

How is the community organized? Is it represented or administered by one or more organizations ("organizing body")?

Instructions

Describe and document the relationship between the applying entity and the identified community.

How is the community organized? Are there one or multiple organizations ("organizing body") that represent or administer the community?

0. Definitions

"Profession d'avocat" (referred to as "Legal Profession" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer exclusively to the legal profession of lawyer, as regulated in France by Law No. 71-1130 of 31 December 1971, reforming certain judicial and legal professions, Decree No. 91-1197 of 27 November 1991, and the Barreaux' national rules of procedure.

"Avocat" (referred to as "Attorney" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to any person practising the Profession d'avocat and registered on the Tableau, whether a natural person (an Avocat individually registered with a Barreau) or a legal entity (a company or practice entity of Avocats registered with a Barreau).

"Barreau" (referred to as "Bar Association" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to all Avocats practising before each French judicial court, as well as before the Conseil d'État and the Cour de cassation, and registered on the Tableau.

"Ordre" (referred to as "Bar Association" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the democratic institution representing each Barreau, administered by a Conseil de l'Ordre chaired by a Bâtonnier (or by a President in the case of the Ordre des avocats près du Conseil d'État et de la Cour de cassation), elected by all avocats of that Barreau.

"Conseil de l'Ordre" (referred to as "Bar Association Board of Directors" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the representative and deliberative body of the Barreau, elected by all its Avocats.

"Bâtonnier" (referred to as **"President"** in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the person who chairs the Conseil de l'Ordre and whose mission is to represent the Avocats of their Barreau, uphold professional ethics, ensure discipline, and promote the activities of the Ordre.

"Tableau" (referred to as **"Roll"** in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the official list of Avocats of each Barreau adopted by the Conseil de l'Ordre, including two main sections: natural persons (Avocats individually registered with the Barreau) and legal entities (companies or practice entities of Avocats registered with the Barreau).

"Conseil National des Barreaux" and/or **"CNB"** (referred to as **"National Council of Bar Associations"** in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the public-interest organisation responsible for representing the Profession d'avocat nationally before public authorities.

"Conférence des Bâtonniers" shall hereinafter refer to the association representing 163 Barreaux and 45,000 Avocats.

"Centre Régional de Formation Professionnelle des Avocats" and/or **"CRFPA"** (referred to as **"School of Attorney"** in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the institution providing the initial professional training of Avocats to-be after they have passed the entrance examination organised through the Instituts d'Études Judiciaires, preparing them for the Certificat d'Aptitude à la Profession d'Avocat (or **"CAPA"**), and providing continuing training for Avocats.

"Caisse Autonome des Règlements Pécuniaires des Avocats" and/or **"CARPA"** (referred to as **"Attorney Payment Fund"** in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the intra-professional institutions that secure fund-handling transactions carried out by Avocats on behalf of their clients.

"Conseil de discipline" (referred to as **"Disciplinary Council"** in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to a professional disciplinary jurisdiction established at each french court of appeal and competent to hear breaches and misconduct committed by Avocats belonging to the Barreaux established within that jurisdiction.

"Syndicat d'avocats" and/or **"Association d'avocats"** (referred to as **"Attorney's Union"** and/or **"Professional Union"** in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the professional association of Avocats.

Association) shall hereinafter refer to a collective organisation of Avocats, distinct from the Ordres and Barreaux, responsible for advancing claims, defending professional interests, and participating in debate on the development of the Profession d'avocat.

"Institution de la Profession d'avocat" (referred to as *"Professional institution"* in the *Internal Regulations of the Bordeaux Bar Association*) shall hereinafter refer interchangeably to the Ordres, the CNB, and the Conférence des Bâtonniers.

"Communauté professionnelle des Avocats" shall hereinafter refer collectively to the Avocats, the Ordres, the CNB, the Conférence des Bâtonniers, the CRFPAs, the CARPAs, the Conseils de discipline, the Syndicats and Associations d'avocats, as well as ad hoc entities mandated by the Institutions de la Profession d'avocat and social and/or technical bodies mandated by the Institutions de la Profession d'avocat.

1. Representation and administration at national level: the Conseil National des Barreaux

The **Conseil National des Barreaux** is a public-interest body. It ensures the cohesion of the Profession d'avocat throughout the country. To that end, it has several responsibilities:

- Represent the Profession d'avocat and the Communauté professionnelle des Avocats before national public authorities and internationally;
- Establish standards for the Profession d'avocat by unifying rules and practices through general provisions, in particular through the National Internal Rules (RIN);
- Define the principles governing the initial and continuing training of Avocats and oversee the activities of the Centres Régionaux de Formation Professionnelle des Avocats.

It is composed of eighty members, all Avocats, elected for three years. The members of the Conseil National des Barreaux are divided into two electoral colleges:

- A general college, composed of all Avocats registered on the Tableau;

- An Ordre college, composed of the Bâtonniers and deputy Bâtonniers, as well as the members of the Conseils de l'Ordre of the various Barreaux.

The Conseil National des Barreaux is also chaired by an Avocat. The President of the Conférence des Bâtonniers and the Bâtonnier of Paris are its ex officio vice-presidents.

Other national and representative organizations also complement this system, including the **Conférence des Bâtonniers**, which brings together 163 Bâtonniers and defines itself as an Institution de la Profession d'avocat serving the Ordres in the daily and practical performance of their duties.

Other members of the Communauté professionnelle des Avocats operate at national level, including:

- The Syndicats d'avocats;
- Thematic or sector-specific Associations d'avocats.

These entities contribute to the representation of professional interests, the dissemination of best practices, and the collective organization of the Profession d'avocat at national level.

2. Representation and administration at local level: the Ordres of the various Barreaux

Local administration is carried out by the 164 French Barreaux, which are independent from one another and enjoy management autonomy.

Each Barreau is administered by a Conseil de l'Ordre, chaired by a Bâtonnier (or by a President in the case of the Ordre des Avocats before the Council of State and the Court of Cassation).

The members of the Conseil de l'Ordre are elected for three years, with one third of its membership renewed each year. The Conseil de l'Ordre has broad responsibilities, including the following:

- Institutionally represent the Avocats at local and national levels;

- Decide on the registration of Avocats on the Tableau;
- Ensure that Avocats comply with the professional conduct rules imposed by the Profession d'avocat;
- Adopt local internal rules;
- Manage the budget of the Ordre;
- Ensure the implementation of decisions taken by the CNB within the jurisdiction of the Barreau.

The Bâtonnier, who may be assisted by a deputy Bâtonnier, is elected for two years by the general assembly of the Avocats of the Barreau. The Bâtonnier chairs the Conseil de l'Ordre and represents the Barreau in civil matters and before the courts, subject to authorization by the Conseil de l'Ordre.

The Bâtonnier also plays a pivotal role by investigating professional conduct complaints filed against an Avocat registered within the jurisdiction of the Barreau and by conducting conciliation between the parties. In this capacity, the Bâtonnier may address disputes between Avocats, between an Avocat and a client, or between an Avocat and a judge. The Bâtonnier also has arbitration powers in disputes arising from an Avocat's employment or collaboration agreements.

A Conseil de discipline is also established within the jurisdiction of each court of appeal. It is composed of representatives of the Conseils de l'Ordre within the jurisdiction of each Barreau and hears infringements and misconduct committed by Avocats. By exception, the Barreau de Paris has its own Conseil de discipline.

Other members of the Communauté professionnelle des Avocats operate at local level, including:

- The Syndicats d'avocats;
- Thematic or sector-specific Associations d'avocats.

These entities contribute to the representation of professional interests, the dissemination of best practices, and the collective organization of the Profession d'avocat at local level.

Each Barreau, or group of Barreaux, must establish a **Caisse Autonome des Règlements Pécuniaires des Avocats (CARPA)**.

- This is an association responsible for receiving and monitoring funds, financial instruments, or valuables received by Avocats on behalf of their clients in the course of practising the Profession d'avocat;

- This structure guarantees the transparency and security of funds handling.

The Communauté professionnelle des Avocats is therefore organized around an **Ordre-based, structured, and hierarchical** system relying on national and local Institutions de la Profession d'avocat, embodied by the locally competent Barreaux. Other members of the Communauté professionnelle des Avocats, such as the Syndicats d'avocats and Associations d'avocats, are intended to represent the interests of Avocats.