

## Pro Bono Practices and Opportunities in Sweden<sup>1</sup>

### I. Introduction

The legal systems in Sweden and other Nordic countries are very similar, providing a comprehensive system of subsidized legal services. As a result, there has historically been little need for lawyers to provide free legal services in Sweden.

Unlike many other countries, there is no need to be a lawyer to practice law in Sweden, so anyone can provide pro bono legal services. However, lawyers in Sweden do not have the same tradition of working pro bono as lawyers in many other countries do, although the biggest law firms have increased pro bono work in recent years. The pro bono work in Sweden mainly consists of various social initiatives, such as projects related to human rights, the environment and the environmental impact and children's rights. One of the most well-known pro bono projects for lawyers in Sweden is "Advokatjouren", an organization, started by the Swedish Bar Association, which offers free legal consulting (for 15 minutes) to the public.

### II. Overview of Pro Bono Practices

(a)	Professional Regulation	
	1. Describe the laws/rules that regulate the provision of legal services?	<p>The Swedish Constitution is comprised of four fundamental laws: the Instrument of Government, the Act of Succession, the Freedom of the Press Act and the Fundamental Law of Freedom of Expression.<sup>2</sup></p> <p>Statutes are divided into acts, ordinances and regulations.</p> <p>Case law also plays an important role in the application of Swedish law throughout the court system.<sup>3</sup></p> <p>Under the Swedish Code of Judicial Procedure (Rättegångsbalken), a lawyer is required to act in accordance the Rules of Professional Conduct which are a codification of the practices established by the Board of the Swedish Bar Association (Sveriges Advokatsamfund) and the precedents of the Bar Association's disciplinary committees (Advokatsamfundets disciplinnämnd).</p>
	2. Describe any licensure requirements governing the provision of legal services.	<p>Any person may practice law in Sweden, but only members of the Swedish Bar Association are entitled to use the professional title of advocate (advokat).</p>

<sup>1</sup> This chapter was drafted with the support of Arvid Weimers of Roschier.

<sup>2</sup> The Swedish System of Government, available at <https://sweden.se/society/the-swedish-system-of-government/> (last visited on May 1, 2019).

<sup>3</sup> European Judicial Network, "Legal order – Sweden", available at [https://e-justice.europa.eu/content\\_legal\\_professions-29-se-en.do](https://e-justice.europa.eu/content_legal_professions-29-se-en.do) (last visited on May 1, 2019).

		<p>There are no obstacles to foreign-qualified lawyers practicing in Sweden without being established as an advocate under the Swedish system.</p> <p>Foreign-qualified lawyers are prohibited from representing a party in a Swedish court until he or she passes an examination in order to demonstrate sufficient knowledge of the legal system.<sup>4</sup></p>
<b>(b)</b>	<b>Pro Bono Practice and Culture</b>	
	<p>1. Describe the rules that regulate the provision of pro bono legal services e.g. any explicit regulation or limitation on providing free legal services in some or all contexts, details of any mandatory or minimum fees imposed on provision of legal services.</p>	<p>Lawyers admitted to the Swedish Bar Association (Sw. Sveriges Advokatsamfund) have to withdraw from the bar if they leave a law firm to practice privately in-house with a company or elsewhere. Hence, they are not governed by the rules and regulations, or under the supervision of, the Swedish Bar Association and can offer legal services as they wish (subject to the view of their employer and applicable employment agreement).</p> <p>There are no specific rules that regulate the provision of pro bono legal services.</p>
	<p>2. Are lawyers required by such rules to work a minimum number of pro bono hours? If so, how many?</p>	<p>Lawyers in Sweden are not required by the rules that govern them to work a minimum number of pro bono hours.</p>
	<p>3. Are aspiring lawyers required to complete a minimum number of hours of pro bono legal services in order to become licensed lawyers?</p>	<p>Aspiring lawyers in Sweden are not required to complete a minimum number of hours of pro bono legal services in order to become licensed lawyers.</p>
	<p>4. What are the main areas of law which require or present opportunities for the provision of pro bono legal services? What are the major unmet legal needs?</p>	<p>The pro bono work in Sweden mainly consists of various social initiatives, such as projects related to human rights, the environment and the environmental impact and children's rights. The pro bono work can also for example consist of supporting sport teams and start-ups.</p>
	<p>5. Who are the main providers of pro bono legal services? e.g., NGOs, governmental or other public services, schools and universities, private law firms (local or international) or corporate organizations?</p>	<p>Advocates and law firms engage in pro bono activities on a case by case basis, typically either when contacted directly by individuals needing assistance or by partnering with a non-profit organization for discrete or long term projects.</p>

<sup>4</sup> European Judicial Network, “European Judicial Network”, available at [https://e-justice.europa.eu/content\\_legal\\_professions-29-se-en.do](https://e-justice.europa.eu/content_legal_professions-29-se-en.do) (last visited on May 1, 2019).

(c)	<b>Obstacles to Provision of Pro Bono Legal Services</b>	
	1. Do lawyers require a license to provide pro bono legal services?	<p>Any person may practice law and offer pro bono legal services to the public, without the need for an authorization.</p> <p>Anyone may appear before any court, at any level of the court system, representing himself/herself or another person. In-house lawyers are therefore able to offer legal services to pro bono clients and represent pro bono clients in court. However, the members of the Swedish Bar Association have an exclusive right to offer legal advice under the professional title “advokat” and that title is protected by law and exclusively reserved for the members of the Bar.</p>
	2. Do foreign lawyers require any additional license(s) to provide pro bono legal services?	<p>Foreign-qualified lawyers are prohibited from representing a party in a Swedish court until he or she passes an examination in order to demonstrate sufficient knowledge of the Swedish legal system.<sup>5</sup> As such, foreign-qualified lawyers may be limited in their provision of legal aid and pro bono legal services until such qualification is met.</p>
	3. Do lawyers require professional indemnity legal insurance cover for any pro bono legal services that they provide? If so, are they prohibited from working under the cover of another pro bono provider, such as a private law firm or organization working on the same pro bono project?	<p>Lawyers in Sweden do not require professional indemnity legal insurance cover for any pro bono legal services that they provide however, it is advisable (also subject to view of the employer).</p>
	4. Are there any rules that prohibit advertising of pro bono successes or soliciting new pro bono clients?	<p>There are no rules in Sweden that prohibit advertising of pro bono successes or soliciting new pro bono clients.</p>
	5. Do lawyers receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked?	<p>Lawyers do not receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked.</p>
(d)	<b>Sources of Pro Bono Opportunities and Key Contacts</b>	
	1. Describe any governmental sources of pro bono and/or other legal services in Sweden.	<p>There are no governmental sources of pro bono in Sweden, the pro bono work is mainly private initiatives.</p>

<sup>5</sup> European Judicial Network, “European Judicial Network”, available at [https://e-justice.europa.eu/content\\_legal\\_professions-29-se-en.do](https://e-justice.europa.eu/content_legal_professions-29-se-en.do) (last visited on May 1, 2019).

<p>2. Describe the main non-governmental sources of pro bono and/or other pro bono resources in Sweden.</p>	<p>One of the most well-known pro bono projects for lawyers in Sweden is "Advokatjouren", an organization, started by the Swedish Bar Association, which offers free legal consulting (for 15 minutes) to the public. During the 15 minutes the person who visit "Advokatjouren" can get advice on how to move forward with any kind of legal issue. However, the lawyers of "Advokatjouren" do not offer drafting of documents. The organization offers meetings to the public with lawyers in several cities in Sweden.</p> <p>Please visit the webpage of the Swedish Bar Association to read more about "Advokatjouren".<sup>6</sup> For more information in English, please contact the Swedish Bar Association.</p>
<p>3. Is there any public or private organization with which a local or foreign attorney can register in order to be made aware of pro bono opportunities?</p>	<p>There is no Swedish public organization where foreign attorneys can register to get information about pro bono opportunities.</p>

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<sup>6</sup> See <https://www.advokatsamfundet.se/Behover-du-advokat/Advokatjouren/> (last visited on May 1, 2019).