



THE CONSTITUTIONAL COURT TO REVIEW THE CONSTITUTIONALITY OF THE BAR PROFESSIONAL ADAPTATION PROGRAM FOR LAWYERS

Today, the Georgian Young Lawyers' Association has appealed to the Constitutional Court on behalf of Levan Asatiani. The subject of the dispute is Article 10 (1) (c) of the Law of Georgia “On Lawyers”, which imposes an obligation to take a professional adaptation program to enter the profession of the lawyer. The program obligates the plaintiff to take a one-year paid professional adaptation program, which includes a nine-month internship with a lawyer and a three-month theory course.

According to Article 11 of the Constitution of Georgia, all persons are equal before the law. The constitutional provision prohibits all cases of discrimination both in the form

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of unequal treatment of persons in substantially equal situations as well as in the cases where the impugned norm treats persons equally who are in substantially unequal conditions.

The disputed norm places an additional obligation to enter the lawyer's profession, while the plaintiff with many years of practical legal experience has already developed the skills which he may acquire in the professional adaptation program. Thus, the disputed norm contradicts Article 11 (1) of the Constitution of Georgia, as everybody, including those who have already gained the skills required by the professional adaptation program as a result of many years of legal practice, has to take a nine-month internship and a three-month theory course within the program.

GYLA does not challenge the constitutionality of the Professional Adaptation Program, though the organization finds it problematic that persons in unequal conditions are treated equally within the framework of the program. That is why the contested norm contradicts Article 11 (1) of the Constitution of Georgia.

The Georgian Young Lawyers' Association is handling the case with the support of USAID / PROLoG.