

**Minutes of the meeting of Board of Administration of Bar Association of
Lao PDR (09 August 2004)**

- With reference to Prime Minister's Decree No.64/PM pertaining to the organization and operations of Bar Association of Lao PDR;
- According to By-laws of Bar Association of Lao PDR;
- Based on the requirements of members;

Board of Administration of Bar Association of Lao PDR has convened a meeting at 09.30 AM on 09 August 2004 in the office of Bar Association of Lao PDR under the chairmanship of Mr. Phoumy Sioudomphan, President of Bar Association of Lao PDR and attended by members of Board of Administration of Bar Association of Lao PDR.

Agenda of the meeting:

1. Acceptance of candidates and training for practice lawyers;
2. Standard of Bar Association, unit and regional office;
3. Standard and qualities of lawyers;
4. Organization of competition and award for implementing the standard rules;
5. Improvement of structure and work method of unit and regional office;
6. Dissemination works and creation of awareness about the role and duties of lawyers;

Following the study, discussion and comments to the above issues by members of Bar Association, the following resolution of the meeting was adopted:

I. Acceptance of candidates and training practice lawyers

Based on the Article of Prime Minister's Decree No.64/PM dated 21 February 1996 pertaining to the candidature and practical training, Board of Administration has the right to control the candidature and supervise the practical training of the candidates on quarterly, bi-annual and annual basis.

1. The candidate:

The candidate for lawyer's profession shall submit an application to Personnel Department of Bar Association of Lao PDR for selection. Board of Administration of Bar Association shall study the application of the candidate based on Decree No.64/PM; if all conditions are met, the candidate shall be accepted to undergo practical training and appointed to unit or regional office.

2. The training:

Before the acceptance as professional lawyer, the practice lawyer shall undergo practical training subject to approval of Board of Administration of Bar Association of Lao PDR and appointed by Minister of Justice. The candidate shall undergo training on skills of lawyers, law, code of ethics of lawyers and other topics for a period of 3 months, 6 months and one year.

- Candidates having worked in judicial sector or studied economics and labor from 5 years onward and having a high degree diploma or equivalent or Bachelor degree onward shall undergo training for at least 3 months.

- Candidates having worked in judicial sector or studied economics and labor from 5 years onward and having a technical level certificate or equivalent shall undergo training in Bar Association for at least one year.

After completion of the training, Board of Administration of Bar Association shall consider if the trainee could pass the training. If the trainee is found not able to graduate, extension of training period is required, namely:

Board of Administration shall consider the extension of the training for the failed trainee for 6 months. After this extension, if the trainee is found not able to graduate, the name of the candidate shall be deleted from the list of potential lawyers. Moreover, the lawyers shall be responsible for the trainee in relevant unit or regional office; if the trainee failed due to lack of proper supervision of the lawyers, these lawyers shall be liable to this failure.

II. Standard for lawyer's office

Bar Association, unit or regional offices shall meet the following 7 standards

- 1- One common office
- 2- Strong management
- 3- Systematic work method including accounting, secretarial, revenue and expenditures
- 4- Clean and adequate environment;
- 5- Permanent staff in office;
- 6- Generation of revenue, payment of fees correctly and regularly;
- 7- Good service according to regulations and code of ethics of lawyers.

III. Standard for lawyers

- 1- *General standard for lawyers*: Lawyers shall meet the following standard and possess following qualities:
 - Team work spirit, hard working and study and accountability
 - Abide by the laws and regulations;
 - Good performance, high and correct revenues
 - Observe code of ethics and good service;
 - Good interpersonal skills and polite.
- 2- *Standard for lawyers in the leadership*: lawyers in leadership roles, deputy chief of unit office, deputy chief of regional office shall meet the following standards:
 - a. Performance according to position and assigned tasks; keen to assist others to achieve their duties;
 - b. Generous, creative and team work spirit;
 - c. Good understanding of policies of the Party and State.

IV. Organization of competition, award and implementation approach

1. *Competition and award*

- *Competition*

Period of competition is defined for one year starting from September 04 to September 05; the results of the competition are to be finalized between June 2005 and September 05. Awarding shall be part of the agenda of 3rd general meeting of Bar Association in October 2005.

- *Implementation*

Administrative, finance and personnel departments shall prepare activity report before the ordinary meeting to be held in September 2004 and in line with implementation regulations (points II and III) mentioned above.

The meeting has assigned the responsibility for the supervision and control of the competition to control committee of Bar Association consisting of vice chiefs of unit and regional offices by dividing into 3 lines of competition: line 1 responsible for supervision of regional offices 1, 2 and 3; line 2 responsible for the supervision of regional offices 4, 5, 6 and line 3 responsible for the supervision of Vientiane City office. The Board of Administration of Bar Association is responsible for the expenditures for the supervision by combining with the awareness creation and strengthening of Bar Association activities (Project funded by UNDP).

2. Implementation approach

Bar Association's general meeting shall be convened in October 2005 to congratulate and award members with outstanding performance and sanction members violating the regulations. Members with outstanding performance shall received certificate of acknowledgement or material award by dividing into 4 categories: First prize, second price, third price and 4th price.

The study and setting up of policies, report to Board Association for approval concerning the award shall be the responsibility of Organization and Personnel Unit of Bar Association in line with the following processes:

- Submission to Board of Association for approval;
- Submission to general ordinary meeting for approval;
- Submission to Ministry for approval;
- Finalize the competition after 6 months; the forum for competition is Vientiane City office;
- Organize an adequate celebration to mark this event

The Board of Administration of Bar Association shall be responsible for the organizing of the competition under the chairmanship of President of Bar Association of Lao PDR.

V. Improvement of some structures and work method of some unit and regional offices

To strengthen the institution, improvement of some unit and regional offices are required as the following:

- To recruit practice lawyers for training in each unit and regional office;
- To improve Unit office No.8 and to establish the office of the unit;
- Mr. Sisavong Vithaxay (Chief of unit office No.5, Oudomxay province) is also to assume the responsibility of chief of unit office No.6 (Xiengkhouang province) to replace Mr. Veng Xaysana and Mr. Sipheng Homsombat is to assume the position of vice chief of unit Office No. 6 (Xiengkhouang province)

VI. Dissemination work and creation of awareness about the roles and duties of lawyers.

To start to disseminate and advertise the role and duties of Bar Association in newspapers, periodicals and have the list of lawyers posted in public locations such as in Court office, Public Prosecutor's Office and in other locations.

The meeting has endorsed on consensus basis the above resolution and closed at 11.30 AM on the same day.

Vientiane, 10 August 2004

Minutes taken by:

President of Bar Association

Somphou Keomounmany

Phoumy Sioudomphan