



Afghan Independent Bar Association

BY-LAWS

Chapter 1

GENERAL PROVISIONS

Basis

Article 1:

These By-Laws have been adopted pursuant to Articles 4 of the Advocates' Law and the Law of Social Organizations to regulate the affairs concerning the structure and duties, meeting procedures, activities, responsibilities and the Code of Conduct of the members of the Afghan Independent Bar Association.

Objectives

Article 2:

The Afghan Independent Bar Association functions to achieve the following objectives:

1. To support the implementation of Islamic instructions, rule of law and social justice;
2. To defend human rights and to fight against any kind of discrimination on the basis of gender, ethnicity, language, color, disability or social or economic status;
3. To ensure respect for the fundamental rights and freedoms of Afghan citizens before legal and judicial institutions;
4. To improve access to justice in courts and inspection institutions through the provision of appropriate and regulated legal services;
5. To distribute licenses to practice law to those who meet the requirements set out in the Advocates' Law and these By-Laws;
6. To establish effective legal education programs to develop the professional knowledge of advocates regarding national and international legal standards;
7. To protect and defend the independence of advocates and their professional rights;
8. To regulate and uphold professional ethics and standards amongst the members and to encourage them to treat their clients properly;
9. To encourage advocates to protect their professional dignity and pride, to enhance public confidence in the work of advocates to fight against any kind of corruption;
10. To ensure legal aid for individuals in criminal, civil and commercial matters;
11. To monitor the professional activities of advocates;
12. To coordinate advocates' activities and to support and defend their rights;
13. To ensure free legal services for indigent suspects and accused persons in accordance with the law;

14. To provide a variety of public legal awareness programs; and
15. To engage in joint efforts between association and other judicial inspection institutes.

Independence

Article 3:

The Afghan Independent Bar Association is an independent, non-governmental and non-political organization which functions as the representative body for advocates to achieve the goals set out in these By-Laws and in accordance with the Constitution of Afghanistan, the Advocates' Law and other laws of Afghanistan.

Base of Operation

Article 4:

The central office of the Afghan Independent Bar Association shall be based in Kabul, sub-offices may be established in other provinces as needed.

Abbreviated Name

Article 5:

Hereafter in these By-Laws the Afghan Independent Bar Association is referred to as the 'Association'.

Chapter 2

STRUCTURE, DUTIES AND AUTHORITIES

Structure

Article 6:

The Association is composed of a General Assembly, a Leadership Council, an Executive Board, a Monitoring Board, and other Committees.

General Assembly

Article 7:

The General Assembly is the highest authority of the Association and is composed of the Leadership Council, Executive Board, Monitoring Board, Election and Education committees and of the members of the Association.

Powers of the General Assembly

Article 8:

The General Assembly has the following authorities:

1. To elect and remove the Executive Director, the Leadership Council and the Monitoring Board;
2. To define the policy of the Association and give principal directions for the Association's activities;
3. To suggest plans for amendment of Advocate's Law;
4. To approve and amend the By-Laws;
5. To hear the annual report of the Association.
6. To take other decisions as necessary.

Leadership Council

Article 9:

1. The Leadership Council is the second highest authority in the Association and consists of 15 members, including the Executive Board;
2. Of the 15 members of the Association, at least 3 shall be female advocates;
3. Candidates for the Leadership Council shall have the following qualifications:
 - (i) Citizens of Afghanistan;
 - (ii) Three years professional experience for advocates who hold Bachelor's degrees or higher from national or international Faculties of Law, Political Sciences or Shariat;
 - (iii) At least five years professional experiences for graduates of recognized national or international religious seminaries (Madrassas) or its equivalent; and
 - (iv) Good standing.

Powers of the Leadership Council

Article 10:

The Leadership Council has the following powers and duties:

1. To coordinate and supervise the implementation of the budget and the instructions of the General Assembly;
2. To hear and evaluate reports from the Executive Board;
3. To approve the work plan, administrative structure and adopt the annual budget;
4. To submit the annual report to the General Assembly;
5. To appoint and remove the Chairman and members of the Elections Committee and Education Committee;
6. To take decisions regarding contact with other bar associations and governmental agencies;
7. To call extraordinary general meetings in accordance with these By-Laws; and
8. To approve the amount of membership and license fees.

Executive Board

Article 11:

The Executive Board is the permanently active organ of the Association which is composed of the President of the Association, Vice-President(s), Treasurer and Executive Director, and leads and manages all the executive affairs of the Association in accordance with the provisions of the Advocates' Law and these By-Laws.

Powers of the Executive Board

Article 12:

The Executive Board has the following powers and duties:

1. To lead and manage the administration and the organization of the affairs of the Association;
2. To direct the implementation of the Association's work plan and policy and fulfill the goals of the Association;
3. To implement the budget and monitor the expenses of the Association;
4. To direct the implementation of the instructions given by the General Assembly and the Leadership Council; and
5. To submit the Performance Report to the Leadership Council.

Monitoring Board

Article 13:

1. The Monitoring Board consists of five members who are elected by the General Assembly for a period of two years. The President of the Board shall be elected by the other members of the Monitoring Board;
2. At least one of the five members of the Monitoring Board shall be a female advocate.

Powers of the Monitoring Board

Article 14:

1. The Monitoring Board has the following powers and duties:
 - (i) To monitor the implementation of instructions given by the General Assembly and the Leadership Council;
 - (ii) To monitor the observance of the provisions of these By-Laws;
 - (iii) To investigate complaints of the members of the Association;
 - (iv) To monitor the financial affairs of the Association; and
 - (v) To impose disciplinary measures on advocates acting in violation of these by-Laws.
2. The procedure of the Monitoring Board shall be approved by the General Assembly.

Election Committee

Article 15:

1. The Election Committee is designed to conduct elections and is composed of five members who shall be appointed by the Leadership Council one month before the elections are due to be held.
2. At least one member of the Election Committee shall be a female advocate.
3. The President of the Election Committee shall be elected from amongst the members of the Committee and shall lead and regulate the affairs of the Committee.
4. In order to have a fair election, the Election Committee may invite independent national or international observers to the elections.
5. The Election Committee shall regulate the affairs of the election in accordance with the rules enacted by the Association.

6. The procedures relating to the operation of the Election Committee shall be approved by the Leadership Council.
7. The Election Committee shall be dissolved once the elections process is finished.

Education Committee

Article 16:

1. An Education Committee shall be elected by the Leadership Council for the period of one year to arrange trainings and administer the Association's admission examination for those wishing to enter the legal profession. The Education Committee shall consist of five members including the President of the Association as Chairman of the committee.
2. The Education Committee shall make rules regarding public legal trainings and set the entry requirements in a separate procedure.
3. The procedure of the Education Committee shall be approved by the Leadership Council.

Sub-Committees

Article 17:

The Leadership Council may establish other sub-committees as needed.

Chapter 3

ELECTORAL PROCEDURES, POWERS AND DUTIES OF THE EXECUTIVE BOARD

President

Article 18:

The President of the Association shall be elected by the General Assembly for a three year period in accordance with these By-Laws.

Powers and Duties of the President

Article 19:

The President possesses the following authorities:

- (i) To chair the annual sessions of the General Assembly;
- (ii) To chair the sessions of the Leadership Council and Executive Board;
- (iii) To participate in the sessions of the Education Committee;
- (iv) To appoint and to remove of staff of the Association;
- (v) To present the Annual Report of the Association to the Leadership Council and to the General Assembly; and
- (vi) To call extraordinary sessions of the Leadership Council as needed.

Vice Presidents

Article 20:

1. The Association shall have two Vice-Presidents who will be elected by the General Assembly for a two year period in accordance with these By-Laws;
2. One of the two vice presidents shall be elected from amongst female advocates;
3. The Vice-Presidents shall assume the duties of the President in his/her absence in accordance with these By-Laws;
4. The President shall determine the authorities and duties of the Vice Presidents;
5. The Vice Presidents shall provide the President with the necessary support and assistance in the performance of his/her duties;

Treasurer

Article 21:

1. The Treasurer shall be elected by the General Assembly for a two year period in accordance with these By-Laws.
2. The Treasurer shall have appropriate knowledge of finance and accounting.
3. The Treasurer shall have the following duties and responsibilities:
 - (i) Deposit income of the Association in the organization's bank account;
 - (ii) Administer the mechanism by which Members report on their annual income to the Association;
 - (iii) Register the movable assets of the Association;
 - (iv) Keep the financial documents of the Association; and
 - (v) Present to the Ministry of Finance a quarterly report on Association's revenues.

Executive Director

Article 22:

1. The Executive Director is the principal Executive Officer of the Association and shall be appointed by the General Assembly for two years;
2. The Executive Director may be elected for a second term;

Duties and authorities of the Executive Director

Article 23:

The Executive Director shall perform the following duties and authorities:

- (i) Manage and implement the policy of the Association and its activities;
- (ii) Manage the administrative affairs of the Association;
- (iii) Manage the day-to-day running of the central office and supervise the management and running of any regional branches;
- (iv) Supervise activities of all staff
- (v) Attend meetings of the Leadership Council;
- (vi) To prepare the agenda of the General Assembly meetings as well as for Meetings of the Leadership Council;

- (vii) To inform members of the date, and location of the ordinary and extraordinary, annual general meetings of the Association;
- (viii) To prepare and organize the documents of the Association;
- (ix) To register the decisions of the Leadership Council and General Assembly;
- (x) To prepare the voting list for the Council's election and list of candidates;
- (xi) To prepare reports and their submission to the President; and
- (xii) To perform any other tasks as requested by the Executive Board.

Performance of duties

Article 24:

The President and the members of the Association will have individual responsibilities in the performance of their duties and collective responsibilities in the implementation of the instructions of the General Assembly.

Voting

Article 25:

Voting in all stages of the elections shall take place by direct, secret and free vote and each member shall be entitled to one vote.

Chapter 4

MEETING PROCEDURES

Meeting Procedures of the General Assembly

Article 26:

1. The ordinary meetings of the General Assembly shall be held every year;
2. Extraordinary meetings can be called at the proposal of one third of the Members or at the proposal of the Leadership Council;
3. The Members will be notified of the location and the agenda of the meeting by the Executive Director no less than two weeks before the meeting;
4. The Executive Director will prepare the agenda of the meetings and distribute them to the members of the Association; and
5. If a Member or a group of Members wish to include an item for discussion on the agenda, he/she/they shall inform the Executive Director no less than 3 days before the meeting.

The Quorum for Meetings and Voting for the General Assembly

Article 27:

1. The quorum for each General Assembly meeting is the majority of all Members of the Association;
2. Decisions made by the General Assembly are adopted with absolute majority (half plus one) of the present Members. In case of equal votes, then the side which has the president is regarded as winner; and
3. At all meetings each Member present shall be entitled to one vote.

Leadership Council Meetings

Article 28:

1. Meetings of the Leadership Council shall be held once every three months;
2. The quorum for meetings of the Leadership Council shall be the presence of the majority of its members;
3. Decisions shall be made with the presence of the quorum;
4. Meetings of the Council shall be held in the Association's central offices;
5. The Executive Director shall prepare the agenda of the meeting and inform the members of the meeting no less than one week prior to the meetings; and
6. The Leadership Council may make rules regulating its meeting procedures and practice.

Executive Board Meetings

Article 29:

1. The quorum for meetings of the Executive Board shall be three members including the President or one Vice-President.
2. Meetings of the Executive Board shall be held at least once a week.
3. Meetings of the Executive Board shall be held under the chairmanship of the President and in his or her absence, by the Vice President.
4. Meetings of the Executive Board shall be held in the Association's central offices.
5. The Association may make rules regulating its meeting procedures and practice.

Chapter 5

MEMBERSHIP, RIGHTS AND DUTIES

Membership

Article 30:

The Members of the Association shall be all those who have met the requirements of the Association set out in Article 6 and other provisions of the Advocates' Law.

Rights of Members

Article 31:

Members of the Association have the following rights:

1. To elect and to be elected in all electoral posts of the association in accordance
2. with these By-Laws;
3. To vote at all meetings of the Association, unless otherwise provided for in the By Laws;
4. To provide comments freely in the meetings of the Association;
5. To provide proposals and comments for the improvement of the affairs related to the Association; and
6. Use the facilities and privileges of the Association.

Obligations of Members

Article 32:

Members of the Association have the following obligations:

1. To pay the membership fee and admission fee in accordance with these By-Laws.
2. To take part actively in progressing the affairs related to the Association.
3. To apply and respect the resolutions of the authoritative organs of the Association.
4. To attend the ordinary general meetings.
5. To defend the rights of indigent accused and suspects without charge in accordance with the provisions of the Advocates Law.
6. To observe the provisions of the Advocates' Law, these By-Laws and the Code of Conduct.
7. To cooperate with the Legal Aid Board in the provision of legal aid services.

Honorary Members

Article 33:

The Leadership Council may accept other people as honorary members of the Association. The honorary members shall not have the right to vote, elect or be elected.

Chapter 6

ELECTION AND REMOVAL OF MEMBERS

Removal Procedures

Article 34:

1. Members of the Leadership Council, the Executive Board, the Monitoring Board, the Elections Committee the Education Committee may be removed in the following circumstances:
 - (i) Incapability of performing his/her duty.
 - (ii) Suffering from mental or physical incurable disease that prevents the member from performing his/her duties.
 - (iii) Incapable of performing his/her assigned task.
 - (iv) Conviction of a criminal offense.
 - (v) A violation of these By-Laws and other documents of the association.
2. In the case of paragraphs (iii) and (v) of this article, the removal of the officer in question shall be by the majority vote of the members of the Leadership Council.
3. In the case of paragraphs (1) of this article or in the case of death of one of the elected members, the Association may replace the removed member with a another qualified person and in accordance with the By-Laws, in question by secret, free and direct election.

Resignation

Article 35:

1. Members of Leadership Council, Executive Board, Monitoring Board, Election Committee or Education Committee or any member of the Association may resign from office by presenting a reasonable excuse in writing to the Association. The Leadership Council shall approve the resignation of Members of Leadership Council, Executive Board, Monitoring Board, Election Committee or Education Committee.
2. Where the resignation is approved the new members will be elected in accordance with these By-Laws.

Chapter 7

DISCIPLINARY PROVISIONS

Complaints against Advocates

Article 36:

1. Any individual may submit his/her complaints in writing regarding the behavior of AN advocate or an advocates' employee to the Monitoring Board.
2. The Secretary of the Monitoring Board shall notify the advocate against whom the complaint has been filed within two weeks.

Monitoring Board Decisions

Article 37:

1. After an allegation has been submitted to the Monitoring Board, the Monitoring Board may, after examining the matter:
 - (i) conduct an investigation into the complaint;
 - (ii) Require the parties to appear before it;
 - (iii) Refer the allegation to the Executive Director for mediation;
2. Where the allegation found to be justified, the Monitoring Board shall take disciplinary action.

Code of Conduct

Article 38:

1. Affairs relating to the provision of legal assistance, relations between clients and advocates and courts. Details on the protection of client's rights and the Code of Conduct for advocates are set out in Annex 1 of these By-Laws.
2. Where the Monitoring Board is of the opinion that there are grounds to believe that the advocate has violated the Code of Conduct, the Board may investigate his or her case.

Summoning procedures before the Monitoring Board

Article 39:

1. The Monitoring Board may summon the advocate and the complaint and investigate the case.
2. The Monitoring Board may ask the parties for additional evidence.
3. The advocate shall respect the orders of the Monitoring Board

4. If the advocate ignores the instructions of the Monitoring Board for one week from the date the instructions were given, the advocate may be warned once again.

Appeals

Article 40:

The advocate has the right to appeal the disciplinary punishment imposed by the Monitoring Board, the Leadership Council or the Executive Board to the court.

Chapter 8

FINAL PROVISIONS

License

Article 41:

1. The License is a legal document, the form and contents of which are determined by the Association. A license shall be given to the applicant for a fixed price in accordance with the provisions of the Advocates' Law and these By-Laws.
2. The fee for the license is (1000) Afghani.
3. A sample of the license is attached to these By-Laws.

Fees

Article 42:

1. The fee, rights and duties of advocates and clients shall be determined in a written contract between the parties;
2. The contract set forth in paragraph (1) of this article is attached to these By-Laws.

Pro-bono cases

Article 43:

The advocate is obliged each year to defend three criminal cases free of charge for indigent persons; the cases shall be identified by Ministry of Justice.

Educational and practical work

Article 44:

Advocates can allow graduates from Madrassas and students from Faculties of Law and Sharia or equivalent institutions for professional training and practical work in accordance with the Advocates' Law and the Association's guidelines.

Income

Article 45:

1. All the income of the Association shall be deposited to the Association's bank account by the Treasurer.

2. The Association may increase the annual budget, membership and license fees.

Inspection of the financial affairs of the Association

Article 46:

1. The financial affairs of the Association shall be monitored and inspected by the Monitoring Board.
2. The Association may invite independent and international inspectors to inspect and evaluate the financial affairs of the Association.

Paralegals

Article 47:

An advocate can recruit paralegals to assist him or her in performing his/her duties. The rights and obligations of paralegals shall be in accordance with the Advocate's Law and the Association guidelines.

Affiliation with other Associations

Article 48:

The Association shall have collaboration with similar international Associations.

Accepting Funds

Article 49:

The Association may accept funds from national and international real and legal persons in accordance with Article 30 of the Advocates' Law.

The Right to take part in Elections

Article 50:

The person who possesses the membership of the Association and his/her name has been added to the Roster of Practicing Advocates, shall have the right to vote for the Leadership Council, Executive Board and Monitoring Board.

Uniform

Article 51:

Advocates shall have a special uniform, which shall be identified by the Leadership Council.

Article 52:

These By-Laws shall enter into force after being approved by the General Assembly, published and registered to Ministry of Justice

Annex Number (1)

The Code of Conduct of the Afghan Independent Bar Association

CHAPTER ONE

GENERAL PRINCIPLES

Purpose

Article One:

The Association shall take the necessary measures to ensure proper relations between clients and advocates, to defend their rights and to promote and enhance the ethical and professional standards of advocates in order to provide a better service to their clients. The advocates' Code of Conduct shall be set out in this annex.

Observance of professional conduct

Article Two:

Advocates shall be duty bound to conform his/her behaviour, to the standards set out in the provisions of the Advocates' Law and these By-Laws during the performance of legal services and the provision of legal advice.

Independence

Article Three:

Advocates shall be duty bound to maintain his/her independence and shall make his/her professional judgments independently when providing advice, defending his/her clients, and giving legal advice to his/her clients. He/she shall do so impartially and by giving priority to professional standards over his/her own personal, financial or political interests.

Honesty, Integrity and Fairness

Article Four:

Advocates shall at all times observe the highest standards of honesty, integrity and fairness before the Court, other institutions and amongst fellow advocates, and shall avoid presenting false or misleading statements to officials.

Reporting misconduct or violations of the law by other advocates

Article Five:

If an advocate receives any information regarding the violation of the law or the misconduct of another advocate, or his/ her staff, he/she shall be duty bound to report the matter to the Association.

Prohibition on receiving of goods except for lawful fees for services

Article Six:

- (1) An advocate shall not demand money, gifts or other benefits for him/herself or another person other than lawful fees for services.
- (2) An advocate shall not demand money, gifts or any other benefits from the client for him/herself or another person, to perform, not to perform or refrain from the performance of a duty other than lawful fees for services.
- (3) An advocate shall not give money, gifts or any other benefits to encourage another advocate, judge or any another authority to perform or refrain from the performance of a duty has been assigned to him/her.

Acceptance And Rejection of Cases

Article Seven:

An advocate shall have the right to accept or reject cases, unless otherwise stated in the law and in these By-Laws.

CHAPTER TWO

RELATIONS WITH CLIENTS

Notification to clients

Article Eight:

- (1) An advocate shall be duty bound to notify his/her client of the progress of the case in a timely manner.
- (2) Whenever the advocate is unable for any reason to handle the case in a timely manner he/she shall not accept the case.

Non-discrimination

Article Nine:

An advocate shall be duty bound to treat his/her clients without any discrimination on the grounds of their ethnic or tribal group, nationality, religion, political opinion, gender, property or economic status.

Interests of the Client

Article Ten:

An advocate shall be duty bound to respect the best interests of his/her client based on the interests of justice, observance of the rule of law and ethical standards.

Confidentiality

Article Eleven:

- (1) An advocate shall be duty bound to preserve confidentiality and to observe professional ethical standards in the performance of his/her duties.

- (2) An advocate shall be duty bound to preserve the confidentiality of colleagues, staff and other individuals who are involved in providing legal services.

Corrective Measures

Article Twelve:

Whenever an advocate notices during the performance of his/her of duty that his/her client is committing a crime or fraud, he/she shall refrain from representing the client and take the necessary corrective measures.

Conflicts of Interests

Article Thirteen:

- (1) An advocate shall not provide legal advice in a manner to conflict between his/her interests or those of his/ her partners.
- (2) In the course of representing his/her client, the advocate is duty bound to not provide the confidentialities of his/her client to the second party or other person in return for money or benefits.
- (3) An advocate shall be duty bound to end the advocacy in case there is the conflict of interests set out in this article, or his/her confidence might be at risk or his/her independence might be compromised.

Prohibitions on testifying

Article Fourteen:

An advocate shall not act as a witness or give legal advice in the case of that he/she is proxy.

Provision of legal advice

Article Fifteen:

An advocate shall be obliged to provide legal advice to his/her client honestly and in accordance with this by-laws his/her professional experience and legal knowledge.

Defence

Article Sixteen:

An advocate shall be duty bound to only defend those cases which are assigned to them by the client or an authorized official.

Termination of Instructions

Article Seventeen:

- (1) An advocate cannot leave the case he/she is assigned to, without the existence of a reasonable excuse and before notifying his/her client.
- (2) If an advocate due to the existence of any reasonable excuse leaves the case, he/she shall be duty bound to notify his/her client one week before the beginning of the trial.

- (3) If an advocate due to the presence of any reasonable excuse leaves during the trial, he/she shall be duty bound to notify the judge. In such a case the advocate shall be duty bound to return all the documents to the client.

Performance of duties in an appropriate manner

Article Eighteen:

An advocate shall be duty bound to perform his/her duty in appropriate and timely manner, and he/she shall not accept those cases that he/she is unable to handle.

Gathering of Information About Client

Article Nineteen:

An advocate should make efforts to ascertain the correctness of the case and use reasonable methods to proceed with the advocacy.

Assigning of Guardian or Successor

Article Twenty:

An advocate shall seek a successor or guardian for their clients who are lacking legal capacity.

Frivolous or unlawful cases

Article Twenty One:

An advocate shall not take frivolous or unlawful cases.

Misuse of Privileges

Article Twenty Two:

An advocate shall not misuse his/her position/authority to gain unlawful privileges.

Advocate's Fee

Article Twenty Three:

- (1) An advocate shall represent his/her client based on a written contract specifying the fee.
- (2) An advocate's fee shall be appointed and paid based on the guidelines and regulations of the Association.
- (3) An advocate's fee shall be fair and reasonable.

Clients' Fees

Article Twenty Four:

- (1) An advocate shall be duty bound to maintain the client's account and funds based on the contract.
- (2) An advocate shall be duty bound to maintain the accounts of his/her clients separately.

Recording funds and documents

Article Twenty Five:

- (i) An advocate shall be duty bound to record in a specific file funds and documents received from clients during the case.
- (ii) An advocate shall be duty bound to give written receipts while receiving documents and money from the clients. At the end of the contract and payment of the advocate's fee the documents shall be returned to the client.

To Uphold the Honour of the Profession

Article Twenty Six:

An advocate shall be duty bound to preserve the honour of the profession while providing legal advice and advocacy.

Freedom of legal representation

Article Twenty Seven:

An advocate shall not bring another person under pressure to appoint an advocate.

CHAPTER THREE

RELATIONS WITH THE COURT AND BETWEEN ADVOCATES

To Respect the Court Regulations and Procedure

Article Twenty Eight:

An advocate shall be duty bound to attend the court or its divisions and to respect the regulations and procedures of the respective court or its divisions in the course of legal representation.

Misleading the court and incorrect information

Article Twenty Nine:

An advocate shall not knowingly submit incorrect and deceptive information to the Court.

Relationships with other advocates

Article Thirty:

An advocate shall maintain a good relationship with fellow advocates, however he/she shall not place their interests above those of their clients.

Correspondence

Article Thirty One:

- (1) An advocate shall not directly correspond with a person, who is advised and represented by another advocate in a specific case or issue, unless by the permission of the aforementioned advocate.
- (2) If an advocate dispatches a letter or a correspondence to another advocate and wishes it to be kept confidential, he/shall inform that advocate. In this case the second advocate shall be duty bound to keep the dispatched items confidential.

Advertising restrictions

Article Thirty Two:

An advocate shall not use the advertisements and communications to harm the other advocate's honor whether it is individually or in groups.

Article Thirty Three:

An advocate shall not interview or provide statements about his/her client or affairs related to his/her advocacy without the explicit consent of the client.

CHAPTER FOUR

REFERRALS, ASSIGNMENT OF DUTIES AND APPOINTMENTS

Payments for referrals

Article Thirty Four:

An advocate shall not pay fee or other funds to another person to introduce or recommend a client to himself/herself.

Article Thirty Five:

An advocate shall not demand or accept a fee or other funds for the introduction or the recommendation of a client to another person.

Informing the client

Article Thirty Six:

If an advocate assigns a duty to another advocate or his/her assistants or another advocate in the law office based on the guidelines of the Association, he/she shall be duty bound to inform his/her client beforehand.

Appointment of a new advocate

Article Thirty Seven:

- (1) If a new advocate is assigned in substitution for the advocate in the case, the previous advocate shall be duty bound to notify the newly assigned advocate of the substitution.

- (2) The new advocate shall begin his/her duty when he is satisfied that the previous advocate's fee has been paid.

CHAPTER FIVE

MISCELLANEOUS PROVISIONS

Broadcasting of Advertisements

Article Thirty Eight:

- (1) An advocate can advertise his/her legal services and disseminate other information in his area based on the provisions of law and these By-Laws.
- (2) Advertisements, information and correspondence shall not be deceptive, deceitful, irrational or illegal.

To respect the freedom of the client

Article Thirty Nine:

An advocate shall be duty bound to respect the rights of his/her client.

Consistency of actions with standards

Article Forty:

An advocate shall be duty bound to conform his/her actions with standards contained in provisions of the Advocates law and these By-Laws while providing advocacy services and legal consultation.

Violation of these By-Laws

Article Forty One:

In the case of a violation of these By-Laws, the advocate in question will receive a disciplinary punishment.