

LEGAL TANDEM

NATIONAL KNOWLEDGE BANK SURVEY



elsa

The European Law Students' Association

Foreword

Dear Professional Development officers,

After the reform of our beloved area in 2021, many internal meetings in the network have encouraged ELSA groups on all levels to innovate new professional development events. This topic was also on the table in the Nordic Officers Meeting 2019 where two national officers developed the idea of Legal Tandem. Legal Tandem was first introduced to the network in the PD workshops of ICM Dubrovnik and now, it is our pleasure to send you this National Knowledge Bank Survey which will bring us one step closer to the first organisation of Legal Tandem.

Firstly, because likely many of you are now hearing for the first time about the development of this project, we will briefly explain the idea of Legal Tandem. In a Legal Tandem, two Local Groups from different countries invite their members to attend one session which will be organised either digitally or next to some joint physical event (such as a Study Visit) to discuss and compare their respective legal systems, study paths on how to become a legal professional and legal work culture. Thus a Legal Tandem session will be half and half presented by each Local Group. The purpose of Legal Tandem is to cultivate comparative legal understanding and connect Local Groups and ELSA members all around our network.

Part of the development of this project is the collection of National Knowledge Banks on the topics of Legal Tandem. These National Knowledge Banks will be assembled nationally so that any Local Group regardless of their resources can organise Legal Tandem. This survey works as the basis of these National Knowledge Banks and ensures that once National Groups have assembled their own Knowledge Banks, the Local Groups will have access to their National Knowledge Bank and be able to compare the same information with other Local Groups.

Once these National Knowledge Banks have been assembled, ELSA International will send you a booklet about Legal Tandem which will give basic guidelines on how to organise your first Legal Tandem. In the meanwhile, the project will keep being discussed in Open Calls and internal meetings and additionally, if you have any questions, please don't hesitate to send them to assistant.professionaldevelopment@elsa.org

In this document you will find questions targeting each of the topics of Legal Tandem. On the topic "Work culture", you will find further explanation to some of the questions as you may find some of your answers directly from our old internal project, STEP Research Project. **Please research and write your answers to the questions of this survey in a text file and send your answer files to assistant.professionaldevelopment@elsa.org by 17.4.2023.**

We hope you will be just as excited about Legal Tandem as we are!

Yours sincerely,

Emma Kuusela-Opas

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Vice President in charge of Professional Development of International Board of ELSA 2022/2023

Survey

General questions

1. What is your national group? The country your national group represents will be the country at the basis of your answers to this survey
2. The name of the contact person regarding Legal Tandem and their ELSA position
3. The email address of the contact person

Topic 1: Legal System

4. What is the basis of your legal system? Civil law, common law, statutory law, religious law or combinations of these?
5. What is the hierarchy of your court system? How do cases reach the superior court?
6. Are there specialised courts? Do courts assemble in different compositions, and if so, why and when?
7. What are the different legal professionals that are present in a typical court case? How many judges, how many lawyers, how many prosecutors etc.?
8. How common is arbitration?
9. Who typically bears the costs of litigation? Is litigation in general a costly procedure that hinders citizens from pursuing legal proceedings?
10. When was your first constitution adopted? When was your current constitution adopted?
11. How often is your constitution amended? Is it a difficult procedure?
12. Does your constitution contain specific provisions or does it provide more of a principled basis for your legal system?
13. What is the role of your constitution in case law?
14. Does your legal system have a monist or dualist relationship to international law?

Topic 2: How to become a legal professional

15. How many universities or higher educational institutions in your country offer education programmes for becoming a lawyer or a legal professional?
16. Do you have to pay a semester fee? Is a legal study programme more costly than other study fields?
17. How can you enter a legal study programme? By entrance exam, average of previous studies etc.
18. Is there a high drop-out rate from legal studies in your country in general? Does the drop-out rate vary strongly between study years due to some of the semesters being more difficult to succeed in?
19. How long does your full legal education take? Do you graduate once or in parts (Bachelor, Master)? If in parts, how long does each degree take?
20. When do your semesters typically take place?

21. How many courses do you usually take per semester? How many ECTS are courses usually worth?
22. Do you have freedom in composing your own curriculum?
23. What type of course assignments do you have?
24. How are your exams organised? In certain exam periods, after each course etc.
25. Is it common to pass a course with another type of final assignment than an exam?
26. Do you need to write a Bachelor and/or Master thesis?
27. Do you need to pass a special examination at the end or after your studies to get the right to practise as a lawyer?

Topic 3: Work culture

28. When do law students start having their first jobs in the legal field? What form of work are the first legal work positions usually? Part time, summer jobs, internships etc.
29. What elements does a typical work recruitment process to a legal position include? Formatted application, CV, motivation letter, interview etc.
30. How do you address your work colleagues? By their last name, Mr./Mrs./Ms., by their first name etc.?
31. Is it common for legal employers to organise activities for their employees outside of work time? For example after-work drinks, dinner parties, Christmas parties etc.?
32. Is it common for graduate lawyers to join certain associations or guilds? What is the role of such organisations in your national legal field?

Questions from STEP Research Project

During the terms 2019/2020 and 2020/2021 our area conducted a project called STEP Research Project (SRP). The aim of SRP was to address the legal issues affecting the operation of STEP (nowadays ELSA Traineeships) across the ELSA Network where there is an ELSA National Group present. SRP strived to research in a unified manner under international coordination the labour regulations in over 40 jurisdictions encompassed by ELSA. The results of SRP are yet to be published but many national groups submitted their final answers to the SRP research questions in spring 2021.

The following questions are directly from SRP and serve a purpose also for Legal Tandem. Thus, we advise you to look if you find your national group's answers to SRP from spring 2021 and directly use them for these questions. If you are not able to find your SRP answers, please treat the researching and answering of these questions in the same manner as the questions above.

33. What is the employer's attitude, in general, towards remote work?
34. Is an employment contract always mandatory? What are the requirements? (form of contract, types of signature)
35. What type of contracts are reserved for remote employees, if applicable?
36. What is the minimum wage? How is it determined and applied to different employment types? (full-time or part-time employee, intern etc.)

37. What are the requirements for the termination of an employment relationship/dismissal of an employee?
38. What are the requirements for the work time? Are there limits on the work week, day, the holidays, extra pay...?
39. Regarding work time, are there any specific provisions for remote work?
40. Are there any requirements on the method of paying an employee?
41. Does the remuneration have to be monetary or can it be fully/partially “in-kind”?
42. Who is responsible for the payment of taxes? What are the applicable tax limits?
43. Are there any specific payment methods or legal provisions regarding remote work?