable period of time but not exceeding two months from the receipt of the case.

Article 39.6. Investigation procedures for disciplinary cases in respect of attorneys

1. The Board of the Chamber of Advocates shall be responsible for a substantial investigation of and the final decision on disciplinary cases.
2. Every disciplinary case entering the Board of the Chamber of Advocates shall be accepted for processing by a Board member as per the procedure established by the Chamber with an appropriate decision taken. The Board member who initiates the proceedings shall preside over its session (hereinafter: presiding officer).
3. The Chairman of the Chamber of Advocates shall not take part in examination of disciplinary cases by the Board.
4. Within a period of 10 days from the initiation of disciplinary proceedings, the presiding officer shall convene a session of the Board of the Chamber of Advocates and shall duly communicate its place and date to the attorney in respect of whom disciplinary proceedings were instituted as well as the applicant, witnesses and other persons involved in the disciplinary case.
5. The disciplinary case session of the Board of the Chamber shall constitute a quorum, if attended by at least half of the Board members.
6. The Board shall examine the case and decide on taking disciplinary action in respect of the attorney within a reasonable period of time but not exceeding 6 months after its receipt of the case.

Article 39.7 Decision by the Board of the Chamber to take disciplinary action in respect of attorneys

1. The Board of the Chamber shall take a single decision in its deliberation of the disciplinary action, even if there are several counts of disciplinary violations committed by the attorney.
2. The Board of the Chamber shall retire to a private conference room for reaching its decision. Only Board members engaged in a particular case shall be allowed to enter the room, while others shall be forbidden to do so.
3. Board members shall reach their decision in the conference room by open ballot. Where the number of votes is equal, a decision more favourable to the attorney shall be chosen.
4. Issues discussed by the Board members in the conference room as well as their views and voting results shall be made public neither during the session nor after the investigation of the case is completed.
5. After the examination of the case on disciplinary action in respect of the attorney, the Board of the Chamber may take one of decisions below:
 - 1) Levy disciplinary penalty on the attorney as stipulated by law;
 - 2) Halt disciplinary proceedings.
6. Any suspicions regarding the proofs of disciplinary violations which were not dispelled by due process of law in proceedings established hereunder and in the Code of Conduct for Attorneys shall be interpreted in favour of the attorney.
7. The decision shall be drafted and sent to the parties within a period of 20 days following its announcement.
8. The decision by the Board of the Chamber may be appealed in a court of law within a period of one month from its receipt by the parties. The decision shall take effect upon expiry of the appeal period as stipulated hereunder.
9. An appeal filed against a Board decision which has not yet entered into force shall suspend it from taking effect.
10. A decision by the Board of the Chamber shall be implemented upon taking effect.

Article 39.8 Grounds to suspend disciplinary action against an attorney by the Board of the Chamber

1. The Board of the Chamber of Advocates shall suspend disciplinary proceedings against an attorney, if:
 - 1) no disciplinary violation is found;
 - 2) no valid reason for taking disciplinary action in respect of the attorney is found;
 - 3) the person in question developed an incurable mental disease or was declared incapable by a court ruling in effect after committing the disciplinary violation;
 - 4) the attorney's license was terminated as prescribed hereunder following the disciplinary violation;
 - 5) a decision to reject, halt or suspend disciplinary proceedings on the same grounds and case is in effect;
 - 6) the statute of limitations hereunder has expired.

Article 39.9 Disciplinary penalties levied on attorneys

1. After considering disciplinary action in respect of the attorney, the Board of the Chamber of Advocates may levy on him/her any of the disciplinary penalties below, except for the case specified in para. 3 hereof:
 - 1) Reprimand;
 - 2) Severe reprimand;
 - 3) Supplementary trainings;
 - 4) Fines;
 - 5) Termination of the attorney license.
2. The disciplinary penalty levied on the attorney shall be proportionate to the violation. When issuing a disciplinary penalty, the Board of the Chamber of Advocates shall consider the implications of such violations, attorney's personality traits, degree of his/her guilt, existing penalties and his/her other qualities of note.
3. The number of academic hours for supplementary training shall be set by the Board of the Chamber of Advocates. The supplementary training may be applied as an additional sanction together with any of the penalties stipulated under para. 1(1, 2, 4) hereof.

4. The Board of the Chamber of Advocates shall set fines in the amount not exceeding the two-hundredfold of the attorney's minimum salary. Fines shall be paid into the budget of the Chamber of Advocates.
5. Attorney license termination shall be applied as a penalty by the Board of the Chamber of Advocates solely for flagrant and intentional disciplinary violations.
6. The attorney's record shall be expunged of disciplinary penalties:
 - 1) 3 months after the decision on disciplinary action takes effect (in case of a reprimand);
 - 2) 6 months after the decision on disciplinary action takes effect (in case of a severe reprimand);
 - 3) 6 months after the supplementary training enforced as a principal form of sanction is complete;
 - 4) 9 months after all fines imposed are disbursed (in case of fines);
 - 5) 2 years after the decision on disciplinary action takes effect (in case of attorney license termination).
7. The person whose attorney license was terminated as a form of sanction hereunder may apply for a new license on regular terms after his/her record is expunged.
8. The clearance term required to expunge a record shall be deemed interrupted, if the person in question commits a new disciplinary violation before the clearance term. In such case, the clearance term shall start from the day of the most recent violation.

Article 40 Expedited disciplinary investigation

1. Where disciplinary proceedings against an attorney are brought for non-disbursement of membership fees in due time or for failure to attend a training, the Chairman of the Chamber of Advocates shall immediately submit the case for discussion to its Board.

(Chapter as revised on December 8, 2011 by HO-339-N)

CHAPTER 7

(Chapter revised on December 8, 2012 by HO-339-N)

PUBLIC DEFENSE AND THE PUBLIC DEFENDER'S OFFICE

Article 41 Public defense

1. Public defense shall be considered to be a free legal assistance provided in cases set forth hereunder.
2. Free legal assistance shall include:
 - 1) Legal consultation: drafting of claims, applications, complaints and other legal documents, including provision of legal information;
 - 2) Representation or defense in criminal, civil, administrative and constitutional cases.
3. In the sense hereof, legal representation or defense shall be provided in pre-trial proceedings for criminal cases examined before the court of first instance, court of appeal, court of cassation as well as before the Constitutional Court of the Republic of Armenia.
4. The authority that handles criminal cases shall provide free legal assistance through the Public Defender's Office as prescribed by the Armenian legislation or international treaties or in the interests of justice.
5. Apart from suspects or those accused in criminal cases and where specified under para. 6 hereof, the Public Defender's Office shall provide free legal assistance to the following categories of persons:
 - 1) Family members of servicemen fallen (deceased) while defending the frontiers of the Republic of Armenia;
 - 2) Persons with disability category 1 and 2;
 - 3) Convicts;
 - 4) Members of families entered into the assessment system for disadvantaged families whose poverty score is above 0;
 - 5) Veterans of the Great Patriotic War or combatants defending the frontiers of the Republic of Armenia;
 - 6) Unemployed;
 - 7) Pensioners residing alone;
 - 8) Children without parental care as well as persons belonging to this category;

- 9) Refugees;
 - 10) Persons receiving temporary protection in the Republic of Armenia;
 - 11) Insolvent natural persons who submit authentic data certifying their insolvency. In the meaning of this point, a natural person shall be considered insolvent if he/she does not have sufficient income, an employed family member living with him/her as well as does not hold real estate property except his/her own apartment or does not possess a vehicle worth more than the thousandfold of the minimum salary;
 - 12) Persons suffering from mental disorders, who receive treatment in psychiatric hospitals;
 - 13) Persons recognized as victims or victims of a special category by the Commission for Identification of Victims of Trafficking in Human Beings and Exploitation, in accordance with the procedure established by law;
 - 14) Persons seeking asylum in the Republic of Armenia
 - 15) Persons who have suffered torture, for the purpose of receiving compensation in accordance with the procedure established by Article 1087.3 of the Republic of Armenia Civil Code.
 - 16) Persons subjected to domestic violence, pursuant to the Law of the Republic of Armenia “On Prevention of Domestic Violence, Protection of Persons Subjected to Violence in the Family and Restoration of Solidarity in the Family”. **(Para. 16 supplemented pursuant to HO-327-N of 13.12.17 shall take effect starting from 30.06.18)**
6. Categories mentioned in para. 5 hereof shall not enjoy free legal assistance in cases below:
- 1) Business issues (including corporate disputes);
 - 2) Property (money) claims of over one thousand-fold of minimum salary, except when the person in question is a defendant or a third person appearing on behalf of the defendant;
 - 3) If there is reliable factual information refuting applicant's inability to pay.

(Article 41 edited pursuant to HO-339-N of 08.12.11, supplemented pursuant to HO-29-N of 30.04.13; HO-215-N of 17.12.14; HO-157-N of 17.10.16; HO-242-N of 16.12.16)

Article 42 Public Defender's Office

1. Public defense shall be provided through the Public Defender's Office.
2. The Public Defender's Office is a separate structural subunit operating within the Chamber of Advocates and incorporating the Head of the Public Defender's Office, two deputies, public defenders and a supporting staff.
3. The number of employed attorneys at the Defender's Office shall be determined by the Board of the Chamber of Advocates as per funding allocated from the state budget.

Article 43 Head of Public Defender's Office

1. The Head of the Public Defender's Office shall be appointed for a term of 4 years from among members with no less than 10 years of attorney experience by the Board of Chamber of Advocates as nominated by its Chairman.
2. The powers of the Head of the Public Defender's Office may be terminated before the end of the term by the Board of the Chamber of Advocates as proposed by its Chairman through at least two thirds of total voting Board members as prescribed by the Charter of the Chamber of Advocates.
3. The Head of the Public Defender's Office shall:
 - 1) represent the Public Defender's Office;
 - 2) ensure equal access to effective legal assistance as provided herein;
 - 3) facilitate assignment of tasks between public defenders;
 - 4) make decisions to ensure proper operation of the Public Defender's Office;
 - 5) make decisions to grant public defense requests based on applications or decisions of the criminal investigation authority or applications from citizens where eligible under Article 41 hereof and forward the case to a public defender or decline such requests where not admissible under Article 41 hereof;
 - 6) oversee the quality and terms of legal assistance provided by public defenders;
 - 7) file motions to institute disciplinary proceedings against a public defender;
 - 8) seek the assistance of public authorities or local self-governments or business entities to verify the inability to pay of reportedly disadvantaged persons and to obtain other information required to provide free legal

assistance. Such authorities and business entities shall provide the required documents (information) or copies thereof free of charge within a period of five days, except for documents containing confidential information protected by law.

4. The Head of the Public Defender's Office shall have an advisory vote in sessions of the Board of the Chamber of Advocates.

Article 44 Public Defender

1. An attorney who works at the Public Defender's Office as nominated by its Head under a work contract with the Chairman of the Chamber of Advocates shall be considered a public defender.

2. A contest to recruit public defenders shall be held as prescribed by the Board of the Chamber of Advocates.

Article 45 Funding of the Public Defender's Office and reimbursement of costs incurred by public defenders

1. The Public Defender's Office shall be funded from the state budget to ensure its normal operation.

2. As proposed by the Head of the Public Defender's Office, the Board of the Chamber of Advocates shall timely submit to the Government of the Republic of Armenia a cost estimate (budget request) to be included in the projected state budget based on statistics of free legal assistance requests filed and actually granted.

3. If accepted by the Government of the Republic of Armenia, the budget request shall be incorporated in the projected state budget, and where there are any objections, it shall be submitted to the National Assembly of the Republic of Armenia together with the projected state budget. The Government shall submit underlying reasons for its objections to the National Assembly of the Republic of Armenia and the Chamber of Advocates.

4. The funds of the Public Defender's Office shall be managed by the Head of the Chamber of the Advocates.

5. The running costs of the Public Defender's Office shall be reimbursed from the state budget and shall include the wages for the positions of its head, deputy heads and public defenders, as well as other expenses to ensure its normal operation. Funds allocated to the Public Defender's Office shall not be used to any other effect.

6. The wages for the positions of public defender and deputy head of the Public Defender's Office shall be set in the amount equal to those of the Senior Prosecutor of the Prosecutor General's Office of Yerevan City as provided by law. If necessary, the Chairman of the Chamber of Advocates may enter into contracts with attorneys not employed by the Office based on an hourly rate. The reimbursed amount shall be equal to the hourly remuneration rate set for the Senior Prosecutor of the Prosecutor General's Office of Yerevan City.

7. The reimbursement rate set for the Head of the Public Defender's Office shall include a supplement of 25 percent above the wages set for this position.

8. The reimbursement for other expenses required to ensure performance of public defenders is set at 30 percent of the remuneration paid to the Head of Public Defender's Office, deputy heads and public defenders irrespective of actual costs incurred by them.

(Article 45 amended pursuant to HO-186-N of 12.12.13)

(Chapter as revised on December 8, 2011 by HO-339-N)

CHAPTER 7.1

(Chapter amended on December 8, 2011 by HO-339-N)

SCHOOL OF ATTORNEYS AND TRAINING OF ATTORNEYS

Article 45.1 The objective of the school and its legal status

1. The School of Attorneys is a non-commercial organization with the status of a foundation.

2. The matters related *inter alia* to the legal status, establishment, governing authorities, charter, dissolution, property usage of the School of Attorneys shall be regulated by the Law on Foundations of the Republic of Armenia with due consideration of peculiarities laid down herein.

3. The Chamber of Advocates shall be the founding authority of the School of Attorneys and is represented by its Board.
4. The Board of the Chamber of Advocates shall approve the Charter of the School of Attorneys and shall make changes or amendments therein.

Article 45.2 Functions of the School of Attorneys

1. In compliance with the terms hereof and the provisions established under its charter, the School of Attorneys shall:
 - 1) arrange and hold professional trainings of its students;
 - 2) arrange qualification examinations of its students;
 - 3) arrange and hold professional training of attorneys;
 - 4) pursue other activities laid down in the charter of the School for Attorneys.

Article 45.3 Managing bodies of the School of Attorneys

1. The Managing Council and the Director of the School for Attorneys shall perform its management duties.

Article 45.4 Managing Council of the School of Attorney

1. The Managing Council of the School for Attorneys shall be responsible for its general management and shall oversee its current activities.
2. The Managing Council of the School for Attorneys shall be formed by the Chairman of the Chamber of Advocates and at least four members of the Board of the Chamber of Advocates appointed by it in accordance with the provisions of the Charter of Attorney School as well as one representative from the Ministry of Justice of the Republic of Armenia.
3. The Chairman of the Chamber of Advocates shall assume the chairmanship of the Managing Council by the virtue of his/her office.
4. The Managing Council of the Attorney School shall:
 - 1) establish the amount of the tuition fees, their disbursement procedure and internal regulations of the School of Attorneys as well as its staff list;
 - 2) approve the annual budget of the School of Attorneys as submitted by its director;
 - 3) examine the reports by the Director of the School of Attorneys at regular intervals laid down in its charter;
 - 4) approve curricula for the training of attorneys and applicants in compliance with the guidelines established by the Board of the Chamber of Advocates;
 - 5) examine and decide on matters related to the dismissal of students as submitted by the Director of the School of Attorneys;
 - 6) revoke, terminate or suspend individual or internal legal acts passed by the Director of the School of Attorneys;
 - 7) discharge other responsibilities laid down hereunder and in the charter of the School of Attorneys.

Article 45.5 Director of the School of Attorneys

1. The management of current activities of the School of Attorneys shall be performed by the Director of the School of Attorneys who shall be appointed to this office and dismissed therefrom by the Managing Council of the School of Attorneys in the manner established by its charter as submitted by the Chairman of the Managing Council.
2. The Director of the Attorney School shall:
 - 1) guide the teaching process;
 - 2) arrange for implementation of decisions made by the Managing Council;
 - 3) manage the assets including the finances of the School of Attorneys in the manner laid down in its charter and conduct transactions on its behalf;
 - 4) represent the School for Attorneys in the Republic of Armenia and in foreign countries;
 - 5) submit for approval to the Managing Council of the School of Attorneys its internal regulations and the staff list;
 - 6) submit for approval to the Managing Council of the School of Attorneys its curricula;
 - 7) issue orders, instructions and binding guidelines within his/her authority and oversee their compliance;

- 8) take disciplinary action in respect of a student of the School of Attorneys in the manner prescribed under its charter;
- 9) discharge other responsibilities laid down hereunder and in the charter of the School of Attorneys.

Article 45.6 Student status at the School of Attorneys

1. Any capable individual who holds a Bachelor's degree or a qualified specialist Diploma in law may become a student at the School of Attorneys except if he/she was convicted of any pre-meditated offense and his/her convictions was not served or waived.
2. Any such person shall obtain a student status upon admittance to the School of Attorneys in the manner prescribed under its charter.

(Part 1 of Article 45.6, in the meaning and interpretation, according to which the right of a person holding equivalent professional qualifications of a higher degree to become a student of the School of Advocates shall be terminated, has been recognized by Decision SDO-1148 of 18.04.2014 as invalid and contradictory to the requirements of Articles 1, 3, 43 (Part 2) of the Republic of Armenia Constitution).

Article 45.7 Disciplinary action in respect of a student at the School of Attorneys

1. A disciplinary action may be taken in respect of a student at the School of Attorney when and as specified in its charter.
2. The types of disciplinary action shall be as follows:
 - 1) reprimand;
 - 2) severe reprimand;
 - 3) dismissal from school.
3. A student dismissed from the School of Attorneys as a result of such disciplinary action shall not be allowed to reapply for admission into the School of Attorneys for a period of one year.
4. A student subjected to a disciplinary action shall be allowed to appeal against it in a court of law within one month from the receipt of the decision notice.

Article 45.8 Studies at the School of Attorneys

1. Studies of a student at the School of Attorneys shall proceed in a manner and for the duration laid down in its chapter. The studying process shall occur in two stages: studies of theory and practice (probation). The entire duration of studies shall not be under six months.
2. A lawyer with at least five years of professional experience enrolled as a student in the School of Attorneys shall pursue his/her studies by a simplified procedure as prescribed under the Charter of the School of Attorneys.
3. The curricula of the School of Attorneys shall be approved by its Managing Committee as submitted by the school Director.

Article 45.9 Student probation period

1. A student may follow a probation period both with an attorney and at other institutions designated by the Managing Council of the School of Attorneys.
2. The probation procedure shall be defined by the Chapter of the School of Attorneys.

Article 45.10 Graduation from the School of Attorneys

1. Within ten days from their graduation from the School of Attorneys, the students shall receive a certificate that shall allow them to take part in the qualification examination.

Article 45.11 Qualification examinations

1. The qualifications examinations are uniform examinations to obtain an attorney license open solely to graduates of the School of Attorneys.
2. The qualification examinations shall be taken before the Qualification Commission of the Chamber of Advocates. The Board of the Chamber of Advocates shall establish the procedure for administering and taking qualification examinations.
3. The students who fail to attend or pass their qualification examinations shall be required to pass a special curriculum training at the School of Attorneys in order to retake their qualification examinations except when such failure to appear was due to valid reasons. The students who fail to pass their qualification examinations at the second attempt shall be allowed to retake their qualification examination after completing training in the School of Attorneys on general terms.
4. The results of the qualification exams may be appealed with the Board of the Chamber of Advocates and in a court of law within one month from the publication of the examination results.

Article 45.12 Organization of attorney training

1. The training of attorneys may take place at the School of Attorneys or at any other institution accredited by the Board of the Chamber of Advocates to that effect.
2. An attorney shall be required to follow a training courses in the manner and for academic hours established by the Chamber of Advocates which may not be less than forty-eight hours annually.
3. A failure to partake in the pre-trial and/or judicial examination by attorneys who follow a training course shall be a valid reason, if a due notice is sent to the relevant authority by the attorney.

(Chapter amended on December 8, 2011 by HO-339-N)

CHAPTER 8

TRANSITIONAL AND FINAL PROVISIONS

Article 46 Enactment of this law

This Law shall take effect on the next day of its official publication.

The enactment of, Article 45(3) shall not reduce the wages of the person currently holding the position of the Head of Public Defender's Office.

Upon enactment hereof, the Law of the Republic of Armenia N. HO-234 on Exercise of Attorneyship dated June 18, 1998 shall be deemed void.

(Article 46 as amended on December 25, 2006 by HO-33-N)

Article 47 Formation of the Chamber of Advocates

The Chamber of Advocates is the legal successor to attorney associations of the Republic of Armenia.

Upon enactment hereof, the attorney associations of the Republic of Armenia shall preserve their powers until the Chamber of Advocates is formed.

The Chamber of Advocates shall be formed within a period of two months after this law takes effect, through reorganization of attorney associations of the Republic of Armenia in the manner established in Article 63 of the Civil Code of the Republic of Armenia.

The founding General Meeting of the Chamber of Advocates shall be convened by the Minister of Justice who shall preside over the meeting until a Chairman of the Chamber of Advocates is elected.

The founding General Meeting of the Chamber of Advocates shall be qualified to start its activities, if attended by a half of the total number of attorneys listed in current attorney associations.

(Article 47 as revised and modified on July 8, 2005 by HO-141-N)

Article 48 Legal status of licensed attorneys and interns before enactment of this law

Existing attorney associations of the Republic of Armenia shall be reorganized upon registration as stipulated by law.

The Chamber of Advocates shall issue its licenses in lieu of those issued by attorney associations. The licenses issued by the attorney associations operating in the Republic of Armenia shall be valid for three months from the registration of the Chamber of Advocates.

The persons who provided legal representation services as a business activity in the Republic of Armenia before the enactment of this Law, pursuant to the effective RA Law on Exercise of Attorneyship and who meet the requirements of Article 28(1) hereof shall be allowed to obtain attorney licenses without qualification examinations and certificate on their successful completion within one month after enactment of this Law by submitting relevant documents attesting to their engagement in legal representation as a business activity, except for those in possession of terminated attorney licenses.

Interns of attorney associations of the Republic of Armenia shall be considered as probationers with the Chamber of Advocates.

(Article 48 as revised on June 1, 2006 by HO-105-N)

Article 49 Legal status of persons in possession of certificates for legal representation in arbitration tribunals or other courts of law prior to the enactment of this Law

(Article title as modified on December 25, 2006 by HO-63-N)

Restriction under Article 5(3) hereunder shall not affect persons in possession of licenses for legal representation in arbitration tribunals or other courts of law prior to the enactment of this Law.

(Article 49 as modified on December 25, 2006 by HO-63-N)

**President
of the Republic of Armenia**

R. Kocharyan

January 13, 2005
Yerevan
HO-29-N