

The institution of the Business lawyer in Sweden

1. General - No Monopoly

The Swedish lawyer does not enjoy a monopoly concerning legal consultancy and representation of clients. Furthermore, Swedish law only recognizes one kind of lawyer; she/he who advises on legal matters and represents clients in court. Lawyers are therefore not allowed to call themselves specialists in particular fields of law. It is however current practice for lawyers to usually work in a distinct field of law. A certain expertise in that area is thereby achieved.

2. Education and requirements for admission to the legal profession

The teaching of law takes place at five different universities in the country. The most renowned being the universities in Stockholm, Uppsala and Lund. Normally, the law degree takes 4,5 years to complete. At the end, the student is a *juris kandidat* and can begin practical training. In order to be admitted to the Swedish Bar Association it is necessary to have completed a minimum of 5 years of practical training. Two years of this can be spent as a junior judge or as an assistant with different state authorities.

3. Organization of Law firms

The Swedish legal profession numbers approximately 3.200 members of the Swedish Bar Association. There has been an increase in this figure since the beginning of the 80's when there were no more than 2.000 members.

The members are organized into law firms, the three largest, with more than 100 lawyers (Mannheimer & Swartling and Vinge). Then there are a majority of medium-sized firms which consist of approximately 15-40 lawyers. These large and medium-sized firms are normally established as public limited companies.

In the limited companies only lawyers can be partners and they are employed by the limited company. Their income is composed of a salary and dividends.

The remaining 80% are small firms with 1, 2 or 3 lawyers. These are organized into other legal entities than the public limited company.

EUROLAWYERS ADVOKATFIRMA KB

P.O Box 3549 S 10369 STOCKHOLM SWEDEN
Tel: +46 8 660 35 70 Telefax 46 8 660 75 40

66 Avenue Victor Hugo- F 75116 PARIS FRANCE
Tel: +33 1 45 00 02 03 Telefax 33 1 45 00 60 99

Email: jjzander@eurolawyers.net

Member and founder of E.E.I.G Eurolaw a European Network of Business Lawyers see www.eurolaw.org

4. The lawyer's fees in Sweden (International Business Law)

Sweden does not have an official tariff scale for lawyers. The fee is however expected to cover expenses and include a reasonable amount for the services provided. Contingency fees are not allowed. Most Swedish business lawyers bill on an hourly basis which lies between 300 € -350 € for senior partners 200 € to 300 € for partners and 150€ -200 € for associates. Eurolawyers can provide you with the firm's General Conditions .

5. Professional conduct

The Swedish Code of Judicial Procedure contains a code of ethics for lawyers. The Bar Association also has a Rule of Conduct. The disciplinary committee of the Association supervises so that lawyers' practice in accordance to the standards. According to these standards, lawyers are allowed to advertise their services, including in the new medias and use websites. Clients are also often transferred to the law firm by audit firms. The Bar Association has also adopted the Code of Conduct for Lawyers in the European Community.

6. Litigation

The ordinary civil courts are divided in two levels, with a Supreme Court to review matters of special judicial importance. There are no court costs in Sweden, apart from a symbolical application fee. The procedure of a commercial case is largely performed in an oral form and is very similar to an arbitration. The litigation costs are mainly a result of the amount of work performed by the lawyer. It is difficult to determine these in advance. As an indication, proceedings in the first instance can cost from 7 000 € - 10.000 € The unsuccessful party must also bear the litigation costs of the successful party.

Arbitration in Sweden is very common and with the new *Swedish Arbitration Act*, which entered into force on 1 April 1999, the numbers of cases are predicted to be on the rise. Sweden is also home for the renowned Arbitration Institute of the Stockholm Chamber of Commerce.

7. Responsibility

Lawyers have insurance policies with the Bar Association and therefore provide liability guarantees from 3 million SEK per lawyer up to higher amount for a law firm. All legal services fall under this guarantee. The unlimited liability also applies when the law firm is a public limited company. Other professionals who are active in the field of legal consultancy cannot provide this service.

Eurolawyers 2009

Jean-Jacques Zander
Senior Partner