

LAW No. 04/L-193 ON THE BAR

Assembly of Republic of Kosovo,

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves

LAW ON THE BAR

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

The present Law shall regulate conditions to practice bar, ways and methods of work, rights, obligations and responsibilities of lawyers and law interns; organization and work of the Kosovo Chamber of Advocates (hereinafter KCA) and other important issues for the performance of bar.

**Article 2
Lawyer Office**

Lawyers may practice bar in an individual office, in a joint law office or in law firm registered in the KCA register.

**Article 3
Bar**

1. Bar is a free and independent profession that deals with the provision of professional legal aid to natural and legal persons in protecting their freedom, rights and interests in compliance to the legal order.

2. Independence of the bar is achieved through:

- 2.1. independent practice of bar;
- 2.2. provision of legal aid;
- 2.3. issuing KCA Statute and other acts;
- 2.4. deciding on granting, termination and suspension of the right to practice bar.

**Article 4
Legal Aid**

1. Legal aid shall include:

- 1.1. provision of legal advice and opinions;
- 1.2. preparation of lawsuits, claims, proposals, pleadings, legal remedies and other submissions;

1.3. drafting of contracts, agreements, testaments, statements, general and specific acts and other documents;

1.4. representing and defending natural and legal persons, business companies and other legal entities in front of courts and other state bodies;

1.5. representing natural and legal persons in their legal tasks, in amicable resolution of disputes and contested reports;

1.6. performance of other legal actions on behalf of local or international natural or legal persons, based on which rights are enjoyed and freedom and other interests are protected.

Article 5 Definitions

1. Terms used in this Law shall have the following meaning:

1.1. **Bar** – a profession dealing with the provision of legal aid;

1.2. **Lawyer** – a person registered in the KCA who has given the oath and works in the bar;

1.3. **Local Lawyer** – a lawyer who is a citizen of the Republic of Kosovo;

1.4. **Foreign Lawyer** – a lawyer who has the right to practice as a lawyer in his country may work as a lawyer in the Republic of Kosovo in compliance to the conditions foreseen with this Law and other KCA acts;

1.5. **Candidate** – a person who has applied to be registered at the Lawyers Registry, and holds this statute until he/she is registered in the lawyers' list and gives the oath;

1.6. **ID Card** – Identification card of every lawyer and law intern registered in the KCA;

1.7. **Code** – Lawyer's Code of Ethics;

1.8. **Chamber** – Kosovo Chamber of Advocates;

1.9. **Client** – a natural or legal person who requests legal aid from the lawyer and a person who is represented and/or defended by a lawyer;

1.10. **Representation** - representation or defense in court proceedings;

1.11. **Law Intern** – graduated lawyer registered in the Register of Law Interns and being trained to become lawyer;

1.12. **Register** – register where lawyers, law interns, joint law offices and law firms are registered;

1.13. **Registration** – registration of lawyers, joint law office, law firms and law interns in the respective register of the KCA;

1.14. **Law Firm** – general partnership, limited partnership, limited liability partnership as determined under the Law on Business Organizations;

1.15. **Law Office** – premises where the bar is carried out.

CHAPTER II
CONDITIONS TO PRACTICE BAR

Article 6
Right to practice Bar

1. The right to practice bar is granted following the registration in the KCA Registry.
2. The procedure for gaining the right to practice bar shall be initiated after the submission of application by a candidate for registration in the KCA.
3. The decision to reject the application for registration, or decision to suspend, terminate or lose the right to practice bar can be appealed.
4. The appeal shall be handed over to the Appeals Commission of the KCA within eight (8) days after the receipt of decision.
5. The Appeals Commission decision is final.
6. Administrative dispute may be initiated against the decision of the KCA's Appeals Commission.

Article 7

1. The candidate for a lawyer shall pay the fee foreseen for registration expenses and conclude a contract for professional liability insurance prior to giving the oath.
2. With a special act adopted by the KCA shall be foreseen the height of registration expenses. The height of registration expenses can not be higher than the value of three (3) minimal wages in Kosovo.

Article 8

1. A lawyer registered in Lawyer's Register in compliance with the provisions of this Law, shall obtain the lawyer's ID on annual basis.
2. The body, in front of which the proceedings are ongoing, may request the ID from every person who claims to be a lawyer.

Article 9

A lawyer who has the right to practice bar in his or her country shall have the right to practice bar in the Republic of Kosovo under the terms and conditions foreseen with this law.

Article 10
Conditions for registration

1. KCA takes the decision to register a candidate who meets the following conditions, except if otherwise provided in this Law:
 - 1.1. citizenship of the Republic of Kosovo;
 - 1.2. a diploma of law faculty in Kosovo or a diploma of a law faculty of a foreign country that is recognized in accordance with laws regulating the higher education in the Republic of Kosovo;
 - 1.3. fully capable to work;

- 1.4. bar exam passed in the Republic of Kosovo;
 - 1.5. not to have a regular employment;
 - 1.6. not to be under criminal proceedings or not to be tried for criminal offence for which it has been foreseen a sentence with imprisonment up to one (1) year that would make the candidate indecent to practice bar;
 - 1.7. to enjoy high esteem in performing bar in compliance with the Code;
 - 1.8. to have a suitable office for the performance of bar and required technical conditions in compliance to KCA's sub-legal acts;
 - 1.9. at least one (1) year has passed from the decision to reject the registration application at the KCA;
 - 1.10. to have completed the exam of Lawyers Code of Ethics pursuant to the regulation adopted from the KCA.
2. Only lawyers have the right to provide with legal aid, except if otherwise provided by the law.
 3. Professors and associate professors of law subjects in the Republic of Kosovo faculties shall be authorized to give paid legal advice and legal opinions, but not other forms of legal aid.
 4. Wording "legal advice" and "legal opinion" from paragraph 3 of this Article shall not imply drafting of memos (contracts, testaments, statements, etc.), nor shall they imply drafting of indictments, claims, pleadings, extraordinary legal remedies and other submissions.
 5. Persons from paragraph 2 of this Article shall be obliged to notify the KCA for the practice of theirs activity according to this Law with the purpose of evidencing that they are practicing their activity in accordance with the acts of KCA.
 6. Record of persons from paragraph 2 of this Article shall be prepared in line with KCA's acts.
 7. Persons from paragraph 2 of this Article provide legal advices and legal opinions in accordance with the provisions of this law, KCA acts and the Lawyers Code of Ethics.
 8. KCA is authorized and obliged to start the relevant legal proceeding for any case when unauthorized legal aid is provided, except if it is otherwise foreseen in a specific law.

Article 11 Oath

1. The lawyer, whose application for registration in the Register of Lawyers is approved, shall within sixty (60) days, from the day when decision on his/her registration is delivered, give a solemn oath in front of the competent authority of KCA. Should this not be the case, it shall be considered that he/she has renounced from registration.
2. The text of solemn oath is as follows:

„I swear that I will practice bar with dignity, conscience, independently and honestly, by adhering to the legal and constitutional order of the Republic of Kosovo”.

**CHAPTER III
LAWYER'S RIGHTS AND OBLIGATIONS**

**Article 12
Lawyer's fundamental obligations**

1. A lawyer shall be obliged to:

- 1.1. provide legal aid in a professional, conscientious and dignified manner in line with the present Law, Statute and Code;
- 1.2. keep the secrecy of data, evidences and information given during client representation.

**Article 13
Continuous Legal Education**

1. A lawyer shall undergo continuous legal education and enrich his/her knowledge for practicing bar in line with general acts of the KCA.
2. A lawyer shall provide the intern working at his/her office with good working and training conditions in compliance with training program determined by the KCA, and shall oversee his/her work and professional capacity building.

**Article 14
Freedom and Obligation to Provide Legal Aid**

1. A lawyer freely decides whether to provide legal aid, except in cases prescribed in this Law.
2. A lawyer shall not refuse provision of legal aid, if a court, another state authority or KCA appoints him/her as a representative or defense counsel in compliance to the law, except if there are reasons provided by law, due to which the lawyer is compelled to refuse provision of legal aid.

**Article 15
Pro Bono Legal Aid**

KCA shall regulate pro bono legal aid for persons in dire social situation in legal issues whereby such persons claim rights directly related to their status and in other instances prescribed in the sub-legal acts of the KCA.

**Article 16
Obligation to Refuse Provision of Legal Aid**

1. A lawyer shall refuse provision of legal aid:

- 1.1. if he/she or another lawyer who has worked in the same office and has been involved in the same case or in a case legally related to the first one representing the opposing party or both parties, has given them legal advice;
- 1.2. if in the same case or in a legally related case to the first one he/she has worked as law intern with the lawyer who represented the opposing party;
- 1.3. if he/she is a member or used to be a member of the joint law office or a law firm, where the opposing party is being represented or used to be represented;

- 1.4. if in the same case or in a legally related case to the first one he/she has worked as judge, prosecutor or official person in a administrative or any other proceedings;
- 1.5. in other cases prescribed by the law, Statute and Code.

Article 17
Secrecy of Lawyer

1. In compliance with the Statute and the Code, a lawyer shall keep the professional secret and shall take care that employees in his/her office do the same.
2. Obligation to keep the professional secret is not limited in time.

Article 18
Refusal of Proxy

1. A lawyer shall have the right to denounce the proxy in accordance with this Law.
2. A lawyer shall immediately inform the competent authority, where the proceedings are taking place.
3. In case of a request by a client whose proxy has been refused, a lawyer shall continue provision of necessary legal aid, but not longer than fifteen (15) days from the day of delivery of proxy refusal at the body where the proceedings are being conducted.

Article 19
Archiving and Returning Case Files

1. After the completion of his/her representation, the Lawyer shall return to the client all case files, if the client request so.
2. Lawyer shall be obliged to keep case files in paper or scanned at least five (5) years following the completion of proceedings, except if client has renounced from such a request in writing.

Article 20
Replacement of Lawyer

1. A lawyer may be replaced by the intern employed at his/her office or other lawyer in line with this Law.
2. A law intern employed at the lawyer's office will not need to have an authorization of attorney in case of replacing the lawyer.
3. A law intern shall operate under the instructions of the lawyer who is being replaced.
4. For any violation made by the law intern, the responsibility shall be held by the lawyer where he/she is employed.

Article 21
Remuneration and Compensation of Expenses

1. A Lawyer shall be entitled to honorarium and compensation of expenses for his/her work in line with Regulation of Lawyer's Tariff.
2. The Kosovo Judicial Council, Kosovo Prosecutorial Council and Agency for Free Legal Aid in cooperation with the KCA bodies shall determine the amount of payable remuneration and compensation for representation upon official duty.

3. The invoice of a lawyer for remuneration and covering of expenses is an authentic document in the execution procedure.

Article 22
Right of Payment and Collateral

1. A lawyer, joint lawyer's office or a law firm shall be authorized to pay for the expenses incurred and to receive honorarium from the cash that the client has deposited or from the money that the lawyer received from the client, in case that no other agreement was reached between the lawyer and client.

2. It shall be mandatory for the lawyer to provide the client with the invoice for the services provided and expenses paid.

3. From the funds received on behalf of the client, a lawyer shall have the right on collateral for the payment of remuneration and expenses.

CHAPTER IV
LAW INTERNS

Article 23
Conditions for registration on the Register of law interns

1. A person shall be entitled for registration in the Register of law interns, if he/she meets the following conditions:

1.1. has the citizenship of the Republic of Kosovo;

1.2. has a diploma of a law faculty in Kosovo or a law school from any other country, which is recognized in line with the laws regulating higher education in the Republic of Kosovo;

1.3. is fully eligible for work;

1.4. is not employed;

1.5. is not convicted for criminal offense that would make him/her indecent to practice bar;

1.6. is not involved in any other registered activity;

1.7. is decent for practicing bar in compliance with the Code;

1.8. has an employment contract with the lawyer, joint law office or with a law firm.

2. The duration of law internship at the lawyer's office is one (1) year.

3. Other material and procedural provisions dealing with lawyers shall apply to law interns *mutandis mutandis*.

Article 24
Rights and Responsibilities of Law Intern

1. A law intern shall carry out all duties entrusted to him/her by the lawyer and shall comply with his/her instructions.

2. A law intern is prohibited to practice juridical activities of a lawyer without explicit permission of the lawyer, where he/she is completing the internship.

Article 25
Liability of Law Interns

1. For the damage that an intern may cause to the client during the performance of his/her duty under the power of attorney, the lawyer, joint law office or the law firm where the intern is working shall be directly liable.

2. A law intern shall be directly liable for the damage caused while performing his/her duties if such damage was caused intentionally or as a result of gross negligence.

CHAPTER V
LAWYER'S OFFICE

Article 26

1. Individual lawyer, joint law offices and law firms shall have only one office, which should be located at the location marked as such through the KCA's decision.

2. Location, provision and arrangement of lawyer's office shall be in harmony with the importance and reputation of the bar, and with the required conditions in place for the protection of professional secret in compliance to the criteria determined in KCA's sub-legal acts.

3. A lawyer can provide legal aid only at his/her office, except in cases when he/she represents the client in court hearings, site inspections, reconstructions, negotiations or in arranging legal matters.

4. On exceptional basis, due to the circumstances of the case and nature of legal aid, a lawyer may provide legal aid also in the apartment/home or in client's headquarters.

5. A lawyer shall within fifteen (15) days inform in writing the KCA for any change of address of his/her headquarters.

6. Establishment, organization and functioning of law office shall be regulated through KCA's general acts.

CHAPTER VI
WAYS OF PRACTICING THE BAR

Article 27

1. Lawyers may practice bar:

- 1.1. in an individual office;
- 1.2. in a joint law office; and
- 1.3. in a law firm.

Article 28
Individual Office

1. A lawyer shall have only one (1) office.

2. A lawyer may act as a Limited Liability Company.
3. The headquarters of a lawyer's office shall be at the location that lawyer reported to the KCA, and for which the KCA's decision has been issued.
4. Location and arrangement of lawyer's office shall be in harmony with the importance and reputation of the bar, and with required conditions in place for the keeping of professional secret in compliance to the criteria determined in KCA's acts.
5. A lawyer can provide legal aid only at his/her office, except in cases when he/she represents the client in court hearings, site inspections, reconstructions, negotiations or in arranging legal matters.
6. On exceptional basis, due to the circumstances of the case and nature of legal aid, a lawyer may provide legal aid also in the apartment/home or headquarters of a client.
7. Lawyers shall within fifteen (15) days inform in writing the KCA for any change of address of his/her office.

Article 29 Joint Law Office

1. Some lawyers may also establish a joint office, and in that case they regulate mutual rights and obligations through a contract.
2. Lawyers aiming to establish joint office shall inform the KCA for the contract provided in paragraph 1 of this Article.
3. Establishment of a joint law office is registered at the relevant KCA register following the decision.
4. KCA shall be obliged to validate the registration specified in paragraph 2, 3 of this Article within thirty (30) days.

Article 30 Law Firms

1. Two or more lawyers registered in the KCA, may establish a law firm.
2. Only a lawyer may be a member of law firm.
3. Only lawyers and law firm interns may provide legal aid in the law firm.
4. Law firm may employ lawyers who are not members of law firm.
5. The independence of lawyers in exercising their profession shall be protected by general rules of law firm.
6. A lawyer working in a law firm shall provide the legal aid as assigned by the firm, if not otherwise provided in the contract.
7. Law firm structure and management shall be regulated through sub-legal acts of KCA and the Law on Business Organizations

Article 31
Links of Law Offices

1. Law offices may establish links with other local or international law offices with the purpose of performing duties of mutual interest and cooperation.
2. Links between law offices shall be regulated by a contract, a copy of which shall be handed over to the KCA within fifteen (15) days from its signature.
3. Conditions and method of the link of offices from paragraph 1 of this Article shall be regulated through the general acts of the KCA.

Article 32
Inviolability of Law Office

1. Law office, including items and data inside, may be subject to control only in compliance with the provisions of this Law.
2. No public body may impose closure or sealing off the law office during criminal, minor offence or administrative proceedings or any other commercial crime proceedings against the lawyer.

Article 33
Detention of Lawyer and Search of his/her Office

1. A lawyer shall not be detained for criminal offences related to the performance of lawyer's work without the decision of competent court.
2. KCA shall be notified on the detention of a lawyer.
3. Lawyer's office can be searched only on the grounds of competent court decision in respect of submissions, documents or other explicitly defined cases.
4. Lawyer's office may only be searched in the presence of a lawyer and authorized representative appointed by the KCA's President.
5. Items, submissions, documents, except for those from paragraph 3 of this Article, as well as information that might be gathered upon the search of lawyer's office, shall not be utilized by his/her office in any proceedings against the lawyers' clients.
6. Courts or other bodies in proceedings against the lawyer shall immediately notify the KCA on the initiation of the procedure against the lawyer or on the decision to arrest or hold him/her in detention.

Article 34
Right of a Lawyer to Obtain Information

State bodies, natural and legal persons with public authorizations shall be obliged to give to the lawyer, upon his request in accordance with the Law, data and information necessary to practice bar in concrete cases, if such action is not in contradiction with the protection of official and professional secret.

Article 35
Professional liability mandatory insurance

1. A lawyer shall be obliged to have insurance for professional liability damages at the institution registered for this purpose.
2. KCA shall determine the minimum amount of insurance for the professional liability damage.
3. KCA shall not furnish the ID card to a lawyer who has not signed a contract of professional liability insurance.
4. Procedures of professional liability insurance shall be regulated through the acts of KCA.

Article 36
Marking of Submissions and Documents

A lawyer shall sign and stamp every submission or document. If a lawyer practices bar in a law firm, beside the stamp of the law firm shall also put his stamp.

CHAPTER VII
SUSPENSION, TERMINATION AND LOSS OF RIGHT TO PRACTICE BAR

Article 37
Suspension of Bar Practice

1. A lawyer has the right to request the temporary suspension of bar practice:
 - 1.1. for the purpose of professional capacity building or due to other justifiable reasons for the duration of those reasons;
 - 1.2. as a consequence of temporary impediment due to illness, maternity leave, child care leave and other health reasons;
 - 1.3. if he/she is selected or appointed in a public function for the duration of his/her mandate.
2. Decision to terminate or suspend the practice of bar is taken by the KCA.
3. If the practice of bar is suspended due to the disciplinary proceedings instituted against the lawyer, the duration of suspension shall be calculated against the duration of the imposed measure for the suspension of bar.
4. After the suspension has terminated or the reasons for the suspension are terminated the lawyer begins the bar practice.

Article 38
Termination of Bar Practice

1. Bar practice is terminated:
 - 1.1. if criminal proceedings are initiated for criminal offence, which makes the lawyer indecent to practice bar;
 - 1.2. if disciplinary proceedings are initiated against the lawyer due to gross violation of his/her duty and reputation of bar;
 - 1.3. if the lawyer has been sentenced for criminal offence, which makes him/her indecent to practice bar;

1.4. in cases from paragraph 1 of this Article, and in other cases, whereby the lawyer is not practicing bar due to various reasons, he/she shall inform the KCA.

Article 39 **Losing the Right to Practice Bar**

1. A lawyer shall lose the right to practice bar if:
 - 1.1. he/she loses the citizenship of the Republic of Kosovo;
 - 1.2. he/she loses the capability to work;
 - 1.3. due to health reasons, he/she permanently loses the capability to practice bar;
 - 1.4. against him or her has been imposed a security measure of prohibition to practice bar;
 - 1.5. he/she has been imposed with disciplinary sentence of permanent prohibition to practice bar;
 - 1.6. he/she voluntarily resigns from practicing bar;
 - 1.7. he/she does not practice bar for more than six (6) months without any justifiable reason;
 - 1.8. he/she has another job, in addition to working in law office, joint law office or law firm;
 - 1.9. he/she has been sentenced to more than one (1) year in prison for criminal offence that makes him/her indecent to practice bar;
 - 1.10. he/she does not meet the financial obligations towards the KCA for one (1) year.

CHAPTER VIII **PRACTICING BAR BY FOREIGN LAWYERS IN THE REPUBLIC OF KOSOVO**

Article 40

1. Lawyers from other countries may practice bar in the territory of the Republic of Kosovo under the reciprocity conditions.
2. The confirmation that there is a reciprocity agreement shall be given by the Ministry of Justice after taking the preliminary measure of the opinion of the Chamber of Advocates.
3. With the Statute of KCA are regulated the conditions, terms and the proceedings according to which the lawyers from other countries may practice the bar in the territory of the Republic of Kosovo.
4. Lawyers from the Member States of the European Union and United States of America may practice bar on the territory of the Republic of Kosovo.
5. By registering on the special Register of Lawyers of the KCA of the Republic of Kosovo, lawyer from paragraph 1 and 4 of this Article shall represent the document of Chamber of Advocates that proves that they are registered on their own states as lawyers and they practice bar, and also the documents for fulfilling the conditions under Article 10, paragraph 1, sub-paragraphs 2, 3, 5, 6, 7, 8 and 9 of this Law.

**CHAPTER IX
CHAMBER OF ADVOCATES**

**Article 41
Organisation and status of the Chamber**

1. KCA is an independent professional organisation, with the capacity of a legal person and established in accordance with the law and statute of KCA, competent for practicing public authorizations and dealing with issues in general interest in accordance with law and the statute of KCA with public authorizations with the capacity of legal person.
2. The headquarters of the KCA is located in Prishtina.
3. The KCA shall:
 - 3.1. decide for the acquirement and the suspension of the right to practice bar and removal of lawyers, joint law offices and law firms from the Register;
 - 3.2. decide on the requests for temporary suspension from the bar practice;
 - 3.3. issue the fees for remuneration and compensation of lawyers expenses;
 - 3.4. adopt the general acts of the KCA;
 - 3.5. adopt the Lawyers Professional Code;
 - 3.6. decide regarding the liability of lawyers for breaching the lawyers' duties and the image of lawyers;
 - 3.7. take attention to the professional capacity and training of lawyers professional partners and law interns;
 - 3.8. provide opinions for reciprocity when required by the Ministry of Justice.
4. Internal structure of the KCA shall be regulated by the Statute.
5. The KCA has its regional branches in Prishtina, Peja, Gjakova, Prizren, Gjilan, Ferizaj and Mitrovica. The competences of regional branches shall be determined by the KCA Statute.
6. It is mandatory for lawyers, joint law offices and law firms to become members of the KCA.

**Article 42
KCA Bodies**

1. The KCA bodies are the following: General Conference, Assembly, President, Steering Board, Supervisory Board, disciplinary bodies and bodies prescribed in the KCA Statute.
2. Structure, competencies, composition, election and the rights and obligations of KCA bodies shall be regulated through the acts of the KCA.
3. The KCA Assembly is composed of representatives of regional branches on the principle of delegation, who are selected in proportion with the number of members in the regional branches.
4. The KCA Assembly is composed of eighty five (85) delegates.

Article 43
Cooperation with Institutions

1. KCA informs the Assembly of the Republic of Kosovo and the Government, by a written annual report, on the developments, status and challenges of bar, as well as on the measures to be undertaken with the purpose of advancing the bar and protection of human rights and freedoms.
2. KCA cooperates with state institutions and with local self-government bodies in resolving the important problems related to the performance of bar.
3. KCA shall cooperate with other international chambers and associations with the purpose of developing the bar.

Article 44
Supervision and monitoring of the work of KCA and the bar

1. The Government of Kosovo supervises the lawfulness of general KCA acts and is authorized to suspend the application of an act that is in conflict with the law, until the competent court makes a decision on it. This supervision is limited to the adherence to the law and legislation, by not violating the administrative autonomy of the KCA.
2. The Ministry of Justice monitors the work of bar and the conditions for its work. For this purpose the KCA may require relevant information and other data, taking into consideration the independence of the bar.
3. KCA is obliged to provide the Ministry of Justice with the information and data from paragraph 2 of this Article within thirty (30) days or to notify for the reasons for which it cannot provide with the required information and data.

Article 45
Lawyer Records and registers

1. KCA shall maintain the register of lawyers, law interns, joint offices, law firms and foreign lawyers.
2. Records, registers and proofs from paragraph 1 of this Article are public documents.

Article 46
Membership Fee Payment

Lawyers registered at the Lawyers Registry shall pay the annual membership fee and comply with all other obligations provided by the Statute and general acts of the KCA.

Article 47
Chamber Funding

1. The Kosovo Chamber of Advocates is funded through:
 - 1.1. licenses;
 - 1.2. membership fees;
 - 1.3. chamber stamp;

1.4 gifts and grants; and

1.5. other revenues in compliance with the law and Statute.

**CHAPTER X
SPECIALIZATION OF LAWYERS AND LAW FIRMS**

**Article 48
Specialization of Lawyers**

1. A lawyer may request the recognition of his/her specialization in any field of law.
2. The KCA body prescribed in the Statute shall decide on the recognition of specialization.
3. The decision to reject the request for recognition of specialization may be appealed.
4. The recognized lawyer specialization shall be registered in the Register of Lawyers and may be specified in the name of law office.

**Article 49
Specialized Law Firms**

1. Upon their registration, Law firms may decide to work in a specific field of law. In that case, the specialization of law firm shall necessarily be specified in its name.
2. Specialization shall be recognized to a law firm if the specialization is recognized to only one of its members in line with the provision of previous article.
3. Conditions, procedure and fields for which the specialization of lawyer and law firm may be recognized, shall be determined through the acts of KCA.

**CHAPTER XI
DISCIPLINARY LIABILITY OF LAWYERS AND LAW INTERNS**

**Article 50
Disciplinary Offences**

1. Lawyers and interns shall be liable for minor and serious violations of their duty and reputation of the bar before the KCA disciplinary bodies determined in its Statute.
2. Infringement of bar prestige as an independent profession is specifically considered to be a serious violation.
3. Serious violation is also considered any violation of official duty, reputation and of Lawyers Code of Ethics, that has a serious nature due to the importance of endangered goods, nature of violated official duty, the amount of material damage or other consequences, always taking into account the circumstances of committal or non-committal of offence.
4. Minor offence shall be a violation of official duty, prestige and Lawyer's Code of Ethics of minor bearing.
5. The KCA Statute prescribes serious violations of bar, prestige and Lawyer's Code of Ethics.

**Article 51
Disciplinary Measures**

1. For serious violations of bar duties and reputation, the following measures may be imposed:

- 1.1. warning;
 - 1.2. fine;
 - 1.3. losing the right to practice bar from six (6) months to five (5) years;
 - 1.4. losing the right to practice bar from five (5) to ten (10) years,
 - 1.5. permanent losing of right to practice bar.
2. For gross violation of bar duties and reputation, the following measures may be imposed to law intern:
- 2.1. fine;
 - 2.2. removal from the Register of law interns for six (6) months;
 - 2.3. permanent removal from the Register.
3. For minor violations of bar duties and reputation, warning or fine may be imposed to the lawyer, while warning may be imposed to the law intern.
4. Amount and destination of fines prescribed in this Article, shall be determined with the KCA Statute. The imposed fines shall be paid to the Chamber of Advocates.

Article 52 Initiation of Disciplinary Proceedings

1. The disciplinary proceeding is initiated by the disciplinary body, determined in the Statute, on ex-officio basis or upon the request of body prescribed in the Statute.
2. The disciplinary body shall inform the relevant body in his/her state of origin in case of initiation of disciplinary procedure against the foreign lawyers, who are registered in the Register of Foreign Lawyers in compliance to Article 40 of this Law.
3. Investigative Disciplinary Commission shall be obliged to enable the representative of competent body of foreign lawyer's state of origin to participate in proceedings and to give proposals for legal aid of a lawyer.
4. Disciplinary sentence and disciplinary measure limiting practicing of bar for the lawyer may be imposed only within the territory of the Republic of Kosovo.
5. If the competent body of the state of origin prohibits the lawyer on temporary or permanent basis to practice bar, the effect of such a decision shall also be valid for the territory of the Republic of Kosovo.

Article 53 Mutatis Mutandis Implementation of Law

In the disciplinary procedure against the lawyer or law intern, the provisions of the Criminal legislation and Criminal Procedure legislation shall apply mutatis mutandis, except if otherwise provided for in the Statute or any other general act of the KCA that is approved in compliance with this Law or the Statute.

Article 54
Execution of Fines

Final decisions of KCA disciplinary bodies imposing fines are executive documents, and the KCA is authorized to request their forcible enforcement in compliance to the provisions of the Law on Enforcement Procedure.

Article 55
Appeals in Competent Court

Against second instance respectively final decision imposing disciplinary measure – loss of right to practice bar from six (6) months to five (5) years, loss of right to practice bar from five (5) years to ten (10) years or permanent loss of right to practice bar or removal from the Register of law interns from six (6) months to three (3) years, and permanent removal from the Register of law interns, can be open administrative dispute to the competent court.

Article 56
Statutory Limitation

1. Initiation of the disciplinary procedure for minor violation shall undergo statutory limitation six (6) months following the notification for the violation and offender, and in any case shall undergo the statutory limitation one (1) year after the violation is committed.
2. Initiation of disciplinary proceedings for serious violations shall undergo statutory limitation one (1) year after the notification of the offence and offender, and in any case shall undergo the statutory limitation two (2) years after the violation is committed.
3. Execution of disciplinary measures imposed for minor violations shall undergo statutory limitation six (6) months after the decision becomes final.
4. Execution of disciplinary measures imposed for serious violations shall undergo statutory limitation one (1) year after the decision becomes final.
5. If against the reported lawyer criminal procedure for the same disciplinary offence has been instituted, the statutory limitation shall be suspended pending final decision in the criminal proceedings before common courts.
6. Following the conclusion of criminal proceedings, the statutory limitation for disciplinary proceedings continues.

CHAPTER XII
PUNITIVE PROVISIONS

Article 57

1. For the legal aid provided in contradiction to the provisions of this Law, Article 10, paragraph 2, a legal entity shall be fined for offence from four thousand (4,000) Euro up to forty thousand (40,000) Euro.
2. For the offence prescribed in paragraph 1 of this Article, a responsible person from the legal entity shall be fined from five hundred (500) Euro to five thousand (5,000) Euro.

3. For the offence prescribed in paragraph 1 of this Article that is repeated for the second time, except for monetary fine, the measure of withdrawal of permission to practice bar for six (6) months shall be applied; while for the offence repeated for the third time, except for monetary fine, the measure of permanent withdrawal of permission to practice bar shall be imposed.

Article 58

For the legal aid provided in contradiction to the provisions of this Law, natural person shall be fined from one thousand (1,000) Euro to five thousand (5,000).

CHAPTER XIII TRANSITIONAL AND FINAL PROVISIONS

Article 59

Timeline for Harmonization of KCA acts

1. KCA shall be obliged to harmonize the general acts with the provisions of this Law within one (1) year from the entry into force of this Law.

2. Until the Statute and other general acts of the KCA are adopted, the State and other general existing acts will be applied that they are not in contradiction with this Law.

Article 60

Insurance for Professional Liability

Provisions of this Law related to the insurance for professional liability shall apply starting from 1 January 2014.

Article 61

Pending Procedures

Pending procedures in KCA bodies at the time of entry into force of this Law shall be continued in line with applicable provisions at that time.

Article 62

Repeal provisions

With the entry into force of this Law, the Law on Bar No. 03/L-117 (Official Gazette of the Republic of Kosovo No. 49 of 23 September 2009), shall be repealed.

Article 63

Entry into Force

This Law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo.

Law No. 04/L-193

2 May 2013

Promulgated by Decree No.DL-025-2013, dated 21.05.2013, President of the Republic of Kosovo Atifete Jahjaga.