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## I. GENERAL PROVISIONS

### MINISTRY OF THE PRESIDENCY, RELATIONS WITH THE COURTS AND DEMOCRATIC MEMORY

**3344** *Royal Decree 64/2023, of February 8, 2006, approving the Regulations of Law 34/2006, of October 30, 2006, on access to the professions of Lawyer and Attorney at Law.*

Law 34/2006, of October 30, 2006, on the access to the professions of the legal profession and the Attorney at Law sought to improve the professional training of those who practice the legal profession and the Attorney at Law as relevant collaborators of the Administration of Justice so that the citizens are guaranteed quality legal advice, legal defense and technical representation as essential elements for the exercise of the fundamental right to effective judicial protection. In its second final provision, it empowered the Government, the Ministries of Justice and Education and Science and the other competent ministerial departments to issue as many regulations as were necessary for the development and execution of the same.

In compliance with it, Royal Decree 775/2011, of June 3, approving the Regulations of Law 34/2006, of October 30, on access to the professions of Lawyer and Court Attorney, which was subject to timely amendment, in relation to Articles 17 and 20 of the Regulations, by Royal Decree 150/2014, of March 7.

The aforementioned Law 34/2006, of October 30, has been amended by Law 15/2021, of October 23, amending Law 34/2006, of October 30, on access to the professions of Lawyer and Court Attorney, as well as Law 2/2007, of March 15, on professional societies, Royal Decree-Law 5/2010, of March 31, extending the validity of certain temporary economic measures, and Law 9/2014, of May 9, General Telecommunications Law, in order to comply with the requirements made by the European Commission in relation to the model of access to the practice of law in Spain and which led to the opening of the infringement procedure 2015/4062. By means of Law 15/2021, of October 23, the reservation of the professional activity of the procuracy has been made more flexible, allowing the legal profession to also assume the technical representation of the parties and to develop the rest of the functions that are proper of the procuracy for the cooperation and assistance of the Courts.

Thus, a single access to the professions of law and procurement has been established, requiring the same official university degree (Bachelor's or Bachelor's Degree in Law) and the same specialized training course for both professions, so that those who pass the single test for the evaluation of professional aptitude may practice law or procurement without any other requirement than membership in the corresponding professional association, depending on which activity they decide to practice, with no other limit than the prohibition of simultaneous practice of both professions.

In this sense, the reform is consistent with Article 23.3 of Law 1/2000, of January 7, of Civil Procedure, and with Articles 542 and 543 of Organic Law 6/1985, of July 1, 1985, of the Judicial Power, from which the simultaneous exercise of both professional activities by the same individual is incompatible.

Finally, it is meant that the transitional regime provided for in paragraph 1 of the second transitory provision of Law 15/2021, of October 23, applicable to training courses and evaluation has been recently modified by virtue of the fourth final provision of Law 17/2022, of September 5, which amends Law 14/2011, of June 1, on Science, Technology and Innovation, and therefore, said transitional regime has been incorporated into this Royal Decree.

Consequently, the adaptation of the Regulations of Law 34/2006, of October 30, 2006, to the new regulation of the system of access to the practice of law and to the legal profession provided for in Law 15/2021, of October 23, 2021, is necessary and cannot be postponed, for which purpose this Royal Decree is hereby approved.

This Royal Decree complies with the principles of good regulation referred to in Article 129 of Law 39/2015, of October 1, of the Common Administrative Procedure of Public Administrations, principles of necessity, effectiveness, proportionality, legal certainty, transparency and efficiency.

Thus, the Royal Decree meets the need to comply with the first final provision of Law 15/2021, of October 23rd, being the regulation provided effective and proportionate for the fulfillment of this purpose and affecting the general interest due to the relevance for citizens of the regulation of the regime applicable to these professionals, whose performance is part of the functioning of the Administration of Justice.

In this case, it has been decided to approve a new Regulation by means of this Royal Decree, instead of amending the one currently in force, in view of the fact that there are several articles to be amended, in favor of the legal certainty of the resulting regulation and with the aim of contributing to a better knowledge of the conditions of access to the professions of lawyer and solicitor by the citizenship, proceeding to the repeal of the Regulation currently in force. Therefore, this Royal Decree is consistent with the existing regulations on the matter and is justified by the need to comply with the questions that the European Commission formulated with respect to the model of access to the practice of the legal profession, which gave rise to the opening of an infringement procedure against Spain.

As regards the principle of transparency, in addition to clearly identifying the objectives pursued by the Royal Decree in its preamble, as well as in the regulatory impact analysis report, the project has been subjected to the procedures of public participation, prior public consultation and public hearing and information, and it has been possible for potential recipients to actively participate in the drafting of the regulation.

In relation to the principle of efficiency, it is stated that the project does not impose new administrative burdens on those administered and contributes to an optimal allocation of public resources in order to achieve the programmed objectives.

The General Council of Spanish Lawyers, the General Council of Spanish Court Attorneys, the Council of Universities and the General Conference on University Policy have been consulted in its processing.

This Royal Decree complies with the first final provision of Law 15/2021, of October 23, which contains a mandate to the Government so that, at the proposal of the Ministries of Justice and Universities, a Royal Decree is approved to adapt the Regulations of Law 34/2006, of October 30, on access to the professions of Lawyer and Court Attorney, approved by Royal Decree 775/2011, of June 3, to the provisions of the aforementioned law within six months from the entry into force of the same.

The royal decree is issued under the provisions of Article 149.1.1.1, 6.<sup>a</sup> and 30. The Royal Decree is issued under the provisions of Article 149.1.1.<sup>a</sup>, 6.<sup>a</sup> and 30.<sup>a</sup> of the Spanish Constitution, which attributes to the State the exclusive competence to regulate the basic conditions that guarantee the equality of all Spaniards in the exercise of their rights and in the fulfillment of their constitutional duties; of procedural legislation, without prejudice to the necessary specialties that in this order are derived from the particularities of the substantive law of the Autonomous Communities, and in matters of regulation of the conditions for obtaining, issuing and homologation of academic and professional degrees and basic rules for the development of Article 27 of the Constitution, in order to guarantee compliance with the obligations of the public authorities in this matter.

No.

By virtue thereof, at the proposal of the Minister of Justice and the Minister of Universities, with the prior approval of the Minister of Finance and Public Function, in agreement with the Council of State, and after deliberation of the Council of Ministers, at its meeting held on February 7, 2023,

PROVIDED:

Sole Article. *Approval of the Regulations.*

The Regulations of Law 34/2006, of October 30, 2006, on access to the professions of Lawyer and Attorney, the text of which is included below, are hereby approved.

Sole additional provision. *No increase in public expenditure.*

The operation of the evaluation commission will be attended with the personal, technical and budgetary means assigned to the General Directorate for the Public Justice Service, without entailing an increase in public expenditure or remuneration.

First transitory provision. *Transitional regime applicable to lawyers and attorneys at law upon the entry into force of the requirement of the new professional title regulated in Law 34/2006, of October 30, 2006.*

1. In accordance with the provisions of paragraph 1 of the first transitory provision of Law 15/2021 of October 23, 21, lawyers already incorporated to a bar association or in a position to be incorporated because they meet all the necessary conditions to do so, may practice as solicitors under the terms established in Article 1 of Law 34/2006 of October 30.

2. Pursuant to paragraph 2 of the first transitory provision of Law 15/2021, of October 23, amending Law 34/2006, of October 30, on access to the professions of Lawyer and Court Attorney, as well as Law 2/2007, of March 15, on professional societies, Royal Decree-Law 5/2010, of March 31, extending the validity of certain temporary economic measures, and Law 9/2014, of May 9, General Telecommunications, those who, at the date of entry into force of the requirement of the new qualification for the practice of law and procuracy regulated in Law 34/2006, of October 30, 2006, had obtained the title of court attorney, were in possession of a Bachelor or Degree in Law and were incorporated to a bar association or in conditions to be incorporated because they fulfill all the necessary conditions to do so, may practice as legal practitioners, under the terms established in Article 1 of said law provided that they meet the following requirements:

a) Completion of the professional training course referred to in Article 3 of Law 34/2006, of October 30, 2006, without prejudice to the recognition and validation of credits corresponding to the acquisition of specific competencies in the field of procurement and to external internships.

b) Successful completion of the professional aptitude evaluation test, the purpose of which is to accredit, in an objective manner, sufficient training for access to the professional practice of law.

3. The course and the evaluation test referred to in the previous section must be passed within the two academic years following the date of entry into force of this Royal Decree.

No.

4. The evaluation test referred to in section 2.b) shall be carried out under the same terms and conditions provided for in article 7 of Law 34/2006, of October 30, and in its implementing regulations.

Second transitory provision: *Transitory regime applicable to training courses and evaluation.*

The training courses for lawyers and attorneys that were underway on the date of entry into force of Law 15/2021, of October 23, and those corresponding to the 2022-2023 academic year, shall be carried out in accordance with the regime prior to that established by said law until their completion and by the provisions of the Regulations approved by Royal Decree 775/2011, of June 3.

The evaluation tests of professional aptitude that were summoned and those corresponding to said academic courses shall also be carried out in the same manner.

Sole derogatory provision. *Repeal of regulations.*

Royal Decree 775/2011, of June 3, which approves the Regulations of Law 34/2006, of October 30, on access to the professions of Lawyer and Court Attorney and any provisions of equal or lower rank that oppose the provisions of this Royal Decree are hereby repealed.

First Final Provision. *Collegiate bodies.*

In accordance with the provisions of Article 22.2 of Law 40/2015, of October 1, on the Legal Regime of the Public Sector, the heads of the Ministry of Justice and the Ministry of Universities are authorized to modify or abolish the regime of collegiate bodies by ministerial order, even if their creation or regulation in force has been effected by this Royal Decree.

Second final provision. *Titles of competence.*

The royal decree is issued under the provisions of Article 149.1.1.1, 6.<sup>a</sup> and 30. The Royal Decree is issued under the provisions of Article 149.1.1.<sup>a</sup>, 6.<sup>a</sup> and 30.<sup>a</sup> of the Spanish Constitution, which attributes to the State the exclusive competence in matters of regulation of the basic conditions that guarantee the equality of all Spaniards in the exercise of their rights and in the fulfillment of their constitutional duties; of procedural legislation, without prejudice to the necessary specialties that in this order are derived from the particularities of the substantive law of the Autonomous Communities, and in matters of regulation of the conditions for obtaining, issuing and homologation of academic and professional degrees and basic rules for the development of Article 27 of the Constitution, in order to guarantee compliance with the obligations of the public authorities in this matter.

Third final provision. *Regulatory development.*

The heads of the Ministries of Justice and Universities are empowered to adopt the necessary provisions for the development and execution of this Royal Decree by means of a joint ministerial order.

Fourth final provision. *Entry into force.*

This Royal Decree shall enter into force on the day following its publication in the Official Gazette.  
"Boletín Oficial del Estado".

Given in Madrid, on February 8, 2023.

FELIPE R.

The Minister of the Presidency, Relations with the  
Courts and Democratic Memory,  
FÉLIX BOLAÑOS GARCÍA

## REGULATION OF LAW 34/2006, OF OCTOBER 30, 2006, ON ACCESS TO THE LEGAL AND PROCUREMENT PROFESSIONS

### CHAPTER I

#### General Provisions

##### Article 1. *Object.*

The purpose of these regulations is to implement Law 34/2006, of October 30, 2006, which regulates the conditions for obtaining the professional title for the practice of the legal and procurement professions.

##### Article 2. *General requirements.*

1. Obtaining the professional title for the practice of law and procurement requires the fulfillment of the following requirements:

- a) Be in possession of an official university degree in Law.
- b) Proof of having passed a specialized training course covering all the competencies required for the practice of law and procurement. Said course shall include internships in law firms, institutions or other entities related to the practice of said professions under the terms set forth in these regulations.
- c) Pass the final evaluation test accrediting professional training for the practice of law and procurement.

2. The training and evaluation of professional aptitude must be carried out in accordance with the principles of equal treatment and non-discrimination on the grounds of disability, age, sex, health, sexual orientation, gender identity, gender expression, sexual characteristics, racial or ethnic origin, religion or beliefs, or any other personal or social condition or circumstance, as well as the principle of universal accessibility. Likewise, the necessary technological support and the elimination of possible physical and communication barriers will be guaranteed to people with disabilities in the places where the internships are carried out.

##### Article 3. *Qualification requirements.*

1. The official university degrees of Bachelor's or Bachelor's Degree in Law referred to in Article 2.1.a) must accredit the acquisition of the following legal competences:

- a) Know and understand the elements, structure, resources, interpretation and application of the legal system and interpret the sources and fundamental legal concepts of each of the different legal systems.
- b) To know and understand the mechanisms and procedures for the resolution of legal conflicts, as well as the legal position of individuals in their relations with the Administration and in general with the public authorities.
- c) To know and know how to apply the criteria of priority of sources to determine the applicable norms in each case, and especially that of conformity with the rules, principles and constitutional values.
- d) Interpret legal texts from an interdisciplinary perspective using legal principles and social, ethical and deontological values and principles as analytical tools.
- e) To pronounce with a convincing legal argumentation on a theoretical question related to various legal subjects.

f) Solve practical cases in accordance with current positive law, which implies the prior elaboration of material, the identification of problematic issues, the selection and interpretation of the applicable positive law data and the argued exposition of the subsumption.

g) Handle with dexterity and precision the legal language and terminology of the different branches of law. Draft legal documents in an orderly and comprehensible manner. Communicate orally and in writing ideas, arguments and legal reasoning using the appropriate registers in each context.

h) Use information and communication technologies to search for and obtain legal information (databases of legislation, jurisprudence, bibliography, etc.), as well as work and communication tools.

2. The National Agency for Quality Assessment and Accreditation or the quality agencies of the autonomous communities, referred to in Article 25.2 of Royal Decree 822/2021, of September 28, which establishes the organization of university education and the procedure for quality assurance, shall include, where appropriate, in the evaluation report issued in the verification procedure of the corresponding study plan, accreditation of compliance with the requirements set forth in the preceding paragraph.

3. Possession of an official university degree in Law is a prerequisite for access to the specialized training course, without prejudice to the possibility provided for in Article 18.4 of Royal Decree 822/2021, of September 28.

## CHAPTER II

### **Specialized training**

#### *Article 4. Training courses.*

1. The training referred to in Article 2.1.b) required for the presentation to the final evaluation test for obtaining the professional title for the practice of law and procuration, may be acquired through the following ways:

a) Training given in public or private universities within the framework of the courses leading to an official University Master's Degree. These courses may also be configured by combining credits belonging to different curricula of studies leading to an official Master's degree from the same or another university, Spanish or foreign. In addition, universities may recognize credits obtained in other courses leading to an official Master's degree from the same or another university.

b) Training courses given by the schools of legal practice created by the Bar Associations and by the Bar Associations, and approved by the General Council of Lawyers and by the General Council of Attorneys of Spain, respectively, in accordance with public, objective and non-discriminatory criteria.

c) Training given jointly by public or private universities and legal practice schools approved by the General Council of Lawyers and by the General Council of Attorneys of Spain, respectively. The courses may be configured in accordance with the provisions of letter a), and in any case its curriculum must have been previously verified as teaching leading to an official Master's Degree.

All training courses, regardless of who organizes them, must guarantee a period of quality external internships in accordance with the provisions of Chapter III of these regulations.



2. The institutions and entities authorized to provide training aimed at obtaining the professional title for the practice of law and procurement shall obtain, prior to the start of the training, the accreditation of the courses provided for in Article 2.2 of Law 34/2006, of October 30, in accordance with the provisions of Articles 6 and 7 of these regulations.

*Article 5. Institutional collaboration.*

1. Universities wishing to provide specialized training courses referred to in Article 4.1.a) for obtaining the professional title for the practice of law and procuracy shall enter into an agreement with at least one bar association or bar association, in order to ensure compliance with the requirements of the internship period set forth in these regulations.

2. Similarly, bar associations or barristers' associations whose schools of legal practice wish to provide specialized training courses referred to in Article 4.1.b) must enter into an agreement with at least one university, in order to ensure compliance with the requirements set forth in these regulations regarding the professional competencies and suitability of the degree and the qualifications of the teaching staff.

3. When a university offers a bar association or barristers' association an agreement for the purpose of complying with the provisions of the two preceding paragraphs, the association may not refuse to enter into the agreement unless it proves the impossibility of assuming the obligations imposed by the agreement or offers alternative terms and conditions that are reasonable to achieve the proposed objectives. The same shall apply in the case of an agreement offered by a school of legal practice to a university.

4. The Universidad Nacional de Educación a Distancia may agree on the institutional collaboration provided for in this article with the corresponding General Councils of Professional Bar Associations of Lawyers or Attorneys.

*Article 6. Accreditation of specialized training courses given by legal practice schools.*

1. The procedure for the accreditation of training courses given by legal practice schools pursuant to Article 4.1.b) shall be subject to the following regime:

a) The application for accreditation of training courses must be addressed to the Ministry of Justice, which will evaluate the quality of the course, according to the following criteria:

- 1.º The relevance of the course, based on evidence of professional interest.
- 2.º The general objectives and acquired competencies.
- 3.º The clarity and adequacy of the systems that regulate the admission of students.
- 4.º The coherence of the foreseen planning.
- 5.º The adequacy of academic and support personnel, as well as material resources and services.
- 6.º The expected efficiency in relation to the expected results.
- 7.º The internal quality assurance system in charge of reviewing and improving the curriculum.
- 8.º The adequacy of the planned implementation schedule.
- 9.º The viability of the agreement entered into for the development, as the case may be, of the training period, as well as the sufficiency and quality of the external internship program, in accordance with the provisions of these regulations.

b) The Ministry of Justice will transfer the request for accreditation together with the accompanying documents to the Ministry of Universities and, once the latter issues its conformity, it will be transferred to the corresponding autonomous community so that within a period of twenty working days it may issue a mandatory report from its area of competence, in accordance with the regime contained in Articles 30 and 80 of Law 39/2015, of October 1, of the Common Administrative Procedure of Public Administrations.

c) The accreditation of the training courses will be formalized by joint resolution of the head of the General Secretariat for Innovation and Quality of the Public Justice Service and the head of the General Secretariat for Universities. After six months have elapsed from the submission of the application without a resolution having been issued, it shall be understood that the course has been accredited.

2. The accreditation must be renewed every six years by submitting an application accompanied by documentation proving that the training course maintains the conditions that led to its granting. However, the Ministries of Justice and Universities may make the appropriate reservations within three months of the presentation of the renewal, as well as, if necessary, refuse it.

3. Any modification of the training course that entails an alteration of the requirements set forth in Chapters II and III must be notified to the Ministry of Justice, which will evaluate jointly with the Ministry of Universities whether or not the modification entails a substantial change, in which case a new accreditation must be obtained.

4. The joint resolutions issued in accordance with the preceding paragraphs put an end to administrative proceedings.

*Article 7. Professional accreditation of the specialized training provided by the universities.*

1. The training provided by the universities pursuant to Article 4.1.a) and c) shall be subject to the procedures set forth in Chapter VII of Royal Decree 822/2021, of September 28.

2. The National Agency for Quality Assessment and Accreditation or the quality agencies of the autonomous communities referred to in Article 25.2 of Royal Decree 822/2021, of September 28, will include, where appropriate, in the evaluation report issued in the verification procedure of the corresponding study plan, the certification of the accreditation of compliance with the requirements set forth in Chapters II and III of these regulations.

3. When the National Agency for Quality Assessment and Accreditation or the quality agencies of the autonomous communities have issued the certification provided for in the previous section, the head of the General Secretariat for Innovation and Quality of the Public Justice Service and the head of the General Secretariat for Universities shall grant, by means of a joint resolution, the accreditation of this training for the purposes provided for in article 2.2 of Law 34/2006, of October 30.

4. The renewal of the professional accreditation must be carried out simultaneously with the renewal of the accreditation provided for in articles 34 and 35 of Royal Decree 822/2021, of September 28. If the National Agency for Quality Assessment and Accreditation or the assessment bodies of the autonomous communities report favorably on compliance with the requirements established in chapters II and III of these regulations, the head of the General Secretariat for Innovation and Quality of the Public Justice Service and the head of the General Secretariat for Universities shall grant, by means of a joint resolution, the renewal of the accreditation of this training for the purposes provided for in article 2.2 of Law 34/2006, of October 30.

5. Modifications involving a change of name will be subject to accreditation by joint resolution of the head of the General Secretariat for Innovation and Quality of the Public Justice Service and the head of the General Secretariat for Universities.

6. The joint resolutions issued in accordance with the preceding paragraphs put an end to administrative proceedings.

*Article 8. Registration of Specialized Training Courses.*

1. The Registry of Specialized Training Courses is public and informative, and its contents are available at the electronic headquarters of the Ministry of Justice. The person in charge of the General Directorate for the Public Service of Justice is responsible for the Registry.

2. Decisions taken by the head of the Directorate General for the Public Justice Service concerning specialized training courses for obtaining the professional title for the practice of law and the legal profession shall be entered in the Register ex officio. The resolutions adopted in the renewal and modification procedures involving a change of name shall also be subject to registration.

3. Failure to comply with the requirements to obtain the accreditation of the courses will result in the corresponding deregistration. When this circumstance becomes known, and after hearing the interested party, the appropriate resolution will be issued, in accordance with the provisions of articles 47 and 69 of Law 39/2015, of October 1.

4. An appeal may be lodged against the resolutions adopted before the head of the General Secretariat for Innovation and Quality of the Public Justice Service.

*Article 9. Scholarships for the completion of the training courses.*

The Government shall provide for the annual granting of scholarships for the completion of specialized training courses to obtain the professional title for the practice of law and the legal profession within the framework of the system of scholarships and personalized study aids.

*Article 10. Specific competencies of the specialized training courses for the practice of law and procurement.*

Specialized training courses for the practice of law and procurement shall ensure the acquisition of at least the following professional competencies:

a) Possess skills that allow applying the specialized knowledge acquired in the degree to the professional practice before courts or public authorities, as well as in advisory functions.

b) To know the techniques aimed at ascertaining and establishing the facts in the different types of proceedings, especially the production of documents, interrogations and expert evidence.

c) To know and be able to integrate the defense and the postulation of clients' rights within the framework of national and international jurisdictional protection systems.

d) To know the different techniques for the composition of interests and to know how to find solutions to problems by means of alternative methods to the jurisdictional route.

e) To know the procedural techniques and be capable of executing all acts entrusted to them or for whose execution they are empowered in the different jurisdictional orders, with special attention to deadlines, acts of communication, execution and means of enforcement.

f) To develop the skills and abilities necessary for the correct and efficient performance of the acts of communication to the parties in the process, and for an efficient collaboration with the courts in the execution of the judicial resolutions, knowing and differentiating the private interests that he represents from those of a public nature whose execution the Law and the courts entrust him with.

g) To know and know how to apply the professional deontological rights and duties in the relations of the person practicing as a lawyer or attorney with clients, other parties, courts or public authorities and among other persons practicing as a lawyer or attorney, as well as with other professionals.

h) To know and evaluate the different responsibilities linked to the practice of the professional activity, including the basic operation of free legal aid and the promotion of the social responsibility of the legal practitioner.

i) To know and apply the techniques directed to the identification and liquidation of customs duties, tax obligations, constitution of judicial deposits and attention of all expenses and costs necessary to guarantee the effective judicial protection of the rights of the represented parties.

j) Know how to identify conflicts of interest and know the techniques for their resolution, establish the scope of professional secrecy and confidentiality, and preserve independence of judgment.

k) Knowing how to identify the performance and organizational requirements that are decisive for legal advice and procedural representation.

l) To know and know how to apply in practice the organizational, management and commercial environment of the legal profession, as well as its legal, tax, labor and personal data protection framework.

m) To develop skills and abilities to choose the right strategy for the defense of the client's rights, taking into account the requirements of the different areas of professional practice.

n) Develop the ability to choose the most appropriate means offered by the legal system for the performance of quality technical representation.

ñ) To develop the skills and abilities necessary for the use of the procedures, protocols, systems and judicial applications required by the acts of communication and cooperation with the Administration of Justice, with special attention to those of an electronic, computer and telematic nature.

o) To have the necessary skills to assist the notary and registry functions in the exercise of their activity.

p) Know how to develop skills that allow them to improve the efficiency of their work and enhance the overall functioning of the team or institution in which they work through access to information sources, knowledge of languages, knowledge management and the use of applied techniques and tools.

q) To know, know how to organize and plan the individual and collective resources available for the practice in its different organizational modalities of the professional practice.

r) To know how to present facts orally and in writing, and to draw legal consequences in an argumentative way, according to the context and the addressee to whom they are addressed, in accordance with the modalities of each procedural field.

s) Know how to develop professional work in specific and interdisciplinary teams.

t) To know how to develop interpersonal skills and abilities that facilitate professional practice in their relations with citizens, other professionals and institutions.

#### *Article 11. Configuration of the curricula of the training courses.*

1. Overall, the curricula should comprise 90 European Credit Transfer System (ECTS) credits containing all theoretical training.

No.

and practice necessary to acquire the professional competences indicated in these regulations for the performance of the legal profession. Of these credits, 30 shall correspond to the completion of the supervised externships referred to in article 13 of these regulations.

2. Without prejudice to the accreditation of the professional training referred to in Chapter IV of these regulations, the institutions that provide education for the attainment of the professional title for the practice of law and procurement shall maintain procedures for the evaluation of the use of the specialized training received.

#### Article 12. *Faculty.*

1. The teaching staff of all training courses must have a balanced participation of lawyers and legal practitioners, on the one hand, and university professors, on the other, in such a way that the participation of the former in at least half of the teaching is guaranteed. Within the group of law and legal professionals, a proportion adjusted to the contents of each profession in the curriculum shall be maintained.

2. In addition, lawyers and attorneys at law who are part of the teaching staff must have been practicing law for at least the previous three years, and university professors must have a stable statutory or contractual relationship with a university.

### CHAPTER III

#### **External internships**

#### Article 13. *Content of the external internships.*

1. The training aimed at obtaining the professional title for the practice of law and procurement shall include the development of supervised external internships.

2. The internship program will have, among others, the following objectives:

- a) Facing professional deontological problems.
- b) To become familiar with the functioning and problems of institutions related to the practice of law and, where appropriate, of procurement.
- c) To know the activity of other legal operators, as well as professionals related to the practice of their profession.
- d) Receive updated information on career development and possible lines of activity, as well as on the instruments for their management.
- e) In general, to develop the competencies and skills necessary for the practice of law and, where appropriate, procurement.

3. In the accreditation procedure referred to in articles 6 and 7, the institution providing the specialized training course must state the generic content of the internship, the places where it is carried out, the duration of the internship, the expected results, the persons, institutions or entities participating in it, the existence or not of a procedure for evaluating the results, the number of students per tutor or the procedures for complaints or substitution of tutors. When the entity providing the specialized training course is a university, the professional association with which it has entered into an agreement for the fulfillment of the internship program must also be specified.

4. The external supervised internships of a training nature shall be adjusted to their purpose, and may not imply, under any circumstances, an employment or service relationship, nor give rise to the substitution of the labor provision of jobs.

**Article 14. *Places where the internships are to be carried out.***

The internship will be carried out in one or more of the following institutions: courts or tribunals, public prosecutors' offices, law firms, law firms, public administrations, official institutions, companies, police establishments, penitentiary, social or health service centers and non-profit organizations.

**Article 15. *Tutorials.***

1. In view of their specific content, external internships must be supervised by a team of professionals, headed by a person who has been practicing law for more than five years, in accordance with the terms set forth in Article 6.2 of Law 34/2006, of October 30.

2. The tutoring teams must draw up a report every six months explaining the activities they have carried out in the exercise of their functions, which must include a brief reference to the evolution of each student. For this purpose, and for the best development of the internship, the students have the right to meet with the members of the tutoring team in charge of them.

3. In the performance of their duties, the tutors at the head of each tutoring team shall comply with the regime of rights and obligations, as well as the disciplinary responsibility contemplated in the general statutes of the legal profession. When the institution or entity providing the training considers that they have not duly fulfilled their obligations, they shall inform the professional association where they are registered.

## **CHAPTER IV**

### **Accreditation of professional training**

**Article 16. *Content of the evaluation.***

1. The evaluation of the professional aptitude for the access to the legal profession and to the procuracy shall be unique and identical throughout the Spanish territory.

2. The evaluation shall be aimed at verifying the practical training sufficient for the professional practice of law and procurement, and in particular, the acquisition of the competencies that must be guaranteed by the specialized training courses as established in these regulations.

3. The evaluation will consist of an objective written test of theoretical-practical content with answers or multiple answers. The test will be conducted in person or online at the discretion of the Ministry of Justice, who will expressly indicate it for each call.

4. The content of the evaluation will be set for each call by the Ministry of Justice. To this end, throughout the period since the last call and in any case prior to the holding of the next call, the autonomous communities, the General Council of the Judiciary, the universities, the General Council of Spanish Lawyers and the General Council of Spanish Bar Associations may submit proposals to the Ministry of Justice.

5. The Ministry of Justice will keep an informative practical guide of the evaluation process, as well as its content, updated on its website.

#### Article 17. *Call for evaluation.*

1. The professional aptitude evaluations will be called by the Ministries of Justice and Universities at least once a year, and will be published in the "Official State Gazette" at least three months before they are to be held.
2. The call for applications may not contain a limitation on the number of vacancies.
3. The Ministry of Justice will guarantee through its electronic site the electronic submission of applications for participation in the evaluation test, as well as the reception by the same means of its result.
4. Applicants must be of legal age, must be in possession of the official university degree referred to in Article 2.1.a) and must have passed the specialized training course referred to in Article 2.1.b), and must not be disqualified from practicing law.

#### Article 18. *Evaluation Committee.*

1. For each call, in the event that the test is conducted online, the Ministry of Justice and the Ministry of Universities shall form an evaluation committee and appoint its members in accordance with the following rules for participation in the same:

a) Composition:

The following members shall be members of the committee:

- 1.º A career civil servant with a legal specialty, belonging to one of the bodies integrated in group A, subgroup A1 of the General State Administration, at least level 29, representing the Ministry of Justice.
- 2.º A career civil servant with a legal specialty, belonging to one of the bodies integrated in group A, subgroup A1 of the General State Administration, at least level 29, representing the Ministry of Universities.
- 3.º A career civil servant belonging to a body of legal specialty, representing the Community of Madrid, at the proposal of the same.
- 4.º One person practicing lawyer with more than five years of professional practice, representing the General Council of Spanish Lawyers, at the proposal of said entity.
- 5.º One person practicing law with more than five years of professional practice, representing the General Council of Associations of Attorneys of the Courts of Spain, at the proposal of said entity.
- 6.º A university lecturer in one of the different legal disciplines, representing the Council of Universities, at the proposal of said body, from among the teaching staff with permanent links to a university.
- 7.º One person representing the General Council of the Judiciary at the proposal of said body.

The Presidency of the committee shall correspond to the representative of the Ministry of Justice, as referred to in section 1, whose vote shall be decisive, and the Secretariat shall correspond to the representative of the Ministry of Universities, as referred to in section 2, who shall have the right to speak and vote.

In case of vacancy, absence, illness and, in general, when there is a justified cause, the full members of the evaluation committee shall be replaced by the corresponding substitutes, who shall be appointed in the same manner as the full members.

The composition of the evaluation committee shall comply with the principle of balanced presence between men and women, in accordance with Organic Law 3/2007, of March 22, 2007, for the effective equality of women and men.

b) The functions of the committee will be those related to the organization, direction and management of the exercises, bearing in mind their confidentiality, as well as the anonymity of the persons who present themselves.

c) Without prejudice to the provisions set forth in these regulations, the organizational and operational regime of the evaluation committee shall comply with the provisions of Section 3.<sup>a</sup> of Chapter II of the Preliminary Title of Law 40/2015, of October 1, on the Legal Regime of the Public Sector, for collegiate bodies.

2. In the event that the evaluation test is carried out in person, in each autonomous community there shall be an evaluation commission for the access to the legal profession and to the procuracy. Exceptionally, when the number of candidates or other circumstances so justify, several commissions may be formed within the same autonomous community or a single evaluation commission for several autonomous communities, in the manner provided for in the corresponding summons order.

The composition of said evaluation commissions and the appointment of their members, as well as their functions and their organizational and operational regime shall be in accordance with the provisions of paragraph 1, except for the official representing the Community of Madrid, who shall be replaced, where appropriate, by the representative proposed by the autonomous community concerned, belonging to a legal specialty corps.

#### *Article 19. Qualification of the evaluation.*

1. The final grade of the evaluation will be pass or fail.
2. The final grade will result from the weighted average between seventy percent of the grade obtained in the evaluation and thirty percent of the grade obtained in the training course regulated in article 4.
3. The final grade will be notified to each applicant individually and anonymously.
4. When the evaluation has not been passed, the candidates may submit a written request for review to the evaluation committee within three working days of notification of the result. The chairman of the committee shall resolve the claim within ten working days. The resolution of such claim shall put an end to the administrative procedure, leaving the contentious-administrative procedure open.
5. The results of the evaluations and the complaints filed against them will be sent to the Ministry of Justice by the evaluation committee.