



Legal and Financial Study

Submitted to: Palestinian Bar Association

Topic: Development of the Training Regulation through Establishing an Institute for the Training of Lawyers

Submitted by: Equity Legal Group and Dimensions for Consulting

The study consists of two sections, one dealing with the legal aspect of the development of the training regulation of the bar association through the establishment of an institute for the training of lawyers and the second section dealing with a financial feasibility study for the establishment of a training institute for lawyers.

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Section One:

Legal Research Study

Development of the training regulation of the Bar Association through the establishment of an institute for the training of lawyers.

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I. Executive summary

The provisions of **the law regulating the legal profession No. 3 of 1999** issued after the Palestinian Legislative Council approved it on April 6th, 1999 states in its Article 2 that: "**Advocacy is a liberal profession that helps the judiciary to achieve justice, to affirm the rule of law and to guarantee the right of defending the citizens' rights and freedoms; only Lawyers have the right to practice the legal profession, and there is no authority over them in their practice except for their conscience and the provisions of the law**". Since it is the Bar Association and the senior lawyers' duty to support all lawyers in general and the new lawyers in particular as well as those who want to practice law. Besides, providing them with effective means to face the challenges of practicing the legal profession by following up with their practicing, qualifying them, and providing all of the necessary means to sharpen their talents. In addition, their responsibility includes ensuring that they acquire the basic competencies in accordance with the independence of the legal profession and the independence of the Bar Association. All of this is for paving the way for those lawyers to do their professional duty as dictated by duty and conscience.

In the **article 3 of this law** states that the registration conditions in the legal profession, it is required to have the Palestinian nationality, civil capacity and decent morals which are for maintaining the permanence of the bar association's approach by adopting the necessary means to upgrade the profession of law in Palestine besides having a degree in law from a recognized University and finishing the apprenticeship as provided for by law. As for **paragraph 1 of article 12** and according to it, the bar association practices its activities to achieve "**defending the bar association and lawyer's interest, maintaining the law profession's mission and guarantee the lawyer's freedom while he's performing this mission**". As ever, knowledge of and respect for professional ethics is fundamental to success in the profession and to maintain its traditions as well as the lawyer's reputation.

"**The internal rules of procedure define the training method and its conditions**" and this is according to article 19 of the same law. As the core of the Palestinian Bar Association is its role in organizing and developing the professional affairs aiming to achieve a scientific convergence among the various law graduates who apply for the Bar examination in order to practice law. Also, it is based on what is mentioned in the amended **lawyer training regulation No.1 of 2004** which was issued on May 24, 2013, based on the General Assembly decision and **article 2\42 of the regulating of the legal profession in Palestine**. Wherein **article 23** states "**The Bar Council is duty-bound to prepare training programs and training institutions as the training institute for advocates in order to develop training mechanisms and means**". Since the legal science and the theoretical studies studied at the University are far from the actual practice of the legal profession and aren't sufficient to prepare lawyers to practice the profession and face the profession challenges posed by the nature of the profession, globalization and accelerated scientific development.

Based on abovementioned justifications, the existing legal provisions and the Bar Association's keenness to develop and upgrade the profession in addition to the training programs, which have been approved and initiated by the bar in the last years including the recommendation of the General Assembly, it has become an obligation on the council of the bar to enforce the bar association decision on the establishment of "lawyers training institute" for the professional development and continuous training to practice the profession.

Establishing this institute is considered one of the most important steps expected to be done by the Bar Association to promote the legal profession, to uphold the Palestinian lawyers and make them able to face the future challenges and the competition for which they might be subjected and to do their mission to the fullest. As the followed oral and written examination regulation currently do not pay attention to the increasing numbers of lawyers and the decreasing in their qualification problem – the number of lawyers increase annually without focus on their proficiency. Therefore, the regulation could be insufficient alone. As a result, the Bar Association adopted the idea of the lawyers training institute to solve this problem in the first place, guarantee the needed accompaniment for those trainee lawyers during their training; they're being qualified to assume their responsibilities as practicing lawyers.

This institute will be for the new trainee lawyers who newly graduated from faculty of law to practice law in the first place and it will be requisite for those lawyers and those who want to practice law to become a member of this institute. In addition to the institute's basic role in providing training for lawyers, it has two more missions: the first one is preparing and helping the law graduates or those who are about to graduate and want to become members of the Bar Association in order to take the oral and written examination which qualify them, in case they succeeded in the exams, to be registered in the practicing lawyers registry. As for the institute's second mission, it is to offer continuous learning and optional training for practicing lawyers and those who want to receive continuous training and professional development.

The administration's adoption of an emphasis approach is one of the basics that will help in the success of the training institute along with the robust legal fulfillment of professional practice rules and the ethics of the legal profession in general, which must be entrenched in every lawyer. In its foreground, we find honor, incorruptibility, honesty, loyalty, sincerity, and moral courage in taking decisions and openness as well as for the ability to understand others.

It must be mentioned that training in the lawyers training institute is neither another academic year nor theoretical lectures or a revision for the university period, but it is complementary to all of this. In other words, it is a scientific and professional applied way encouraged by the Bar Association and it allows lawyers and specifically the new ones to stay informed of the legal development in the world.

Aiming to support the institute succeed in doing its mission, the General Assembly must contribute and support it by interacting with its programs taking into account the necessity of following the development in the legal world surrounding Palestine. Then the institute's prospects will expand and it will regain its professional mettle and brilliancy.

II. Introduction

The bar associations constitute a basic part of the modern legal regulations, and its most prominent role is finding a voice who can represent the legal profession. In addition to other roles no less important including regulating and improving the legal profession affairs, guaranteeing the rule of law in society, inviting to and participating in the legal reform in general, improving the lawyer's capabilities, and guaranteeing respect for the legal profession. Internationally, bar associations are doing the same roles by which it aims to serve three categories: the lawyers, the entire legal regulation, and the public at large¹.

The bars associations are regulating the legal profession's affairs through different paths such as regulating the membership conditions, organizing training affairs, improving the lawyer's capabilities, and protecting the reputation of this profession. They differ from each other in the way and the enforcement methodology followed while doing these roles. That's because of the differences in legal and judicial regulations, political and economic situations, and the legal environment in which the bars perform their roles. Some of these bars such as the Palestinian Bar Association perform its role in the middle of political instability that threatens the rule of law as well as human rights which means more obstacles to the improvement and independence of the legal profession.

Taking these identified controls into consideration, the Palestinian Bar Association tries, despite the political and economic situations in Palestine, to improve the legal profession and to perform the missions assigned to it following the laws and regulations. In the middle of this, the Palestinian bar is facing some difficulties especially when it comes to organizing the training for the new trainee lawyers in terms of quality and quantity. The large and increased numbers of law graduates who come to the bar and providing a good and decent quality of training may be the most important challenge facing the Palestinian Bar Association in organizing the training in Palestine. This problem started to affect the quality of training since the absorptive capacity of the bar and the human resources are not enough for training all of these numbers and providing a good quality of training.

The increased numbers of trainee lawyers problem takes many aspects. Apart from the increased pressure on the current training regulation which hardly can absorb these numbers leading up to cause frustration for the new graduates, this problem started to have greater consequences on the legal profession itself. As the large numbers of trainee lawyers and the frailty of the training quality affected negatively the legal profession by graduating unqualified practitioners' lawyers who are neither can practice law nor able to compete because of their limited legal capacities. All of this causes increased unemployment besides offending the profession's reputation because of the serious professional breach or/and the non-professional performance for some.

¹ McEvoy, Kieran. "The Effectiveness of Bar Associations in Conflict & Crisis." Lawyers, Conflict & Translation project, (2016), p7.

This project aims to provide the Palestinian Bar Associations with a professional and scientific study basically to develop solutions for the increased numbers of trainee lawyers and the frailty of training quality problems. It also works on improving a training regulation for the new lawyers and creating an optional regulation for continuous learning in order to improve the lawyers' capacities as well as their capability. That'll be by testing the best methods to improve the training regulation, focusing on the institutional model in the establishment of the lawyers' training institute.

To achieve the purpose of the study, it is divided as follows: Section I looks at the problems of training in the legal profession in Palestine and the justifications for improving the training regulation in the Palestinian Bar Association and it also deals with the nature of the legal education in Palestine and its role in increasing the numbers of trainee lawyers. Section II analysis the current training regulation legally and technically in order to uncover and specify the strengths and weaknesses in it and ways to improve it and organize the increased numbers of trainee lawyers. Section III Studies the Training Institute model and the regional experiences adopted this model. The last section provides recommendations for the bar association related to the legal and technical structure to establish the lawyers' training institute.

III. Training Problems in Advocacy-law works in Palestine

The Palestinian Bar Association is considered the Professional and institutional framework that absorb the law graduates of the legal education regulation in Palestine. Where the vast majority of the law graduates heading to join the bar association to register in the trainee lawyers registry regardless of other options. With the increasing interest to study law, absorbing all these numbers became an obstacle for the bar in terms of providing suitable places and good quality of training for the trainees. In addition to creating a heavy responsibility that the bar has to deal with by improving the current training regulation.

This problem has many causes and one of them is the legal education regulation, whether on the university level or the ministry of education level and its policy in licensing law faculties and programs at universities². Also, law graduates lack awareness when it comes to their options after graduation. It must be mentioned that there're reasons why the current training regulation doesn't scrutiny the law graduates based on scientific and professional methods and doesn't guarantee to give the trainee lawyer all the necessary professional and scientific knowledge that enables him to practice the profession of law³.

Firstly: Justifications for improving the training regulation in the Palestinian Bar Association

The Palestinian Bar Association has many reasons require improvement of the training regulation and regulating the accessibility of trainee lawyer to join the trainee lawyers firstly then the labor market through a professional and decent training regulation guarantee graduating lawyers with the sufficient professional basis to get engaged in the profession. These reasons can be included as follows:

1. Direct justifications for improving the training regulation:

- A. Increasing in the numbers of trainee lawyers. In 2019, the trainees' number was more than 2747 trainees at the bar's centers in each of the West Bank and Gaza⁴. Therefore, the continuity of this unregulated increase will raise this number annually and increasingly. Under the current training regulation, the Bar wouldn't be able to absorb these numbers and provide them a quality of training that enables them to compete. This will cause flooding the job market with thousands of the unemployment lawyers especially considering the Palestine modest absorptive capacity of the job market

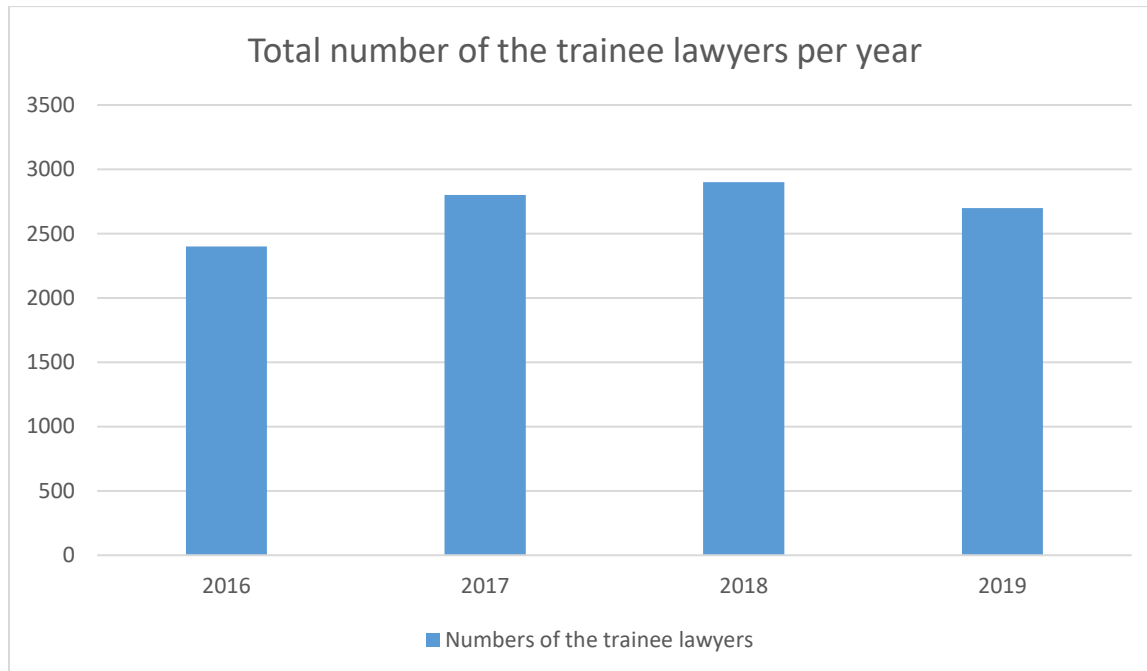
² Nasra, Ahmed, Abd-Allah and Renad, the academic legal education system status and its impact on the profession of Law (Ramallah", equity, 2013), P19

³ interview with the manager of training service in the Palestinian Bar Association, Nora Maddah, 12\11\2019

⁴ the Palestinian Bar Association Database 2011-2019.

compared with the other countries which have better economic structure absorbing large numbers of lawyers. About 68% of lawyers and trainees confirm that the bar association gives licenses to practice the profession to a number exceeded the Palestinian market needs⁵.

Figure (1)⁶:



- B. The current regulation is criticized by both trainees and practitioners at the same time from different aspects:
- i. The received training by the trainee lawyer neither includes all the law aspects nor fully qualifies the lawyer to practice law⁷.
 - ii. 81% of the practicing lawyers in the West Bank and 70%⁸ in the Gaza strip are agreed that the training period is not long enough.
 - iii. Failure to provide continuous training as 42.7% practicing lawyers in the West Bank and 49.3% in Gaza⁹ affirming this.

⁵ Ibid, p.38.

⁶ The Palestinian Bar Association Database 2011-2019.

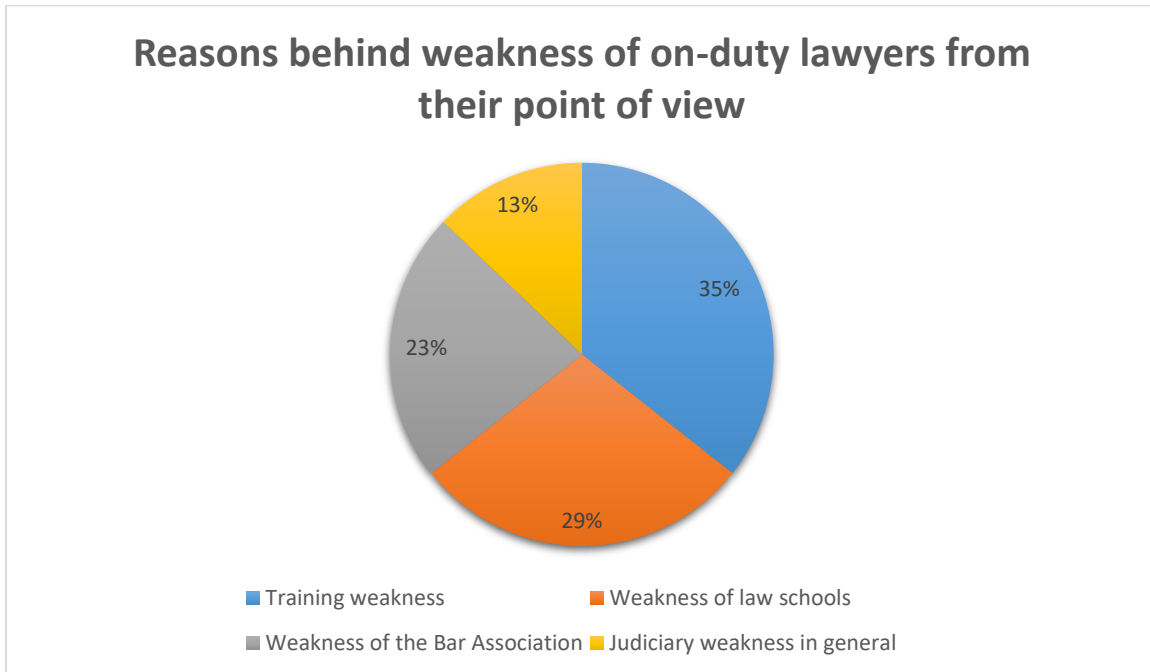
⁷ Palestinian Center for the Independence of advocacy and Judiciary "equity", "studying the constant and variable of justice status in Palestine", (Ramallah: 2014), p.114.

⁸ Palestinian Center for the Independence of advocacy and Judiciary "equity", the Fifth Legal Observatory, (Ramallah: 2018), p.126.

⁹ Ibid.

- iv. The sessions given before the bar association exam are not enough, ill-conceived, and not regulationatic. Also, the themes of these sessions are not defined in the training regulation in detail and divided on specific hours and must be finished on a time-frame¹⁰.

Figure (2)¹¹



- v. Disabled the registration of large numbers of law graduates in the trainee lawyers' registry because of the lack of practicing lawyers who can register them as trainees lawyers¹². Where the number of trainee lawyers exceeded the number of practicing lawyers with whom they can register causing inflation of the training process¹³. All of this led to the delaying of significant numbers of trainee lawyers to register and train until finding available practicing lawyers to register with. According to the bar's association data of 2018-2019, about 452 graduates registered in the registry of trainee lawyers without regular training due to the lack of practicing lawyers who can register them as

¹⁰ Palestinian Center for the Independence of advocacy and Judiciary "equity", "studying the constant and variable of justice status in Palestine", p.114.

¹¹ Ibid.

¹² according to a survey, prepared by SPARC Consulting and Training Company, about how much time it takes from the law graduate to find a professor lawyer to train with. It has been found that 72.7% of the sample covered by the survey takes around 6 months searching on a lawyer to train with, 2019, p18

¹³ 13Public opinion statement issued by the Council of the Bar available on <https://madar.news/%D9%86%D9%82%D8%>, the last access is August 18, 2019

- trainee lawyers since the numbers of these lawyers exceeds the 4000. Besides, over 2000 graduates are waiting to take the admission exam in order to affiliate the bar¹⁴.
- vi. The lack of supervision on training received by the trainee lawyer at the practicing lawyers office. Wherein the current training regulation No. 3 of 1999 and its amendments don't provide any kind of guarantees for supervision on the quality of training received by the trainee lawyer at the practicing lawyers office¹⁵. This regulation states in its article 9 the apprentice lawyer spends his training period under the supervision of the professor lawyer depending only on the practicing lawyers pledge to train the apprentice lawyer. This is of course not enough to ensure good quality of training and it results in variation and differences in the training quality according to the office registered in.
- C. The unregulated increase in the law college number, the absorptive capacity increasing for law students at these colleges, and the subsequent increase in the law graduates. there are 13 law colleges in Gaza and the West Bank, offset by a reduction in the absorptive capacity in the bar association under the current training regulation.
- D. Not keeping abreast of the development in the profession of law and the new legal subjects which call for the current training regulation to interact and respond to. An example of the constantly evolving legal subjects is the intellectual property issues imposed by technological development and it must be reflected through the training regulation. Regarding that what worked in the past might not work now or might not be enough. The current training regulation's designed as it exists now when the legal profession status in Palestine was different from that of now and the same is true of the legal education status and numbers of apprentice lawyers in the past. Also, the bar's continuity on the same current training regulation without taking into consideration other options consistent with reality and meet the requirements and needs for improving the training regulation is no longer an option to solve the training issue in Palestine. It should be noted that 57% of the practicing lawyers in the West Bank and 60% in Gaza agree that the Palestinian Bar Association does not play its assigned role to improve the profession¹⁶.
- E. The constant pursuit of the Bar Association council to improve the training regulation is considered one of its basic missions. This is to apply section 1/2004 of article 24 of the lawyers' training regulation and its amendments which state "preparing training programs and improving training methods and mechanisms are both from the Bar's Association basic missions and it has to work on providing institutions for training like advocates training institute. Also, the Training Committee must organize courses and

¹⁴ The bar association: be careful when you register in law faculties at universities, available on <https://www.alwatanvoice.com/arabic/news/2019/07/17/1260236.html> the last access on August 18, 2019

¹⁵ Ibid.

¹⁶ Palestinian Center for the Independence of advocacy and Judiciary "equity", the Fifth Legal Observatory, (Ramallah: 2018), p.116.

develop detailed training plans ". Since 95% of the practicing lawyers in both Gaza and the West Bank see that the Bar should improve the raining regulation¹⁷.

2. Indirect justifications for improving the training regulation:

- A. The disguised unemployment in the legal profession market: there are significant numbers of lawyers registered in the practicing lawyers registry but don't practice the profession because the labor market is unable to absorb them for many reasons. Wherein the practicing lawyers' offer of the legal services is more than the demand.
- B. The notable decline in the practicing lawyers scientific and professional levels. Since 73% of the practicing lawyers in the West Bank and 75%¹⁸in Gaza find that their colleagues' level is passable and that might be sometimes due to the weakness of the University legal education. 82% of the practicing lawyers in the West Bank where in Gaza 71% see that the cause of the lawyers' weakness is the weakness of the law colleges in both Gaza and the West Bank. From another side, 58% of the practicing lawyers in the West Bank saw that this weakness is due to the weakness of the training received by those apprentice lawyers under the current training regulation that can't deal with these apprentice lawyers numbers and provide them a good quality of training¹⁹.
- C. The increase in lawyers' numbers has led to releasing some negative and undesirable behaviors that run counter to the ethics of the profession as a result of²⁰:
 - i. Income decline because the lawyers' numbers are more than the market needs, leading to illegal competition with offensive behaviors for the ethics of the profession.
 - ii. The undesirable behaviors control over the stable ethical and professional conduct and the increase in lawyers number affects this too. This increase weakens the Bar's ability to monitor the behaviors that offend the ethics of the profession and it gave the chance for some to act as if these behaviors were the base.
 - iii. The lawyer's weak qualification during the training period in terms of the profession's ethics because the current training regulation doesn't focus on qualifying and directing those lawyers in terms of professional ethics.

¹⁷ Ibid, p.123.

¹⁸ Ibid, p.118.

¹⁹ Ibid, p. 116.

²⁰ Nasra, Ahmed, Abd-Allah and Renad, the academic legal education system status and its impact on the profession of Law (Ramallah", equity, 2013), p.37

Secondly: The legal education regulation in Palestine and its role in increasing the numbers of trainee lawyers.

Both of the legal education institutions in Palestine and the Bar Association play an integral role in establishing the legal education regulation. Such integration is due to the fact that the Bar is the basic access for law graduates who want to work as practitioners lawyers and complete a significant part of their legal qualification through the training period which is two years according to the law and the current training regulation that will be mentioned in detail later on. The training period is a basic phase that reinforces the apprentice lawyer's legal skills and configures his legal personality. Therefore, both of the Bar Association and the educational institutions are considered parts of the education regulation and the legal process, sorting the practicing lawyers to the labor market, each of which affects the other.

1. Overview of the Legal Education in Palestine

Improving the legal education regulation in Palestine was never easy despite that law colleges establishment was since the British mandate by building Law Institute in Jerusalem in 1922. Where Britain's (the mandatory authority over Palestine at that time) aim of establishing this institute was Accelerate in graduating a new generation of law graduates who have the ability to deal with modern British laws (at that time). Although this institute provided a high level of legal education for the students yet it is criticized for focusing on English law²¹. The legal education regulation in Palestine witnessed let-up some time or stagnancy at other times because of the objective and political reasons Palestine has been through. The current form of the legal education following the curricula put forward by law faculties at the Palestinian universities was not exist at the Israeli Military rule in Gaza and the West Bank during the following period of June war 1967 and Israel's occupation of Gaza and the West Bank until 1994 which is the establishment of the Palestinian National Authority time.

The period between the end of the British mandate and the Jordanian period in the West Bank and the Egyptian period in Gaza until the end of the military rule by signing the Oslo Agreement was marked for the total interruption in the legal regulation activities. As there were neither law colleges nor legal scientific research²².

By the end of the Israeli Military rule in Gaza and the West Bank and signing the Oslo agreement in 1993, a new phase of legal education in Palestine has started. Notable activity in the legal regulation in Palestine raised having a national character. One of the most important missions and goals of the education and legal research in Palestine has been to improve the legal regulation in the nascent state.

²¹ Anne Bourlond. "Teaching Law in Palestine: Strategies and challenges. "Birzeit Legal Encounters, 1997, p4.

²² Ibid, p.4.

The law institute in Jerusalem is considered the first law college starting teaching law as a full Baccalaureate program and that was in 1922. This institute was considered an independent institution, but later, with signing the Oslo agreement, coming of the Palestinian National Authority, and the establishment of the high education ministry, it has been joined to Jerusalem University (Abu Dis) in 1995 as a law faculty in the university. The Law Faculty in Al-Najah national university was established after that in 1995 and it was improved based on two courses put forward by other faculties and they are the administrative law and financial law course. Later on, other legal courses were put forward in the 1980s within the programs of the Economics, Press, and political science faculties, and in the late 1980s, the legal studies option within the political science was put forward. As the students of the political science who finishes 33 hours of the legal studies courses are given a Minor certificate in law; that was until the establishment of an independent law faculty which gives a Bachelor's degree in Law. While the law center in Birzeit university was established in 1996 and started to give a Master's degree instead of a Bachelor's degree. The number of students who joined the institute was little as it didn't exceed 20 students. The aim of the center was the rehabilitation of legal professions by equipping the society with qualified lawyers and that was until establishing the law and public administration faculty at Birzeit University in 2005²³ that gives Bachelor's degree in Law.

The establishment of law faculties in Palestine and giving it license is continued rapidly simultaneously with the increase of Universities numbers in Palestine and the high education military adoption of Law programs in different Universities whether in Gaza or the West Bank. For example, a law faculty at the American University was established in 2003 followed by the establishment of another number of faculties in 2011 and the last of it was the law and political science faculty at Hebron University in 2011.

Therefore, it is clear that the educational law institutions in Palestine lack a cumulative and continuous temporal gradient to build upon it, its improvement as most of these faculties are considered newly established. This certainly affected the regulation of Educational Law and the profession of law in Palestine as well due to their relationship with each other. Where the strength of legal education is off-hand reflected on the law profession in Palestine. Undoubtedly the development in the educational law regulation, the legal qualification regulation, and the profession of law won't happen overnight but it needs to go through several experiences and take advantage of it. Perhaps improving the training regulation by establishing the advocates training institute, which can overcome the legal education gaps imposed by the environment in which the legal education regulation was evolved, has become an urgent necessity in the absence of a clear common vision of parties to develop the legal education regulation.

²³ Ibid. pp. 20-21.

2. The current status of the legal education in Palestine and its effect on the increase of the training lawyers' numbers.

There is an inverse correlation between the increase of law faculties and so the law graduates who need training and the performance lever as well as its outputs to the labor market. Where the increase of these numbers is corresponding with weakening the Palestinian Bar Association's capacity to train them especially by adopting the same ill-equipped training regulation. Taking that into consideration, the Bar Association is working on finding a solution for the increase of apprentice lawyers' numbers problem and deciding the best approach to solve it in addition to developing the training regulation²⁴. For this, it is necessary to focus on one of the most related reasons to the problem which is the increase of law graduates who want to register in the training lawyer's registry. This reason is two-pronged, the first one is due to the high turnout in studying law under the lack of serious admission criteria and a clear plan of the high education ministry to give permits for establishing law faculties in line with the labor market need. As for the second one, it's about the legal education quality in the law faculties in Palestine.

- A. The high number of students studying law under the lack of serious admission criteria and a clear plan of high education ministry in this regard.

Currently, there are 13 law faculty in Palestine gives a Bachelor's degree in law disturbed between the West Bank and Gaza. Seven of these faculties are in the West Bank while the remaining six are in Gaza. the law faculties in the West Bank in the Palestinian cities from the north to the south of the West Bank are²⁵: the law faculty at Jerusalem University where its teaching staff members are 16²⁶, the law faculty at Al-Najah National University and the number of its teaching staff members is 24²⁷, law and general administration faculty at Birzeit University and the teaching staff members there are 18²⁸, the law faculty at the Arabic American University, law and policing science faculty at the independence University and the number of its teaching staff members is 8²⁹, law and political science faculty at the University of Hebron, and law faculty at the modern University College.

As for the law faculties in Gaza, they are the law faculty at the University of Palestine, law faculty at Al-Azhar University, law faculty at Al-Israa University, Al-Sharia and law faculty at the Islamic University of Gaza, law faculty at the University of Gaza, and Law faculty at the Palestine civil University.

²⁴ Jawad Abydat's interview, the President of the Bar Association in 12\11\2019.

²⁵ The high education ministry-scientific research site, available on: <http://www.mohe.pna.ps/Higher-Education/Institutions/Universities>. Last access on October 1, 2019

²⁶ The official website of Law faculty at the University of Jerusalem.

²⁷ The official website of Law faculty at Al-Najah National University.

²⁸ The official website of Law and general administration at Berziet University.

²⁹ The official website of Law and policing sciences faculty at the University of Independence.

The increase of law faculties in each of Gaza and the West Bank during a record time is noticed yet the number of the teaching staff at the mentioned faculties is not that large. Under the guidance manual for permits and provision in the high education ministry, the increase of students' numbers from the teaching staff members numbers is not accepted in the specialization of humanities including law specialty 1:30³⁰. There's neither accurate information about the law students' numbers in each University nor scientific and accurate assessment for the law teaching curricula at these Universities.

It's the Ministry of Higher Education that should undertake the task of planning and monitoring educational institutions working by law (6) of 2018. At article 5 of this law, it's one of the Ministry of Higher Education's missions to: "follow up the institution, its programs, academic regulations, services and the quality of its performance and outputs as well as considering the permits application of the Higher Education Ministry submitted by the assembly". The Minister of Higher Education's decision No. 1 of 2016 on the Palestinian higher Education institutions permits is an assertion that there is a problem in the number of law faculties in particular, and in other faculties and programs that go beyond the needs of the Palestinian labor market in general. Where it states in Article 1 of it: " No authorization shall be granted for the establishment of new Palestinian higher education institutions unless it provides new programs and different specializations of those already exist in the Palestinian Universities".

It is stated in the provision manual of the Higher Education Ministry that it's a must to provide a feasibility study for permitting a new faculty or education program at a recognized University. where this study must be based on statistics and surveys about the current and future needs of the labor market for graduates and the possibility to provide work opportunities for them among the local, regional and international context, emphasizing that without this study, the permit won't be accepted³¹.

According to the provisions of decree-Law 6, it is one of the Ministry missions to: "supervise on Vocational Guidance programs for students to choose a specialization at the Higher Education Institutions in Palestine". Where the increase of law faculties numbers in Palestine is due to the increased interest of students to study law because there's no steering for those students. Universities consider this interest in studying law as one of its income sources; the vast majority of universities does not have a plan to integrate students into the labor market and we completely know that this's not one of its responsibilities.

³⁰ The guidance manual for permits and provision in the Higher Education Ministry, the Higher Education Ministry, Palestine, 2018, p.18

³¹ Ibid, p.59.

The issued numbers by the Higher Education Ministry show an increase in the interest of studying law. The number of students who graduates from law faculty with a Bachelor's degree in law was 298 students in 2004\2005 academic year, while they were 457 in the 2008\2009 academic year. As for the 2012\2013 academic year, the number of law graduates was 1555 students³², and 11768 graduates in 2017\2018 academic year in Gaza and the West Bank³³. If something should be noticed at these numbers, it is that they are increasing continuously and noticeably; the vast majority of these numbers are heading to register at the training lawyers' registry in the Palestinian Bar Association after graduation.

B. The second part is about to the legal education quality at the Palestinian Universities

The legal education at the Palestinian Universities is still, despite the improving attempts at the last years, heavily rely on the theoretical side without focusing on providing students with other skills required in the labor market. The Palestinian legal education is working only on preparing the students to be lawyers without focusing on the other work options after graduation; the students get a lot of information during the study period, but on the other hand, they get few skills and knowledge of how to use and apply these information³⁴.

This makes the law graduate rush towards practicing law option without considering other options and sometimes it might be true if we said that what stands between them and the other options, other than practicing law, is weak or unexisted skills and qualification that other options require.

Social pressure is also a reason for the increase in heading for studying law, especially by the family. Where many parents push their children to study specializations that have social prestige and rarely, we can find parents who reject their children's desire especially males to study law³⁵. let alone that a large number of students' head to study law based on their conviction that the financial and social status of lawyers is one of the heights professional status. Of course, there're some of the students who choose to study law in order to contribute to the realization of the principles of justice and to serve it³⁶.

Under the legal education status in Palestine and its role in the increase of the apprentice lawyers' numbers as well as the lack of initiatives whether by the Educational institutions in Palestine or the Higher Education Ministry to address the problem of the large increase in apprentice lawyers' numbers through developing the acceptance criteria of students who want to study law because of the surrounding political and economic circumstances in the education regulation in Palestine,

³² Nasra, Ahmed, Abd-Allah, and Renad, a previous reference, p.16.

³³ Database of the Higher Education Ministry in Palestine.

³⁴ Chavkin, David F. "Thinking/Practicing Clinical Legal Education from within the Palestinian-Israeli Conflict: Lessons from the Al-Quds Human Rights Clinic." Human Rights Brief 18, no. 1(2010)

³⁵ Kennedy, Duncan. "Legal Education as Training for Hierarchy" Journal of Legal Education, 1982, no. 4, pp55-56.

³⁶ Ibid.

the Bar Association must intervene. Driven by its responsibility in regulating the profession and respecting it, the Bar has to restore the balance between the labor market need for lawyers and between the lawyers' figures. That would be by training regulation based on legal and scientific foundations. Where this regulation must provide a good quality of training and sets controls for accepting apprentice lawyers like establishing a lawyers training institute, the establishment of which will provide a solution to solve the problems in the legal education received by the law students during his study at the University.

IV. Analysis of the current training regulation in the Palestinian Bar Association

Aiming to improve the training regulation in the Palestinian Bar Association and select the best method to organize and adjust the apprentice lawyers' numbers, it is a necessity first to study and analyze the current training regulation and the legal framework that governs this model. This is in order to identify the nature of the situation and the weaknesses that must be avoided in any suggested training model by this study.

Firstly: The legal framework of the current training regulation

Article 42/4 of the Advocates ordinance law No.3 of 1999 and its amendments gave the Bar Association the authority to formulate the required regulations to implement the provisions of this law and submit it to the general assembly for approval. As for Article 19 of the same law, it states: "the rule of procedures defines the training's method and conditions". The lawyers' training regulation No. 1 of 2004 and its amendments issued to determine the mechanism and provisions for training and registration in the apprentice lawyers' registry till finishing the training and obtaining the practice of the law profession.

The Palestinian lawyers' training regulation No. 1 of 2004 contains thirty-seven articles and it received many amendments. The articles in the regulation weren't divided into specific topics reflect the training stages, yet it can be divided as follows:

1. **The first section** is about the requirements of registration at the apprentice lawyers' registry and the detailed provisions of training like the determinations in the following articles:
 - A. **Article (1)** of the regulation discussed the training definition, which is a practical exercise to practice the profession of law. It's noticed that this definition showed and specified that training focuses on the practical side. **As for the apprentice definition, "he is the one who got a law degree from a recognized University or institute and is registered in the apprentice lawyers' registry at the Bar according to the law provisions and this regulation"**. It is noticed also that the regulation's definition of the apprentice is limiting only those who have a law degree from a recognized University or institute and registered in the apprentice lawyers' registry although the subsequent articles identified other conditions. Another one of the noticeable definitions **in article (1)**, is defining the "institute is a lawyers' training institute" where the regulation mentioned the institute although it does not exist.
 - B. **Article (3)** of the regulation emphasized the basic condition to register in the Bar Association, which is to have a law degree from one of the recognized universities or

institutes in the Bar's council³⁷ prepared list and it clarified what are the required documentations for registration.

- C. **Article (7)** which was amended by adding another condition for registration at the training lawyers' registry, that is passing a written and oral acceptance exam.
 - D. **Article (8)** of the regulation determined that the training period is two years starting from the council's approval date of the student registration and this period doesn't finish unless the student passed the oral and written exam and submitted his research and it has been accepted.
 - E. **Article (9)** added another condition for the approval which is having an approval letter from a practicing lawyers who has spent at least five years practicing law. The effect of not dividing the regulation into subjects is clear now, as the articles are not structured in a way that presents the registration requirements in a regular form.
 - F. **Article (10)** determined the registration application submission times in the apprentice lawyers' registry. These times were amended many times until it became submitted twice a year, the first date is in April and it's considered in May and the second date is in October and it's audited in November.
 - G. **Article (12)** stated that the practicing lawyers is not allowed to accept more than two apprentice lawyers in his office. With the amendments on the regulation, it's stated that the lawyer who practiced law for more than five years is allowed to train one apprentice lawyer only while the one who practiced more than ten years is allowed to accept two apprentice lawyers.
 - H. **Article (13)** states that in case the number of apprentice lawyers exceeds the twice number of the practicing lawyers, the Bar Council should not accept new apprentices based on the increase of practicing lawyers numbers and regulating the approval according to the precedence in submitting the applications.
2. **The second section** is related to the apprentices' lawyers' status during the training and the works they do as a part of training as what's stated in the following articles:
- A. **Article (16)** where the apprentice lawyer follows up all the issues and works of his practicing lawyers and he does all the tasks assigned to him by his practicing lawyers according to the provided hierarchy in the regulation.
 - B. **Article (19)** regulating the internship of the apprentice lawyer's pleading before the court according to the spent period in which the apprentice was under training.
 - C. **Article (21)** attempted to specify a path for the practicing lawyers to train the apprentice lawyer, but it was very wide and didn't guarantee to provide a good quality of training for the apprentice lawyer.

³⁷ according to article 5 of the system, this list is prepared in coordination with justice Ministry and the Higher Education Ministry and the council may review it and this list is published in the Official Gazette

An amendment on the regulation for ensuring that the apprentice lawyer got opportunities to plead before courts, stated that the apprentice lawyer must bring a proof that he attended 20 hearings before the Magistrate's Courts and 20 hearings before the court of the first instance to move his name from the apprentice lawyers' registry to the practitioners' lawyers' registry. Despite that this condition is very important, it's still not enough as a frame for the training form that the practicing lawyers must provide to the apprentice lawyer.

3. The third section is about regulating training according to the following articles:

- A. **Article (22)** stipulated on forming a training committee consisting of a chairman who has to be one of the Bar council's members and he must be elected by the Council and two other members of it or other practicing lawyers. This committee has the right to appoint committees consisting of three lawyers in each governorate to assist it in performing its work according to the last amendment on the regulation. Where the committee's mission is to supervise the training affairs and to develop training programs including training lectures programs. Also, it has to organize lists of lawyers' names to whom the required conditions in the exams and research committees and the supervisors of exams applied. This amendment gave the participant lawyers in exams and researches committees the right to have financial rewards determined by the Bar council and paid from the training fund.
- B. **Article (23)** organized the lawyers' training institute issue as a platform to improve and develop the training mechanism. Where this article stated: "**the Bar council have to work on providing training institution like the lawyers' training institute as for the training committee, it has to develop detailed plans for training including the definition, the mission, and the practical and behavioral aspects of the profession as well as mock trials**".
- C. **Article (24)** stipulated that the training committee during December must develop an integrated program for training courses, and write the lecturers' names. The lectures mustn't be less than 50 one.
- D. **Article (25)** stated that the apprentice lawyer must attend the training lectures regularly and prepare a special registry, signed by the trainer when attending the lecture, after the completion of the annual program and in as little as 15 days. The committee has to submit a written report for the Bar's council including her notes and recommendations about the program. In the same vein, articles(26), (27), and (28) improved the procedures of submitting the research assigned to the apprentice lawyer as a requirement to finish his training and it also improved the procedures of discussing the research, the method of selecting the discussion research committees and the duration of submitting these researches.

4. **The fourth and last section** is about finishing the training duration and the requirements for getting an approval for practicing Law where it is as in the following articles:
- A. **Article (30)** "The Bar Association holds a written exam and an oral exam for the apprentice lawyers twice a year. The first exam is in April and the second in October. As for the oral exam, it's held after 10 days of announcing the written exam's results". The one applied for the exam, must have finished three-quarters of his training duration. Where it's a must for those who want to take the oral exam, to pass the written exam firstly.
 - B. **Article (31)** is allocating 50 marks for the two parts of the exam, the oral and the written, equally and the pass mark is 15. The exam's committee submits the results for the Bar's Council as it was permitted by the exams' committee and so the results are crucial and final.
 - C. **Article (32)** clarified the provisions of moving the apprentice lawyer's name to the practicing lawyers' registry. Where it stated that moving the apprentice lawyer's name to the practicing lawyers' registry is not allowed unless the apprentice lawyer passed both of the oral and written exams and the research. Also, he must have attended 50 lectures during his training duration and proven that he attended 20 hearings before the Magistrates' courts and 20 hearing before the court of the first instance.
 - D. **Article (34)** stated that the Apprentice lawyer who finished his training have to submit an application to enter the practicing lawyers' registry after fulfilling the previous conditions. Based on this and after levying the fees and making the swearing-in, the Bar decides to permit his registration.

The training regulation contained some amendments which dealt with amending fundamental provisions in the training regulation whether it's related to the training durations or the registration's conditions in the apprentice lawyers' registry, or the practicing lawyers' registry after finishing the training period. Besides some other amendments of provisions related to the management matters to develop the training regulation, which are the amendments approved in the plenary meeting in 24\5\2013, and the approved amendments in the plenary meeting in 4\4\2018.

By reviewing the training regulation and its amendments, we find that there're attempts to improve and regulate the training but they're not sufficient neither organizationally nor legal. It's criticized for writing many disorganized articles sequentially, especially those related to the conditions of registration in the apprentice lawyers' registry. Since these conditions were laid down irregularly, it affects understanding them especially by the newly trainee in the profession of law. It's also noticed that there's a lack of regulation's guarantees to guarantee to provide good quality of training for the apprentice lawyer, despite the validity of the amendments to the regulation which worked to avoid this problem by requiring the apprentice lawyer to attend 2 hearings before the Magistrate courts and 20 hearings before the first instance courts based **on the approved amendments in the plenary Assembly in 4\4\2018**. It's still not sufficient and

doesn't prove that the apprentice lawyer received a good quality of training, and mastered all the practical and legal aspects, especially since the amendments didn't determine a particular method to prove that the lawyer attended these hearings, but it's proved by the hearings' transcripts. As for the lectures received by the apprentice lawyer to prepare him for the practicing exam, it's criticized for not following a unified approach to give these lectures and the need of institutionalizing it³⁸. Where the quality and topics of these lectures as well as the required conditions in those who give these lectures were general; even the work on the compulsory attendance of the apprentice lawyers for these lectures and the number of it wasn't sufficiently organized.

It is noticed from the recent amendments to the training regulation, the Bar council attempts to improve the quality of training. As the last amendments on the regulation in 2018 attempt to make the training regulation proportionate the numbers of the apprentice lawyers, but it didn't specify the required method that guarantees its implementation and supervision over the training affairs. For example, the regulation does not determine the mechanisms needed to improve the training regulation's quality and neither identify the content nor followed methodology while giving those lectures, to be watched and supervised later. The regulation does not state also the conditions that guarantee good specialization of the lecturers who were given the teaching mission of these lectures and the diversity of their legal backgrounds. Even for the teaching methods that should be used in these lectures, they are traditional and not suitable practically. Since the training depends on the trainer's mode and how much experience does, it causes differences between the quality of lectures from one trainer to another³⁹ and this brings the need to think of improving and modifying the current regulation.

Secondly: The organizational structure of the current training regulation in the Palestinian Bar Association

According to the applicable training regulation No.1 of 2004 and its amendments, a training committee in the Bar consisting of a chairman who must be one of the council members, elected by the Bar Council and another two members of the council or other practitioner lawyers, is supervising on the training affairs. This committee has the right to appoint committees consisting of three lawyers in each governorate to assist it in performing its work according to the last amendment on the regulation. In addition to this committee, there's a Central Training Module of the Bar Association which consists of the manager and 4 employees and its mission is to supervise the new apprentice lawyers and to regulate the things related to researches, discussion committees, receiving researches, training, continuous education, and the exams.

³⁸ interview with Amjad Al-Shalla, a member of the Palestinian Bar Association council, in 12\11\2019.

³⁹ Seyada II Project, Organizational & Management Review for The Palestinian Bar Association (PBA), 2010, p.13.

The training committee supervises other sub-committees which are the researches committees and exams committees. Where it's working on prepare lists of lawyers' names to whom the required conditions in the exams and research committees that weren't determined applied. As there're no particular conditions for the participant lawyers except requiring the participant lawyer to be competent and experienced in the practice of law for more than 10 years, which is not a sufficient qualification of course. The formation of these committees shall be decided by the Bar working by Article (28) of the training regulation. Each committee consists of not less than 3 members and no more than 5. Also, all the participants at these committees have the right to get financial rewards determined by the Bar council and paid from the training fund. The council has the authority to form researches and sub-exams committees as much as required.

There're several administrative aspects of regulating the lectures provided by the Bar before the practicing exam. The first one is the lack of comprehensive, up-to-date, and standardized curriculum for these courses as the last review for the curriculum was 8 years ago. Also, there's no identified and clear mechanism for assessing these lectures. Currently, the Bar Association is working, through the training department, on improving a curriculum to be adopted but till now what's applicable about these curricula is teaching laws by every lecture and according to his own curricula. The second problem is that the lecturers give these courses voluntarily which affected the quality and the lecturers' obligation to give these lectures, let alone the lack of motivation of those lecturers to give their best⁴⁰.

In general, there's no clear administrative structure for training in the Bar Association, as what's mentioned in the training regulation can't be considered an identification of the administrative structure of training. Also, the current organization of the training module is not proportional to the increased numbers of apprentice lawyers in any way and it doesn't provide a good quality of training for them whether of following-up, supervision, or improvement of the programs. As for the training committee, and despite stating its missions, these missions limited the committee's role to supervise without improving the training regulation which certainly affects the quality of training⁴¹.

Even when it comes to the training and every trainee's data, we find that these data are paper and non-computerized data. The Bar Association organizes the files of the apprentice lawyers as a paper data⁴². While the computerized of these data is done by programs that do not save time and effort and don't provide an optimal way of following these large numbers of apprentice lawyers up, monitoring their commitment for training, monitoring the lecturer's commitment to provide a good quality of training for those trainees and to which extent they are committed to

⁴⁰ Nora Maddah, a previous reference.

⁴¹ Interview with Thaer Rabah, an employee at the training department of the Palestinian Bar Association, in 28\7\2019.

⁴² Ibid.

attend these lectures or even the duration of training interruption. All of the above, affect the quality of training and the ability to deal with the large numbers of apprentice lawyers.

Thirdly: Means of improving the training regulation

After clarifying the justifications that requires improving the training regulation by the Bar Association, and the analysis of the current training regulation in the Palestinian Bar Association, it's necessary to study the improvement methods and means which may represent solutions for the problems of the current training regulation aiming to find and work by the best of these methods to improve the regulation and regulate the numbers of the Apprentice lawyers. Taking into consideration that some of these methods were applied and experienced in Palestine; as the experiences and its assessment will be clarified from their effects side on improving the quality of training and organizing the numbers of apprentice lawyers. These methods could be summarized as follows:

1. The strict requirements of registration in the apprentice lawyers' registry.

The Bar Association verifies the capacity of the applicant for registration and makes sure that he meets all the required conditions⁴³. Therefore, the strictness method will help in controlling the apprentice lawyers' numbers and later the practicing lawyers' numbers. Where the Palestinian Bar Association adopted this approach recently as the General Assembly of the Bar added some amendments to the training regulation in her meeting in 4\4\2018. Article (3) of the training regulation was amended and requires the apprentice lawyer to take an admission exam to join the Bar after the fulfillment of the required fees, also it requires the student to be graduated from one of the recognized universities or institutes included in the Bar's list. This approach also requires the practicing lawyers whom the law graduate is training in his office, according to the amendment states:" the lawyer who practiced law for more than five years is allowed to train one apprentice lawyer only while the one who practiced more than ten years is allowed to accept two apprentice lawyers".

These strict requirements may contribute to regulate the apprentice lawyers' numbers initially but the training regulation is still in need of regulationatic improvement and developing training programs. Where this method or option is organizing the numbers but without improving the quality.

2. Stopping training⁴⁴

⁴³ Loai Falha, affiliation to the Bar Association. Available on <http://al-akhbar.com/Community/39148> and the last access was on August 18, 2019.

⁴⁴ public opinion statement issued by the Bar Association Council regarding the proposal of stopping training in the Bar Association. Available on <http://qanon.ps/news.php?action=view&id=22167> and the date of the last access is August 17, 2019

According to article 13 of the Palestinian lawyers training regulation N.1 of 2004" B- in case the number of apprentice lawyers exceeds the twice number of the practicing lawyers, the Bar Council should not accept new apprentices based on the increase of practicing lawyers numbers and regulating the approval according to the precedence in submitting the applications". Since the number of the practitioners lawyers is including those registered at the Bar and fulfilling the fees where this doesn't mean that all of them are practicing law in reality and they're many, therefore it's not possible to depend on those lawyers' numbers to know if their number is twice the apprentice lawyers' number or not. That means that these numbers must be excluded as they're not considered practitioners of the profession. This is why this article can't be applied due to the lack of a precise number of practicing lawyers in the real ground. Besides, this option won't solve the problem from its root and the law graduates, who are waiting for the opportunity to enroll in training, will increase. This might cause a big national and educational crisis; besides, this option won't regulate the number effectively, it's just a postponement of the problem. Let alone that it will not improve the quality of the training.

3. Classifying the lawyers into the two categories of the pleading lawyers and the counsel⁴⁵.

Working by this option may solve two basic problems which are the Labor-market overcrowding problem and the problem of training on the law. where the existence of two categories of lawyers in the Bar Association may contribute to distribute work between lawyers and reduce the burden of training of the pleading lawyer won't receive the same training of that of the counsel. According to this regulation also, the counsel might spend determined years in training without taking an exam of practicing(pleadings) and still considered one of the Bar's members but he can't plead at the courts. But, based on the current regulation and the Palestinian lawyers' training regulation, there're two types of lawyers. They are the practitioner lawyer and the resident lawyer defined by article 3 of authorizing Palestinian lawyers regulation No.2 of 1998 as "The registered lawyer in the practitioner lawyers' registry as a resident lawyer but assigned in a public corporation or private corporation whether they're local or foreign as well as Banking institutions and insurance companies in Palestine. As this resident lawyer who works as a client of these companies is not allowed to do the law works nor appear before the court or the official institutions except for the company's, which he works with, business and also he's not allowed to entrust any issue other than the company's issues and he has to focus on this company legal works". Using this option may mitigate the training crisis especially that the counsel doesn't have to take the practicing exam, unlike the pleading lawyer. Despite that this option may help to reduce the lawyers' numbers by classifying them into categories, it won't solve the problem of

⁴⁵ Lawyers' training system in Estonia, Published on https://e-justice.europa.eu/content_lawyers_training_systems_in_the_member_states-407-en.do , Last access August 17, 2019

improving the regulation of training which is needed to qualify the apprentice lawyer to be a practitioner or pleading lawyer.

4. Developing specialized courses and adopting it as an obligated requirement to get permitting the profession of law

According to article 22 of the training regulation, the Bar Association supervises the training received by the apprentice lawyer, the preparation of training programs, and organization the lectures of training. Thus far, one of the most important weaknesses in the current training regulation is the programs and lectures prepared by the Bar because they are prepared for qualifying the apprentice lawyer to pass the practicing exam not to qualify him professionally and academically to practice law in general. As it's not determined in detail in terms of the number of hours that must be passed during the training duration and the topics that must be included in general. Without mentioning that these lectures and courses are not disturbed throughout the training duration.

Preparing a guiding professional course in a regulationally way aims to improve the professional side of the apprentice lawyer is a very important and necessary issue. If we looked at the compared experiences, we'll find many applications and models of these professional courses. For example, Ireland adopted training regulation that requires the apprentice lawyer to pass an admission exam consists of 8 essential legal subjects, start the training for two years in a law office, take two professional courses and then have the practicing exam and register in the Bar Association in case he succeeded. It is the two professional courses that make the Irish experience so special where they're prepared in a scientific theoretical, practical, regulationatic, and professionally comprehensive. These two courses are given by practicing lawyers and members of the legal community like judges and practicing lawyers⁴⁶. The first course includes some of the essential legal topics like: " example of the procedure law of civil and criminal trials, the law of land, trade and tax, the pleading and negotiating skills, legal research, receiving clients and providing legal advice and the legislative drafting). As for the second course, it includes private and detailed laws as: (labor law, the intellectual property law, family law, children's law and the law of the professional ethics and administration of the law office besides 3 optional subjects that the trainee must take one of it). The duration of the first course is 6 months with full- time but the second is 3 months. After finishing the two courses, the apprentice lawyer is required to take an oral and written exam based on what he benefited from these courses⁴⁷.

5. Involving the law faculties in the process of training the apprentice lawyer

⁴⁶ Professional Practice Course I (PPC I) and Professional Practice Course II (PPC II).

⁴⁷ Lawyers' training system in Ireland, Published on: http://ejustice.europa.eu/content_lawyers_training_systems_in_the_member_states-407-en.do last access August 17,2019

This option is focusing on involving the law faculties in the process of supervising the training on the law in order to not making the burden of supervision the training on the Bar Association only. This means that the law faculties' role could be related to the logistic support by established for example an office in each faculty and call it Career Services Office⁴⁸, which aims to help the student to find an opportunity of training at one of the law offices. Its role might be also an academic role by involving the law faculties in the process of preparing and developing training programs and lectures in the applicable training regulation in the Bar.

6. Establishing a training institute for lawyers

Several professional legal regulations adopted the option of establishing a training institute for lawyers which one of the training models aims to qualify and train the lawyer and also improve his professional capacity in order to help him practice law efficiently. There're several methods to establish and manage institutes for training lawyers, where some of the institutes are established independently like the Practicing the law Institute⁴⁹ that offers lawyers qualification services that are non-mandatory, and with fees. While other institutes were established and managed under the Bar Association as a requirement to get the approval of practicing law. other countries consider the institute as a public institution and the Ministry of Justice or its equivalents manage the institute like the lawyers training institute in Uzbekistan⁵⁰.

Establishing the institute under the Bar Association leads to make it an essential requirement to join this institute in order to register at the Bar Association and the enrolling period to the institute differs according to the applicable training regulation at that Bar Association. Some of them require 2 years at the institute and some require one year but there're Bars that decrease or increase the duration based on the scientific degree the apprentice lawyer has. The model of the lawyers' training institute depends on making a training program consists of some courses. Where in some of the compared countries, there are 23 courses in some of the institutes there, in addition to the legal assistance program which helps the apprentice lawyer to apply what he has learned directly by providing the legal assistance for free for those who come to the institute asking for it⁵¹.

It is noticed that the countries adopted this option as a model of training managed to improve the quality of the training and regulated the lawyers' numbers who chose this profession. Therefore, if the Palestinian Bar Association adopted this option, it will be the best substitute instead of the current training regulation. Where the institute will be followed-up directly by the

⁴⁸ Training at Law offices and its positive effects, published on: <http://www.alhayat.com/article/824667> the last access October 18,2019

⁴⁹ Institute Practicing Law website, available on: <http://www.pli.edu/> , last access August 17, 2019.

⁵⁰ Information About The Law Training Center, published on: <http://uzmarkaz.uz/eng/article/1/> , last access August 18,2019

⁵¹ Legal Training Institute, Published on: <http://www.looppng.com/tags/legal-training-institute>, the last access August 18, 2019

Bar Association and will provide an integrated training curriculum prepared to qualify the apprentice lawyer to practice the profession of law. the next section will be for studying this option scientifically and determining to what extent it is suitable and relevant to the needs of legal training in Palestine.

V. Lawyers Training Institute

Adopting any option aiming to improve the training regulation by the Palestinian Bar Association must be preceded by a study of this option to determine how much it is suitable legally and logistically and to what extent it has contributed to improving the training regulation, qualifying the apprentice lawyers and regulating their numbers.

This section of the study aims to define the lawyers' training institute and its goals, clarify the suggested organizational and legal structure of the institute model in addition to a detailed examination of two models of the training institute regionally which are the lawyers' training institute at Lebanon and the higher institute for law in Tunisia in order to benefit from their experiences and the effect of establishing the institute on improving the training regulation in both of these countries.

Firstly: The concept of lawyers' training institute

The word "institute" has several meanings depending on the context. Its linguistic definition is an established place for education and research⁵², where it's idiomatically defined as an institution concerned about studying and developing a particular specialization or it could be a research institution research in a particular subject. The lawyers' training institute doesn't have a consensual definition and it's usually defined within the law organizing it⁵³. But it could be defined as:

Professional legal training institutions aim to:

1. Providing the apprentice lawyers with the professional legal education prepared to help them practice law based on a scientific basis
2. Providing legal courses specialized in improving the legal capacity of the untrained lawyers and others.

⁵² Al-Waseet Dictionary.

⁵³ Most of the legal systems adopted the lawyers' training institute program defined the training institute within the laws and systems organized the work of the lawyers' training institute in the Tunisian Law No.30 of May 15, 2006 which is about revision and completion of the law No.87 of September 7,1989 related to organizing the legal profession, the Higher Institute of Law has been defined as a public institution have an administrative and legal character and it's financially independent where the ministry of justice and the ministry of higher education are the supervisors on it.

As the previous definition implies, the model of the lawyers training institute aims for⁵⁴:

1. Forming a frame for training the lawyers enrolled at the Institute depending on the professional and intellectual enrichment
2. Providing an Educational program working on enriching the enrolled at the Institute with legal knowledge, practical professional skills, and professional ethics to help them practice law.
3. Improving the professional level for those enrolled at the Institute and empower their practical abilities to enable them from practicing law effectively.
4. Assessing the enrolled at the Institute professionally and based on a scientific basis.
5. Advancing the profession of law by support and provide programs of continuing legal education for lawyers.

Secondly: The organizational and legal structure of the institute model

The organizational and legal structure of the training institute differs according to the different aims of the institute and the body that supervises the management of the Institute. As it was mentioned previously, the institute might be established as an independent institution and affiliation to it is optional, or it might be like a public institution supervised by the Ministry of Justice as it's the case in many legal regulations like Tunisia and Uzbekistan⁵⁵ and Rwanda⁵⁶. While there is a legal training institute established under the Supreme court supervision like the case in Japan aiming to train the new lawyers, prosecutors, and judges⁵⁷. The institute also may be established under the Bar Association considering the law institute in Lebanon and the Regional Professional Center for training lawyers in France⁵⁸ which requires the affiliation to it to take the permission to practice law; **the legal and legislative framework for the lawyers' training institute.**

The legislative method by which the lawyers' training Institute is established is according to the legal form of the institute. If it was established as a public institution that follows the Ministry of

⁵⁴ The program of the professional diploma in law, available on: <http://lawcenter.birzeit.edu/lawcenter/ar/2013-09-18-1-27-42/2013-09-18-09-26-19> last access August 18,2019

⁵⁵ Ibid, p.22.

⁵⁶ Rwanda: First Legal Practice Institute, published on <http://www.loc.gov/law/foreign-news/article/Rwanda-first-legal-practice-institute/>, last access August 18, 2019.

⁵⁷ The legal Training and Research Institute of Japan, available on: <http://www.courts.go.jp/english>, last access August 18, 2019.

⁵⁸ Lawyers' training system in France, available on: http://ejustice.europa.eu/content_lawyers_training_system_in_the_member_states-407-en.do, last access August 19,2019

Justice or the Ministry of Higher Education, then this institute is established based on special law including some amendments and follows it a group of regulations and decisions related to the financial and administrative organization. But if it's established as an institution under the Bar Association, then the legislative method for establishing the institute is according to what's stated in organizing the legal profession Law or the training regulation issued by the Law.

Establishing a training institute for lawyers as an institution follows the Bar Association is usually made as an amendment for addition to the Law (the law of the Bar Association) and this addition might be accompanied by canceling some articles or might be addition without abolition of the law or the rules of procedures. **The organizational structure of the lawyers' training institute.**

The administrative regulation is determined based on the rules of procedures of the lawyers' training institute. Usually, the structure of the institute includes the presence of an administrative manager, the scientific Council or the Scientific Committee, and the board of the institute. As for the administrative stricter, it may include teaching and qualifying staff and disciplinary board.

Commonly, it is important to form a rule of procedures for the institute to organize every related thing to the establishment of the institute, the institute designation, the missions of the institute, the affiliation to it, management of the institute, the financial organization of the institute, the study and composition regulation of the institute in terms of courses and their distribution and the number of affiliation years to the institute.

Thirdly: Regional experiences in establishing lawyers' training institute

In order to come out with a clear and specific recommendation for establishing the training institute for lawyers in Palestine, it's needed to study the regional experiences in establishing it and this's to learn and benefit of these experiences and to take what's compatible with the legal, economic and social situation in Palestine. The next section is presenting the experience of law institute in Lebanon which the Bar Association in Beirut supervised on it, also the Higher institute of law in Tunisia supervised by the Ministry of Justice, the minister of Higher Education, and the scientific and technological research. Both of them are of the regional experiences which showed success in improving its lawyers' training regulation. Due to the different supervisors, there're slight differences between the two experiences whether from the legal structure or the organizational structure.

law institute of the Bar Association in Beirut⁵⁹

The lawyers' training institute in Lebanon was established based on the resolution issued by the Bar Association council in Beirut during its held session in 10\6\2009 for the basic formation, professional improvement, continuous education, and qualification for practicing law⁶⁰. As it's

⁵⁹ Check appendix No. (1) a brief description of the lawyers' training system in Lebanon.

⁶⁰ The system of the Institute <http://bit.ly/Pp24hj> the last access August 18,2019.

based also on the text of article 19 of the rule of procedures of the Bar Association in Beirut, which regulates the subject of oral and written exams and article 43 of the same regulation which is related to the transition to the general scale.

The institute was opened on October 19, 2009, for qualifying the apprentice lawyer⁶¹, as the legal sciences and the theoretical studies which the student receives at the college are limited in the theoretical side away from the practical practice of law and they are not sufficient to qualify and prepare the lawyer for practicing the profession and facing the challenges imposed by the globalization and the accelerating scientific development, and the affiliation to it is obligatory only for the apprentices registered in the Bar Association in Beirut.

Besides its basic role in qualifying the apprentices/ and follow-up them, the law institute has another two missions: the first one is preparing those who want to affiliate to the Bar to take the written and oral exams that qualify them in case they pass the exam to become/apprentice lawyers. As for the second mission, it's providing the optional continuous qualifying for the lawyers registered in the general scale and want to continue the continuous learning and the professional improvement⁶².

Establishing the Law Institute in Lebanon has a significant impact on regulating the enrollees' numbers to the Bar Association in Beirut. According to the stats, more than 65% of the Law graduates fail in affiliating to the Bar Association and for the Bar Association in Beirut, this's happening due to the absence of competence and professional interest. As for the Bar Association in Beirut position about this, it emphasizes the necessity of ascertaining the law graduates' capacity who want to join the Bar Association due to the fact that the law graduates' numbers exceed 2000 graduates annually which is beyond the Bar's assimilation capacity. It mentioned also that low success rate is due to the lack of graduates' competence and the absence of strict conditions for studying law where the law faculty became a sanctuary for the students who don't find a suitable place in other faculties⁶³.

About the legal frame of the institute

The law institute in Beirut was established pursuant to article 19 of the rule of procedures of the Bar Association in Beirut which regulates the oral and written exams and article 43 of the same regulation which is related to the transition to the general scale. As the resolution of establishing the law institute based on the Bar Association council's resolution in Beirut.

The rule of procedure of Beirut's Bar Association regulates the training in the Bar and it stated the provisions that the apprentice must meet. Where it's stated in article 19 of the regulation requiring submitting training applications during the time limit of submission applications at the

⁶¹ The graduated lawyer is the used term in the Bar's rule of procedures in Beirut to mean the apprentice lawyer

⁶² Ibid.

⁶³ For more details, look at appendix No. (1) which clarifies the structure of training of the Bar in Beirut.

advertised course and no applications will be accepted after the end of the period. It also requires the applicant to do an oral and written exam. Besides, the articles 12,13 and 14 of the Law regulating the legal profession 70/8 states the gradualism terms in the Bar. Article 12 of the law states that the lawyer who applies for registering his name at the Bar has to write the lawyer's name whom he wants to train at his office and to show a proof that this lawyer has accepted him as a trainee in his office. As for article 13, it states the documentation that must be attached to the training application. The apprentice lawyer must comply with these requirements stated in both of the rules of procedure and the Law regulating the legal profession, this in regards to the legal frame that governs the gradualism and training in general in the Bar Association in Beirut.

The rules of procedure of the lawyers' institute consist of the divided subject as following:

1. Establishing and designation the institute
2. The institute's mission
3. The affiliation with the institute
4. The management of the institute
5. The authorities' conflict
6. Working by the current regulation and amended it.

From the mentioned headings subjects in the institute's rule of procedure, it's clarified that it organizes the institute's work and the affiliation to it without getting into the gradualism of training at the Bar Association in Beirut. As it stayed organized according to the rules of procedures and the Law regulating the legal profession. Where it's stated in article 3 of the institute's regulation that affiliation to the institute is obligatory for the apprentice lawyer who is registered at the Bar Association. The institute's regulation didn't amend any condition of the gradualism/training conditions at the Bar that are organized based on the rule of procedures of the Bar according to article 19 and 43 or those are mentioned in the Law regulating the legal profession. As there're some amendments to the provisions of gradualism/training in the rule of procedures of the Bar working by the Bar Association's resolutions in Beirut to ensure that they're in line with what's decided in the rule of procedure of the Law Institute. Where article 6 of the rule of procedure of the Law Institute stated: "This regulation operational from the date set by the Bar Association council and the current regulation must be amended by the Bar Association council's resolution".

Affiliation with the Law Institute

Affiliation to the Law Institute according to the rules of procedure of the institute is obligatory for the apprentice lawyers registered in the Bar Association in Beirut. That means the affiliation to the institute is approved after fulfilling all the registration conditions in the apprentice lawyers' registry according to the rule of procedures of the Bar in Beirut and the Law regulating the legal profession. The registration in the apprentice lawyers' registry is made based on submitting the

registration application in the time limit of submitting applications in every course with attaching the documentations stated in articles 12 and 13 of the Law regulating the legal profession. Also, the applicant for training must take an oral exam in front of the committee in the Bar Association in addition to the written exam. As two courses for the oral and the written exam are headed and it starts on January and in case the student didn't get the pass mark which is 50 out of 100 in both of the exams, he can take the next courses but in case of not passing four exams, he won't be allowed to apply again for the affiliation exams. It is noticed that article 19 of the rule of procedure of the Bar, which regulated the above condition, that is detailed in terms of it regulating both of the oral and the written exam and the subjects that the oral exam committee must focus on as well as the way by which the questions will be formed. Article 11 of the Bar's rule of procedures in Beirut stated that the training duration is 3 years.

The gradualism/training includes in addition to affiliation to the Bar, the apprentice's synchronizing the affiliation to the institute with the registration with a practitioner lawyer⁶⁴ to be responsible for training the apprentice during his training period at his office.

The rule of procedure also mentioned in the article 20, 21, 22, 23 and 24 conditions of registration with a practitioner lawyer and through these conditions, the Bar Association worked on ensuring that the apprentice lawyer will have his training duration with a practitioner lawyer who will provide the appropriate training for this apprentice. These conditions are verified by a disclosure made by the Bar Association on the office.

The apprentices are classified into three categories: first-year apprentice, second-year apprentice and third-year apprentice, for participating in the lectures prepared by the institute. Where the apprentice lawyers registered in the scale during the extended period of October 1 to the end of September of the following year are one category.

According to article 3 of the institute's regulation, the affiliation to the institute is optional for the foreign lawyers, the working lawyers who would like to follow-up the continuous training and the professional improvement, and the lawyers approved by the Institute Management Board. We notice that the affiliation to the institute is consistent with the institute's mission to train and prepare the apprentice lawyers, prepare those who are willing to affiliate to the Bar to take the oral and written exam and organize the constant and optional professional training for the workers lawyers.

The administrative structure of the Law Institute

Article 4 of the institute's rules of structure organizing its administrative structure, where the institute administration includes three boards supervise the institute according to its competency, as following:

⁶⁴ The working lawyer is the practicing lawyer

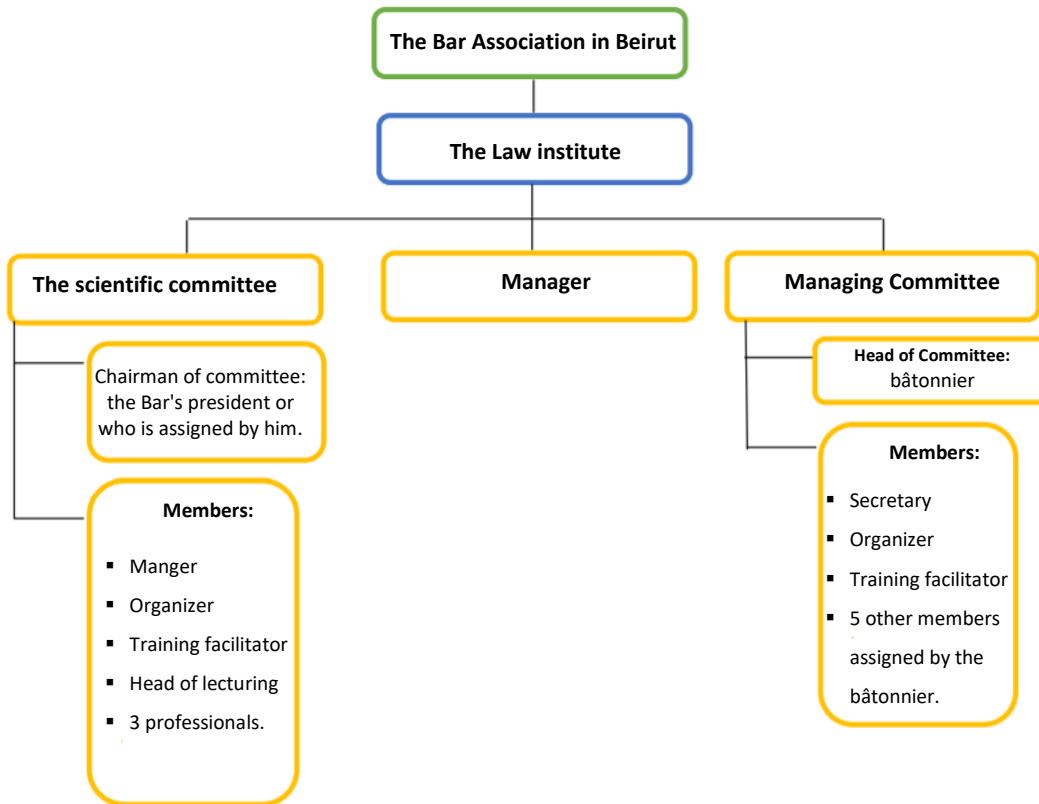
1. The institute administration board and its responsibilities are formulating the public policies, approving the curriculum and the practical courses, budgeting the Institute, determining the teachers' remuneration and the allowances students pay. It also prepares and follow-up of the financial and administrative affairs of the Institute, approves the applications of studying at the institute, makes constant and temporal committees, and prepares agreements and cooperation contracts with the Law and judicial institutes. As the legal background differs between the board's member, there're five members that the president must select according to the following:

- Former Bâtonnier or one of the Bar board's members.
- Selecting two people from the current or former deans of law faculties in Lebanon and/or from the former judges or/and from the university teachers who studied law at one of the law faculties for at least 15 years.
- Two of the appeal counsels who are registered on the public scale for at least 15 years.

2- The scientific committee include proposing the draft general program for basic composition, the professional improving, and the training and suggesting amendments to it. In general, the committee is responsible for the academic mission in the institute whether the study programs, scientific research, academic guidance, and proposing suitable methods to supervise the institute's programs. As the article stated the need of selecting the administrative board of the institute three members who are scientifically and professionally effective from the lawyers or/and the teachers in the faculties.

3- The institute's manager is appointed by the resolution of the President for renewable one-year. His missions are daily supervision the work of the institute, implementation of the decisions of the administrative board, and the scientific committee's decisions, representing the institute in front of the different sides based a mandate by the administrative board and assigning lecturers to teach at the institute according to the suitable requirements he sees.

Below is a conceptual map of the administrative structure of the law institute in a simplified way:



– **As for the financial regulation of the institute**

The incomes of the institute are consisting of the apprentices' registration fees which was 883.350.000 LL of 2015-2016 financial year as 25% of net agency registration fees are transferred. While the institute's incomes in 2015 were 4.120.479.069 LL.

The teaching program of the Law Institute

The purpose of the Law institute is the legal professional qualifying and keeping-up with the accelerated development of the profession of law and the new legal subjects. Therefore, the teaching programs in the institute are reflecting these purposes but the responsible for providing the proposal of these programs is the scientific committee of the Law Institute. The institute post a table at the beginning of every course includes the subjects, dates, times, places of the lectures besides the lecturer name too.

The number of lectures of 2018-2019 course was thirty lectures and it continued from October 18, 2018, until June 3, 2019, and the subjects included are: the Civil Procedure Law “judiciary for urgent matters”, formulation contracts, an inspection of the state, the Civil Procedure" executive

procedure", administrative proceedings, the IT laws, the intellectual property laws, regulation the profession and its ethics, tax regulation and its applications, the civil procedures "the rules of the first instance and appeal", the real estate transaction, the judicial assistance, the labor law, and the social insurance, establishing commercial and civil companies, oil and petroleum laws, the joint and the co-mingled accounts, and the criminal trials provisions⁶⁵.

The legal background of the lecturers in the obligated lectures program varied as there're lawyers, judges, and academics. As for the other institutes' activities, they're providing the registered lawyers with courses for continuous training, providing business writing for lawyers' course in English, FIDIC contracts, negotiate to win, legal writing and drafting contracts⁶⁶. Usually, the institute cooperates with other partners like the Lebanese universities or specialized training centers in providing continuous learning courses for the registered lawyers on the public scale.

The institute is advertising the continuous learning courses through the Bar's Electronic site in return for money paid by those who want to participate. For example, the required fees for participating in the writing course in business administration for lawyers are 200\$ and the duration of every course is usually 3-4 days⁶⁷.

The Higher Institute for law in Tunisia⁶⁸

It was established based on Law No.30 of 2006 which is an amendment and completion for law No.87 of 1989 issued on September 7, 1989, and related to organizing the legal profession. Working by the above law, the institute had the name of "The Higher Institute for the law" and it's a public institution with an administrative and legal character and it's financially independent supervised by the ministry of justice, human rights, and the higher education ministry.

The institute at the beginning faced fierce opposition by the Tunisian lawyers due to establishing it under the justice and the higher education ministry supervision; they asked to let the institute under the Bar Association like the other similar institutes in the other countries. As a result, the Ministry of Justice mentioned its justification for making the higher institute under its supervision especially that it's working on protecting the institute's independence from any domination not

⁶⁵ The lesson's program for the course of 2018-2019 in the Bar in Beirut, available on: <http://bit.ly/2zeyW8f> the last access August 18, 2019.

⁶⁶ Business writing for lawyers' course in English, Fidic contracts, Negotiate to Win and LEGAL writing and contract drafting.

⁶⁷ Business writing for lawyers' course in English, http://bba.org.lb/ar/Institutions/Details/84/BUSINESS_WRITING_FOR_LAWYERS_course_in_English last access August 18, 2019

⁶⁸ Check Appendix (1): brief description of the lawyers' training system in Tunisia.

serving the public interest⁶⁹. Therefore, the Law was issued with its current form that put the institute under the justice and the higher education ministry supervision.

The higher law institute aims to achieve the following⁷⁰:

Preparing⁷¹ and training the learners who were accepted after their success in a debate or acceptance contest⁷².

Attributing the competency certificate which approves practicing the law.

Promoting the experiences of practicing lawyers⁷³ through organizing forums, study days, and practical lectures.

The institute aims to regulate the practitioners lawyers number as before establishing the higher institute of law in Tunisia, the number of lawyers who are registered in the apprentice lawyers' registry was more than 500 lawyers because the law allowed those who had Certificate of in-depth studies in rights to be approved to practice law without having a competency certificate in law. in order to avoid this huge inflation in lawyers' numbers, the institute was established and by 2010, the practicing lawyers' category is composed exclusively on those who have a competency certificate in law from the higher institute. Accordingly, by 2011 the numbers of those who are annually approved in the practicing lawyers registry decreased till it became around 200 lawyers⁷⁴.

According to the repeated text of article 2 of the law regulating the legal profession, the duration of studying at the institute is two years and it was finished by get a competency certificate to practice law which allows the lawyer to register at the lawyers' scale. But the provision of the scale and training is the lawyers' national board mission since it is applicable in all the free professions. The headquarter of the Higher institute is in the Tunisian capital, where the administrative, court premises, and university institutions that the learners need exist⁷⁵.

⁶⁹ Lotfi Hajjy, article titled "the law institute explode a disagreement between the lawyers and the government in Tunisia, published on: <http://www.aljazeera.net/news/arabic/2006/5/9> the last access August 18, 2019.

⁷⁰ The Higher Institute of Law, available on http://www.e_justice.tn/index.php?id=346 and the last access August 18, 2019.

⁷¹ Preparing is another term for training.

⁷² Debate for acceptance are construed as the Acceptance Contest of the institute depends on the distinction of the candidates for the contest.

⁷³ The pursuing lawyers term means the practicing lawyers.

⁷⁴ Yassin El Tounsi, an article titled as the practitioner lawyer in Tunisia: The relation's crisis and the difficulty of professional launching, published on: <http://www.legal-agenda.com/article.php?id=1640> the lat access August 18, 2019

⁷⁵ All the details of the acceptance consents in The Higher Institute of Law, published on: <http://www.turess.com/assabah/11939> the lat access August 18, 2019

It's must be mentioned that affiliating to the institute and having a competency certificate is considered one of the conditions to be delimitating in the registry of practitioners lawyers⁷⁶ and this is what article 8 of the law regulating the legal profession; the duration of training must be one year and article 12 requires the apprentice lawyer to keep working in the office in which he's training.

The legal frame of the Higher Institute of Law

The institute was established working by Law No.30 of 2006 which is an amendment and completion to law No.87 of September 7, 1989, where it stated modifying the law regulating the legal profession. It's noticed that the legislative method for establishing the lawyers' training institute in Tunisia differed from that is used in Lebanon. Where the Law institute was established in Lebanon working by a resolution issued by the Bar Association Council in Beirut based on articles of the Bar's rules of procedure, while the Tunisian Institute was established by the Ministry of Justice and based on a special law.

Law No.30 of 2006 which is an amendment and completion to law No.87 of September 7, 1989, included an amendment to an addendum to the law and abolition on law No.87 of 1989 which is about the regulating of the legal profession law. where it added to first part of law No.87 of 1989, chart 3 repeated which states on establishing the Institute as a public institution with legal character and financial independence. Also, it abolished the provisions of the fourth paragraph of chart 3 concerned of the conditions of provision besides abolishing the provision of the first paragraph of chart 9 that's related to the training duration and the third paragraph of chart 13 which is about the Conditions for the delimitation of the lawyers on appeal.

A group of orders and decisions concerning regulating the Higher Institute of Law has been issued, where some of it was related to the administrative and financial regulating and the others were about the study programs, the institute examination regulation, and organizing the acceptance debate/contest⁷⁷. And they are as follows:

1. The regulation: it was based on the following two laws:
 - A. Order No.2699 of 2007 dated October 31, 2007 which is about the administrative and financial regulation of the Higher Institute of law
 - B. Order No.2397 of 2009 dated October 24, 2009 about organizing the regulation of appointing an assigned people for teaching and training and the extraordinary works of the Higher Institute of law.

⁷⁶ A provision on joining the practitioners' department is by a resolution of the national board council of lawyers based on a written application attached by the required documentation in the third chart of this law and the council meets at least every two months to consider the provision conditions and ensure working by the conditions mentioned in the third chart.

⁷⁷ Debate for acceptance here can be construed as the Acceptance Contest in the institute depends on the distinction of the candidates for the contest.

2. The acceptance debate/contest: the participating in the contest's conditions were determined according to the following two laws:
 - A. A joint resolution by the Minister of Justice and Minister of Higher Education and Technology dated 9, November, 2007 about organizing the acceptance debate/contest.
 - B. A joint resolution by the Minister of Justice and Minister of Higher Education and Technology dated in 22, April 2008 about regulating the conditions of participating in the acceptance debate/contest.
3. The study and training regulation: set the study and training regulation is according to the following orders:
 - A. Order No.2259 of 2009 dated July 31, 2009, about setting the study and training regulation
 - B. The resolution of the Minister of Justice and Minister of Higher Education and Technology dated October 7, 2009, which is about set the study programs' components and the examination regulation in the Higher Institute of law.

It is clear according to the above that the legal framework of the Higher Institute of law was detailed through the amendment to law by issuing a group of orders (regulations and regulations) where it included regulating all the aspects of the Institute business, the teaching regulation, and management.

Affiliation with the Higher Institute of Law

Chapter Two the amended law of legal profession regulation No. 87 for 1989 states that the affiliation with the Higher Institute of Law is through debate/competition opens for practicing lawyers of law, legal sciences, or equivalent certificates. In addition, admission is confirmed through a debate between holders of master's degree in law or legal sciences with practicing lawyers in law or legal sciences to enroll in the second year.

The fifth paragraph of the third chapter states that the applicant in the Bar Association Register in Tunisia holds a certificate of proficiency in the legal profession received from the Higher Institute of Law. While professors in law or legal sciences, or equivalent foreign certificates, and ranked as higher education professors or law lecturers are exempted.

The Minister of Justice and the Minister of Higher Education, Research, and Technology organized the affiliation with the Higher Institute of law through a joint decision dated on November 7, 2007. Organizing the debate/ competition of admission at Institute and the joint decision of the two ministers dated on April 22, 2008 is related to setting the information for participation in the debate.

The conditions for nomination are mentioned in the decision of organizing the debate admission including being a Tunisian and not sentenced of an intentional crime, according to the text of the first and second chapters of the decision. To pass the debate, the candidate must submit a

nomination application attached to the documents under the first paragraph of Chapter 3, which includes a document stating the payment of participation fees in the debate.

The fifth chapter of the decision stipulated the assignment of debate/ competition committee, which would supervise various procedures related to the debate such as questions identification, exams topics, exams supervision and results announcement. Each debate starts off through a joint decision by the Minister of Justice and Human Rights and the Minister of Higher Education. The debate consists of two stages:

- 1- The initial admission stage which includes an exam of multiple choices and writing essays. Chapters 13, 14, 15 and 16 clarify the details on such exams.
- 2- The final admission stage which includes oral exams about the debate program. No candidate is allowed to participate if he/she does not at least get 10 out of 20 in the initial admission stage. Additionally, no admission for any candidate is announced if he/she does not at least get 10 out of 20 in the total admission exams. The committee regulates the candidates according to their proficiency, yet if number of them get the same degree, the priority goes to the one who got higher degree in the initial stage.

The second section of the decision stipulates the identification and distribution of subjects and questions for both exams which contain multiple choice, oral and essay questions.

Statistics issued by the Higher Institute of Law in Tunisia showed that the number of candidates in the first class was 2743, only 225 of them were admitted, while only 180 out of 1883 candidates in the second class were admitted. As for the fourth class, 150 out of 2405 candidates were admitted.⁷⁸ The analysis of these numbers shows the effectiveness of the debate in screening and controlling the number of affiliates with the institute in Tunisia, and how their admission is restricted. However, the number of candidates in admission exam of April course 2019 at Palestinian Bar Association was 752, 718 of them succeeded, presenting a success percentage of 96,6 which is impossible if the admission exam were prepared to provide an accurate assessment of candidates' want to be in the trained lawyers register.

The administrative structure of the Higher Institute of Law

The article No. 2699 of October 31, 2007 approved the administrative and financial organization of the Institute. In accordance with the text of Chapter 2, the Institute comprises the following:

- 1- The administration: The director of the institute is appointed from one of the lawyers of barrister⁷⁹ and proposed by the Minister of Justice and Human Rights and the Minister of

⁷⁸ the Higher Institute of Law, retrieved from: <http://www.ispavocat.tn/images/statistiqueispa.pdf>

⁷⁹ Lawyer of causation is equivalent to barrister in Palestine.

Higher Education. The duty of director is to manage the institute affairs besides the ability to practice the legal profession and take a grant.

2- The Scientific Council: it consists of two representatives of the Ministry of Justice and Human Rights, the Ministry of Higher Education, and the National Bar Association. In addition, it consists of 6 representatives of teaching staff in the institute divided as follows:

- Two representatives of the institute's teachers of third-rank judges. Colleagues of the same capacity at the institute elect them for three years, renewable period.
- Two representatives of the institute's teachers from university research teachers. Colleagues of the same capacity at the institute elect them for three years, renewable period.
- Two representatives of the institute's teachers from the barrister. They are elected by colleagues of the same capacity at the institute for three years, renewable period.

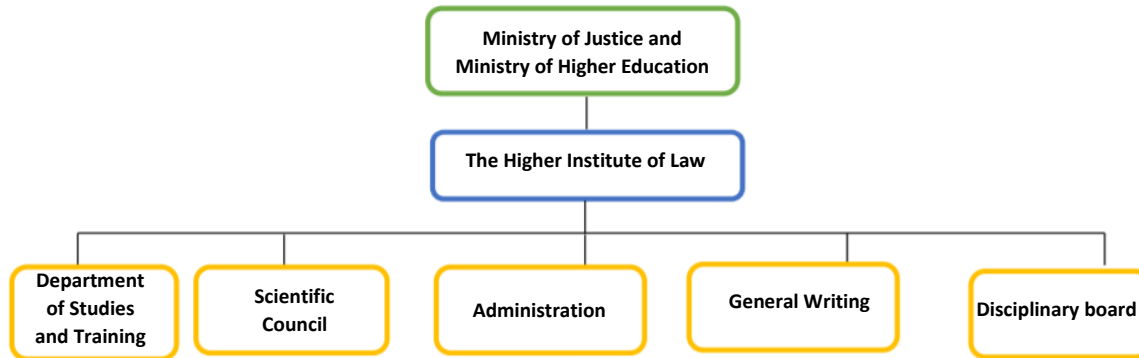
The members are named through a joint decision by the Minister of Justice and Human Rights and the Minister of Higher Education for three years, renewable period. The general clerk of the institute undertakes the writing for the scientific council. This council considers the institute's budget and attitudes in the field of teaching, training, research programs, studies, and cooperation agreements with the institute as well as it provides its perspective on every presented project by the council chairman. The council members meet at least once every three months or whenever necessary, the presence of the majority determines the consideration of the issues submitted to the council. In case of the quorum is not available, the members shall meet during the next seven days, regardless of the number of attendees. If the votes are equal, the chairman's vote is likely to be approved. Decisions taken based on the deliberations of the Scientific Council are effective if the Ministry of Justice and Human Rights and the Ministry of Education, Research and Technology approved them. The silence of the two ministries after 15 days of the deliberation's arrival at the central control office of each ministry shall be deemed an implied approval.

3- Studies and Training Department: it keeps an eye on perceptions of the study regulation and its development, the completion of study programs, classifying learners, cooperation programs in teaching field, as well as tracking the proper organization of forums, symposiums, applied training, programs related to enriching the experience of practicing lawyers and proposing new ones. A director who enjoys the grants and privileges entitled to a director of a central administration manage such studies. The director is assigned by

a proposal of the Minister of Justice and the Minister of Higher Education, according to the conditions stated in the ordinance No. 1245 dated in April 2006.

- 4- General writing: a general clerk of the higher education institute undertakes general writing with the help of initial clerk and clerk for the higher education institute assigned by a proposal by the Minister of Justice and the Minister of Higher Education, according to the provisions of ordinance No. 517 of 1991. It is related to setting conditions for assigning career plans to general, initial, university and educational institution clerks and the conditions for exemption from these plans. The general clerk, under the authority of the Institute director, is mandated to perform the administrative and financial affairs and ensure the effective management of the lessons, trainings, debates and exams.
- 5- Disciplinary Council (board): All learners must respect the established regulations. The institute director can impose notice or reprimanding or referring to a disciplinary council as penalties after listening to any violator of these regulations or the internal regulation. If the learner is referred to a disciplinary council and in view of the seriousness of the acts committed, the director can prevent him/her from entering the institute until a decision is made through a meeting hold by the council for a maximum of 15 days starting from the date of the decision of prevention. He/she is summoned to appear before the council at least 7 days before the date of the meeting. The summons is delivered directly to the person concerned or by sending a letter with notification of being delivered. The learner is able to look at his disciplinary file and take a copy once appear before the council which consists of the institute director (president), director of studies and training (member), general clerk (member) who determines the council and a representative (member) elected by the learners of the same year according to the regulations of the internal regulation. The council members meet through an invitation of its president. The meeting cannot be held except in the presence of at least half of its members. In case the quorum is not completed, the members shall meet during the next 7 days, regardless of their number. The decision is taken according to the majority of attendee votes, if the votes are equal, the chairman's vote is likely to be approved. The council may decide to keep the file unless the acts are approved. In case of disagreement, the council impose penalties such as notice, reprimanding or temporal dismissal for less than a month since the final dismissal is the only penalty that approved by a decision of Ministry of Justice and the Ministry of Higher Education. If the decision is not approved, the two ministers can keep the file or impose minimum penalty. The penal decision is delivered directly to the violator or by sending a letter with notification of being delivered.

A simple concept map shows the administrative structure of the Higher Institute of Law in as follows:



The financial regulation of the institute:

The institute's income consists of grants awarded by the state and income from activities and services of the institute or donations granted in accordance with the applicable regulations besides other incomes that support the institute by a law or a regulatory text. The expenses of the institute consist of payments of an annual nature related to the administrative affairs, the temporary and extraordinary expenses. The income and expenses are carried out under the general accounting rules. The director of the institute takes charge of receiving and distributing the money.

Teaching program at the Higher Institute of Law:

Ordinance No. 2259 dated on July 31, 2009 regulated the regulation of studying and training in the institute. The second section of the regulation defined the details related to teaching regulation. Chapter 4 stated that the study duration is two years for the candidates who hold professorship degree in law and succeeded in the debate of admission while succeeded candidates who hold master's degree study one year which is the approval for the second year.

Study program contains annual and applied subjects, specialized field visits, memorandum of research, preparatory training, and practical training. Basic and applied subjects studied in Arabic language. The scientific council may approve teaching one subject or more in a foreign language. In addition, the aforementioned ordinance regulates the attendance and absence regulation in the institute and establishes a policy to deal with absence.

Moreover, the institute offers training courses in the fields specified by the institute director based on a proposal by the scientific committee in order to enrich the experience of practicing lawyers. These courses formed as forums, seminars, symposiums or workshops according to what was mentioned in Chapter 2 of the same ordinance.

Ordinance No. 2397 dated on August 24, 2009 regulated the regulation of hiring staff of teaching, training and exceptional work according to the rank or title, estimating the teaching hour by a decision of the director. Likewise, the director is in charge of hiring debate and exam committees, discussing memorandums and reports of training, organizing seminars and other exceptional works. Candidates who hold master degree in law or legal science are classified as Class A1 for the open debate of admission, while candidates who hold professorships in law and legal sciences are classified as Class A2 for the open debate.

VI. Recommendations

After reviewing the problem of training at the Bar Association in Palestine, analyzing the current training regulation and studying some comparative experiences in the matter of lawyers training, a set of ways was presented to develop the regulation and find solutions for its crisis faced by the Bar and Lawyers. One of the most important ways to improve this regulation is establishing a training institute for lawyers and specifying a whole section of the study to introduce it and show its legal and organizational structure. Similar regional experiences of such training model were reviewed separately, namely the Lebanese and Tunisian experiences.

The last section of the study came with a set of legal and organizational recommendations related to establishing the institute of law in order to achieve the objective of such thesis, which is to provide the Palestinian Bar Association with pragmatic and scientific studies to find solutions for problems including the increased number of trained lawyers and the lack of training quality in the legal profession in Palestine. Compared to other options, this option is more permanent, effective and comprehensive regarding the development of training regulation and providing good quality for the legal profession.

Recommendations regarding training institute divided into two main parts: the first one is legal recommendations related to investigating the suitability of the training model with the legal frame which regulate the Bar Association, legal steps, legislative amendments that required to adopt the model at the institute. The second part is related to organizing structure, institute administration, study program and model including the subjects and suggested materials.

Firstly: Legal recommendations

The establishment of a training institute for lawyers in Palestine requires legal amendments to create a legal regulatory basis for the institute. The issuance of laws according to the constitutional and regular framework of the elected legislator was prevented because of the continuous political division between the West Bank and Gaza Strip since 2007 besides the lack of convening of the Palestinian Legislative Council, which is supposed to assume the duties of parliament, enact laws and monitor the executive authority. However, the process of enacting legislation in the West Bank and Gaza is still ongoing. In the West Bank, legislation and legal reform are enacted in the Legislative Council absence under Article 43 of the amended Basic Law of 2003. This article gives the President of the Palestinian National Authority the right to issue urgent decisions with law force in necessary cases regardless Legislative Council roles, provided that they are presented to the Council in its first session after their issuance. Clearly, after 13 years of Legislative Council absence, this became the usual mechanism for enacting legislation and no longer a case of necessity.

Determining the entity to which the Training Institute will be associated to play a major role in defining the necessary legislative mechanism to establish it. By examining the training models and regional experiences, we conclude that the Palestinian Bar Association is the entity to which the Lawyers Institute should be associated to, as the case in the Beirut Syndicate. However, the legislative mechanism differs since the institute at Beirut Syndicate was under the decision of the Beirut Bar Association. It stipulates the establishment of an institute for basic and continuous training, professional development and practice of the legal profession. As for the Palestinian case, it is suggested to establish the institute under an amendment of the Law of regulating the legal profession No. 3 of 1999, which entrusted the Bar Association with the task of organizing such training through an internal regulation that defines the training method and conditions under Article 19. Paragraph 4 of Article 42 of the same law stipulates the responsibility of the Bar Council to set the necessary regulations to implement its provisions and present them to the General Assembly for approval. Law No. 1 of 2004 for Training lawyers specifically in Article 23 states, "The Bar Council seeks to establish an institution for the current training at the Bar Association." This means that there is a clear and initial legal basis to establish a law institute based on the existing legislation according to the current training regulation at the Bar Association.

The legislative proposal represents an amendment in addition to the law regulating the legal profession according to a law decision, provided that the amendment shall be as follows:

The first article of the proposed amendment to the law regulating the legal profession No. 3 of 1999.

"The original law is amended by adding the following article after Article 19 to make Article 19 bis as follows:

- (1) A training institute will be established at the Palestinian Bar Association for the legal profession and the continuous development of lawyers in Palestine called the "Lawyers Training Institute."
- (2) The institute performs the following tasks:
 - Training the lawyers and preparing them to practice the legal profession.
 - Preparing those wishing to join the association to take oral and written exams for professional practice.
 - Organizing all procedures related to training exams.
 - Organizing professional development and optional permanent training for practicing lawyers.

(3) Affiliation with the Institute is mandatory for trained lawyers registered at the Bar Association and who meet the requirements under Article 3 of the Amended Training Regulation No. 1 of 2004.

- Affiliation with the Institute is optional for lawyers registered in the register of regular lawyers at the Bar Association in Palestine and for lawyers whom the administration decides to admit their affiliation, whether they are Palestinians or foreigners, provided that the latter are treated equally as Palestinians."

Article 2 of the amendment

"The Bar Council shall prepare a special regulation for the institute under paragraph 4 of Article 42 of the Law Regulating the Legal Profession No. 3 of 1999, provided that this regulation includes the structure of the institute, administrative and financial organization and teaching and training regulation at the Institute."

Article 3 of the amendment

The Law on Lawyer Training No. 1 of 2004 and its amendments shall be modified under paragraph 4 of Article 42 of the Law Regulating the Law Profession No. 3 of 2004 in accordance with what is stated in Article 1 of this amendment.

Article 4 of the amendment

The training period remains two years according to the Lawyer Training Regulation No. 1 of 2004 and its amendments. At the first year, the trainee enrolls to the institute, then he/she joins the training at a practicing lawyer's office during the second year.

Article 5 of the amendment

This amendment shall enter into force from the date of its publication in the Official Gazette.

Second, the organizational and administrative recommendations

The lack of efficiency in the current training regulation at the Palestinian Bar Association is due to the absence of a clear training basis that controls it regulationally and accurately. A number of aspects were well regulated but not detailed under Training Regulation No. 1 of 2004 and no real and firm application was on the ground. For example, the amendment to Article 3 of the Law of Training on the Legal Profession, stipulated that the application for affiliation with the Bar requires passing an admission exam. However, it did not detail anything related to the committee supervising the admission exam, necessary measures to ensure the propriety of this exam, its materials, distribution of questions, procedures of controlling cheating, marking papers and announcing result to admit the enrollment of successful students.

Organizing admission exam for trainees is an aspect of organizing the training. The affiliation with the institute is considered after fulfilling the conditions for registration in the trained lawyers register as stated in the Lawyers Training Regulation No. 1 of 2004 and its amendments that included the oral and written admission exam besides admitting them based on their proficiency. Other aspects must be considered; issuing an internal regulation that reflects a comprehensive management vision regarding the training institute that performs its functions based on fully and detailed rules to avoid gaps in the training regulation. In addition, amending the Lawyers Training Regulation No. 1 of 2004 is suggested to cope with the establishment of the Institute in terms of registration conditions at the trainee bar register, required documents, admission exam details and efficiency criteria.

It is necessary for any administrative regulation that aims to theorize the training process to include the following:

- 1- A clear context through titled sections under which the texts of the articles detail each aspect of the administration encompasses the administrative to the financial organization besides the teaching program.
- 2- Conditions for admission at the institute include the organization of its exam, times of repeating the exam in case of failure and other details such as marks and questions distribution, automatic or manual marking, dealing with cheating cases, results announcement, exam materials, attendance and absence at the institute.
- 3- Details related to the formation of specialized committees for the administration, their powers and elements, decision-making process, committee's quorum, dates of their convening, and the duration of membership. It is suggested that these committees formed as follows:

- The Institute’s Board of Directors: Its powers includes enacting the general policies, approving curricula and workshops, setting the institute’s budget, wages for teachers and the allowances paid by the students. It also undertakes preparing and tracking the administrative and financial affairs, admitting study requests, creating permanent or temporary committees, preparing the agreements and contracts of cooperation with law and judicial institutes. The administrative board consists of the President of the Bar Association and members including judges, academics, lawyers of cassation and appeal, and deans of law faculties.
 - The Academic Board: Its powers includes proposing a draft of the general program for basic training, professional development, and subsequent amendments. Generally, the committee undertakes academic tasks such as study programs, research, and academic guidance and proposes appropriate frameworks to monitor discipline in the institute’s programs. The institute’s board of directors select the members according to their educational and professional proficiency from among the lawyers and or colleges professors.
 - The administrative board appoints a director who has the required experience to manage the institute.
- 4- The institute must employ a specialized administrative staff to provide services for students and professors. This staff is trained and the communication methods between them is defined.
 - 5- The internal regulation details all the financial aspects including institute's revenues and expenses, their management and determining the financial obligations and Payment mechanism by affiliated members.
 - 6- The training period should be divided into the academic period in the institute and the training period in the law office besides the details of the institute’s admission exam, legal practice exam, and registration dates.
 - 7- The internal regulation organizes the whole study program for trainee, distributes the curricula during studying period, determines study subjects and number of study hours that the affiliate should complete. It also organizes continuous training program for practicing lawyers, teaching methods, the criteria of selecting the teachers, and required experiences, organizes the exams, calculation and distribution of marks following the example of higher institute of law in Tunisia. It is recommended as follows:
 - The study program and its parts:

Study subjects can be divided into the following:

- Compulsory subjects which are basic subjects related to rules and procedures that governs various cases brought to before the courts. They are one of the main subjects for daily work of lawyers such as civil and criminal procedures, data and implementation.
 - Optional subjects which are related to specialized legal issues such as: land and insurance cases, labor and administrative disputes.
 - Applied subjects which are compulsory subjects about the lawyer's career such as managing law office, legal advice advocates, preparing pleadings and legal regulations, witness interviewing and discussion skills, company and trademarks registration, professional behavior, legal ethics, drafting contracts and other agreements, land registration, tax and municipal cases.
- Teaching methods:
- Lectures
 - Studying real legal cases and preparing legal memoranda.
 - Field visits.
 - Applied education.
 - Working in study groups.
- Enrolling teachers to the institute:
- Teachers must be selected from legal experts who have experience and legal information, according to their competences.
 - Teachers must be selected from legal experts such as judges, lawyers, law teachers besides experts in other fields to teach subjects related to the development of English language and computer skills.
 - Focus on getting local legal experts into the institute and providing them with specialized training⁸⁰, as this type of teaching is new and there are no local experts in this field. The experience of the Higher Palestinian Judicial Institute in this new context is beneficial. Additionally, training can focus on techniques and skills for educational evaluation and preparation of its materials.

⁸⁰ Courses such as (TOT).

- Employ regional or international experts to teach in the institute, taking into account the need for their specialties and benefit from them. Their employment decision is based on the recommendation of the institute's scientific committee besides benefitting from experiences of other law institutes.
 - Determine the pay of the teachers by either the hour or lecture calculating and enrollment to the institute either by temporary or permanent contracts.
- Training materials in the institute:
- Teaching materials should vary from printed lectures, court decisions, full case files, contract forms, lawsuit cases, pleadings, law books to articles etc. These materials must keep pace with the continuous development in the legal profession and been updated every two years realistically⁸¹.

⁸¹ Training Institute model in Japan obliges students to take an oath before joining the institute to keep secrets of real-life cases taught during the training period.

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- Jawad Obeidat, captain of the Palestinian Bar Association, November 12, 2019.
- Amjad Al-Shella, a member of the Palestinian Bar Association, November 12, 2019.
- Nora Maddah, Head of Training Department, Palestinian Bar Association, November 12, 2019.
- Thaer Rabah, employee of the Training Unit of the Bar Association in Palestine, July 28, 2019.
- Muammar Shteiwi, Head of the National Accreditation and Quality Assurance Authority at the Ministry of Higher Education and Research, November 7 2019.
- Ahmed Othman, General Director of Development and Scientific Research, November 7, 2019.

Appendices

Appendix (1): Brief description of the training regulation for lawyers at the Beirut Bar Association:

1- Affiliation with the legal profession		
Higher education/university education	Yes	
Obtaining law certificate is compulsory	Yes	
<p>Steps to become a lawyer:</p> <p>First: Lebanese, for ten years – at least. Second: has civil citizenship, 20 years of age and under 65 years of age. Third: hold the second section of the Lebanese Baccalaureate, the Lebanese Law Certificate and the qualified certificate. Fourth: have a biography that inspires trust and respect. Fifth: Not sentenced to penal or disciplinary action for an act which is prejudicial to honor and dignity. Sixth: Not issued from a public or former occupation for reasons that prejudice honor and dignity.</p> <p>Legal basis: Article 5 of the Law on the Organization of the profession of Law No. 8/70 and its amendments</p>		
2- Training period for the legal profession		
Is there a training period?	Yes	Legal basis of article 11 of the Law on the Organization of the profession of Law No. 8/70 and its amendments.
Is training compulsory?	Yes	Legal basis for article 11 of the Law on the Organization of the profession of Law No. 8/70 and amendments and rule 40 of the Rules of Procedure of the Beirut Bar Association.
Documents to be attached by the applicant to the intern (intern) bar registry	Yes	The three certificates appointed in article 5 of the Law on the Organization of the profession of Law. Judicial record. Identity document. The consent of the lawyer to be training in his office. Receipt evidencing payment of the registration fee set in the rules of procedure.
Type of Training		<ul style="list-style-type: none"> • Lectures at the Law Institute. • Training at a law office
Placement test before starting the training period	Yes	Placement test as a training requirement and an oral and written examination is based on the legal basis of article 19 of procedure of the Beirut Bar Association
Curriculum during the training period	Yes	Lectures are distributed over three years of training, including scientific and academic lectures and applied lectures, through

		<p>exercises in the legal profession and in the proceedings before the courts from the time of their submission until a final judgment.</p> <p>Legal basis: Article 34 of the rules of procedure of Beirut Bar Association</p>
End of training exam	Yes	<p>Written and oral examination is conducted and registration to the public registry of lawyers is based on the successful written and oral examination and the requirements of section 27 of the Law on the Organization of the profession of Law No. 8/70 and its amendments.</p> <p>Legal basis: Rule 43 of the rules of procedure of the Beirut Bar Association.</p>
3- The continuous training regulation for lawyers		
The continuous training regulation for lawyers is optional	Yes	<p>Legal basis: Rule 13 of the rules of procedure of the Bar Association.</p>
Organization for continuous Training	Law Institute in Beirut	

Appendix (2): Brief summary of the training regulation on the profession of law in Tunisia

4- Affiliation with the legal profession		
Higher education/university education	Yes	
Obtaining law certificate is compulsory	Yes	
<p>Steps to become a lawyer:</p> <p>First: Tunisian, for five years – at least. Second: Live in Tunisia. Third: hold the second section of the Tunisian Baccalaureate, the Lebanese Law Certificate and the qualified certificate. Fourth: He must be at least 20 years old and not more than 50 years old. Fifth: has a degree in the practice of the legal profession, certified by the higher Institute of Law and exempted from those who hold a PhD in law or legal sciences or equivalent, and obtained the rank of professor or lecturer in law. Sixth: Not sentenced to penal or disciplinary action for an act which is prejudicial to honor and dignity. Seventh: Not issued from a public or former occupation for reasons that prejudice honor and dignity.</p> <p>Legal basis: Article 5 of the Act No. 87 of 1989 for the organization of the legal profession.</p>		
5- Training period for the legal profession		
Is there a training period?	Yes	Legal basis: Article 5 of the Act No. 87 of 1989 for the organization of the legal profession.
Is training compulsory?	Yes	The training period is three years, of which the coachee is two years of study at the Training Institute and one year at the Office of a direct lawyer for the Bar. Legal basis: Article 8 of the Act No. 87 of 1989 for the organization of the legal profession.
Documents to be attached by the applicant to the intern (intern) bar registry	Yes	A written request, together with the documents provided for in chapter III of Act No. 87 of 1989, concerning the organization of the legal profession (of which it is the same Documents required for the conduct of the legal profession in Tunisia. Legal basis: Article 8 of the Act No. 87 of 1989 for the organization of the legal profession.

Organization responsible for organizing the training period		<ul style="list-style-type: none"> • National Law of Lawyers • Higher Institute of Law
Type of Training		<ul style="list-style-type: none"> • Lectures at the Law Institute. • Training at a law office
Placement test before starting the training period	Yes	Placement test as a training requirement and an oral and written examination is based on the decision of 9 November 2007 concerning the organization of the Admission debate at the higher Institute of Law
Curriculum during the training period	Yes	<p>A decision was made by the Minister of Justice concerning the control of the components of the training program and the examination regulation.</p> <p>The content of the training courses is distributed over two years:</p> <ul style="list-style-type: none"> – first year: The first-year program contains annual materials (civil and commercial pleadings and penal proceedings) and six-article materials (penal code, real estate law, civil liability, insurance and disputes of international law, commercial accounting, banking law and business, reason and disputes of enforcement, English for legal purposes 1 and 2). – Second year: The year includes annual articles (Criminal Code, editorial techniques) and six-article material (civil and commercial media, professional organization, human rights, forensic medicine and English for legal purposes.
End of training exam	Yes	<p>Written and oral examination is conducted and registration to the public registry of lawyers is based on the successful written and oral examination and the requirements of section 27 of the Law on the Organization of the profession of Law No. 8/70 and its amendments.</p> <p>Legal basis: Chapters 15 to 26 of a decision of the Minister of Justice concerning the control of the components of the training program and the examination regulation.</p>
6- The continuous training regulation for lawyers		
The continuous training regulation for lawyers is optional	Yes	Legal basis: Article 2 of the Act No. 87 of 1989 for the organization of the legal profession.
Organization for continuous Training		Higher Institute of Law
Control of the continuous training regulation for practicing lawyers		Chapter 13 of the order No. 2259 of 2009 concerning the control of the higher Institute of Law study and training regulation provides for the organization of training sessions on the enrichment of direct counsel experience
7- Framework for Instruction		
Control of teaching and training at the higher institute of law.		The teaching and training in the higher Institute of Lawyers is carried out by a group of judges, lawyers and university professors in specific areas, whether they are professional practitioners or retired, and in case of attachment to the Institute.

	Legal basis: Chapter 16 of the order No. 2259 of 2009 concerning the control of the higher Institute of Law study and training regulation.
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Appendix (3): Statistics of the debates on membership in the higher Institute of Law⁸²

	Number of candidates	Passed multiple choice questions	Admitted for written tests	Admitted for oral tests	admitted	First year students	Failed	Passed to next year	Graduates
Class (1)	2743	2558	495	279	225	212	6	183	179
Class (2)	1883	1696	305	200	180	186	10	176	176
Class (2) – exceptional	/	/	/	/	/	/	/	10	9
Class (3) – first year					95	93	/	93	90
Class (3) – second year					17	/	/	17	17
Class (4)	2405	2258	445	162	150	150	/	150	131

⁸² Official website of the Higher Law Institute in Tunisia, available at: <http://www.ispavocat.tn/index.php/ar/>

Appendix (4): Proposed gradual development plan of training lawyer from the moment of joining the Lawyers training institutes until taking oath.



Section Two:

Financial feasibility study

For establishment of an institute for the training of lawyers in Palestine.

Objectives of the Institute

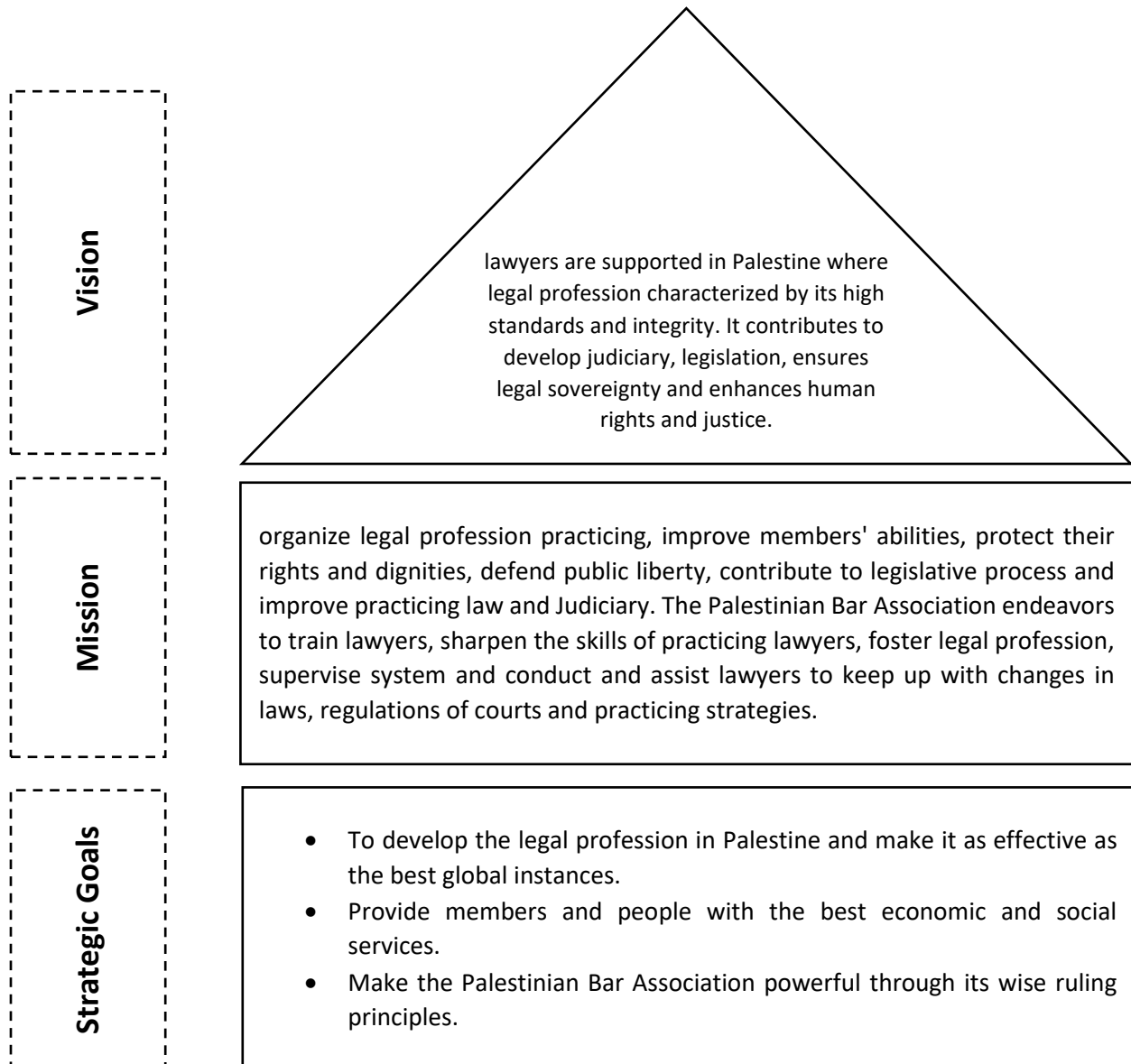
Before adopting any developing option of training regulation at the institute, Palestinian Bar Association shall analyze the adequacy of legal and logistic regulations, and the contribution of such option to developing training, qualifying and screening trainees. It is defined as "**an institute that is associated to the Bar managerially and professionally and undertakes training, organizes its educational curricula, qualifies trainees to practice law effectively.**"

The objectives of the institute:

- 1- To create a training framework for trained lawyers towards to enrich their professional and intellectual capabilities.
- 2- Providing an educational program that focuses on providing affiliated lawyers with legal knowledge, applied skills and professional values in order to practice law successfully.
- 3- To improve the professional level and foster trainee abilities.
- 4- To assess the professionalism of affiliated lawyers based on scientific criteria.
- 5- To improve the legal profession through the continued program of legal education.
- 6- To prepare lawyers who wish to affiliate to the Bar for oral and writing exams.
- 7- To organize the number of trainees.

Correspondence to the strategic frame of the Bar Association

The training institute of lawyers is going to be managed and organized under the supervision of the Palestinian Bar Association despite of being independent professionally and academically. It is crucial that the strategic frame of both institutes correspond according to the strategic plan of the Bar 2010 – 2020.



Guiding principles and values of the Bar strategic plane:

- All citizens including politicians and governmental employees are equal before law.
- Commit to provide services for all members.
- Provide rights and opportunities of joining to all lawyers.
- The Bar represents all lawyers without discrimination based on religion, gender, location or political party affiliation.
- The activities of the Bar and the distribution of its resources are regulated by integral and clear regulation.
- Accountability is a right for the members and the whole society.
- Make decisions collectively and provide authority for the branches.
- Respect and develop the employees.
- Commit to profession rules and code of conduct.
- Open to original and international knowledge and learning.

The project of establishing the training institute is in line with the Bar's vision and mission, especially in terms of the institute's attitude towards training lawyers, sharpen practicing lawyers' skills, enrich legal profession, supervise the regulation and conduct and assist lawyers to keep up with changes in laws, regulations of courts and practicing strategies.

The sub-objectives of the strategic plan include improving training quality, skills of practicing lawyers and legal profession criteria. These objectives agree with the first, second, third and fifth abovementioned objectives. In addition, the Bar aims at developing effective regulations and procedures, reaching logical structure to rule, corresponding to the fourth, sixth, seventh objectives of the institute.

Services

The main goal of establishing the training institute of lawyers focuses on qualifying trainees to practice their profession and train graduates and registration applicants. Study at the institute aims to learn the professional principles and laws practically and train to master the basic related skills.

The mechanism of admitting graduates at the training institute is shown as follows: all graduates head to the bank to submit a joining request for about \$70, the institute cooperates with certain banks announced on the institute website. They fill the data in the web portal and keep an eye to learn the time of the initial writing exam, followed by another writing exam then conducting an interview. In the first and second years, 200 trainees are chosen according to their competence, while the number rises to 250 trainees in the third, fourth and fifth years. As for the unchosen students, they repeat the procedures until they are admitted. Students have the right to take the exam for three times maximum or according to the training regulation after amendment.

Trainees spend two study years divided into the following: the first year is completely studied during two semesters in which they must pass 15 subjects in each one. Attendance is compulsory for all lawyers; days of absence are limited otherwise the trainee will be eventually dismissed. After the first year, trainees take an exam to assess how useful the program is. If the trainee fails, s/he will repeat the year for once with new fees. While, if s/he passes, s/he will be able to complete the second year at an office of practicing lawyer besides taking applied lectures differ from previous lectures such as moot courts and skills development courses. After completing this period, trainees take practicing exam at the institute. In case of failure, the trainee repeats the exam without repeating the year.

Therefore, the role of the training committee is to track general administrative affairs including receiving and reviewing training requests, coordinating with the practicing lawyer during the second study year and grant the license to practice law.

The most significant services of the training institute are summarized as follows:

- 1- Provide practical and professional training for lawyers.
- 2- Provide continued education for practicing lawyers.
- 3- Organize all procedures of training exams.

Study subjects are divided as follows:

- Compulsory subjects: basic subjects of rules and procedures that govern various cases brought to before the courts. They are main subjects for daily work of lawyers such as civil and criminal procedures, data and enforcement.

- Optional subjects: they are related to specialized legal issues such as land and insurance cases, labor and administrative disputes.
- Applied subjects: compulsory subjects about the lawyer's career such as managing law office, legal advice advocates, preparing pleadings and legal regulations, witness interviewing and discussion skills, company and trademarks registration, professional manners, legal ethics, drafting contracts and other agreements, land registration, tax and municipal cases.

Teaching methods vary as lectures, study real legal cases and prepare legal memorandum, field visits, applied education and work in study groups.

Therefore, it is recommended that teaching materials should vary from printed lectures, court resolutions, full case files, contract forms, lawsuit cases, pleadings, law books to articles etc. These materials must keep pace with the continuous development in the legal profession and been updated every two years realistically

Study program contains annual and applied subjects, specialized field visits and memorandum of research. Basic and applied subjects are taught in Arabic language. The scientific council may approve teaching one subject or more in a foreign language. In addition, the aforementioned ordinance regulates the attendance regulation in the institute and establishes a policy to deal with absence. Moreover, the institute offers training courses in the fields specified by the institute director based on a proposal by the scientific committee in order to enrich the experience of practicing lawyers. These courses formed as forums, seminars, symposiums or workshops.

Studying subjects encompasses several professional topics related to main values in law career, ethics and professional skills such as legal research and pleadings. Other topics related to regulations of legal work are discussed such as laws of business, land, data, and companies. In addition, procedures of administrative, criminal and enforcement courts, legal proceedings and women rights in applied legislations as it shown below:

Table 1: Study Subjects⁸³

No.	Subject
1.	Ethics of Legal Profession
2.	Law in Cultural and Social Context
3.	Skills of Legal Research
4.	Art of Pleading
5.	Principles of Civil and Commercial Procedures
6.	Administrative Judiciary
7.	Penal Procedures
8.	Law Regulation of Companies in Palestine
9.	Business Law
10.	Arbitration
11.	Commercial Papers
12.	Labor Law
13.	Landlord-Tenant Law
14.	Land laws in Palestine
15.	Data Act
16.	Implementing Legislation in Reality and Application
17.	Insurance Law
18.	Judicial Regulation
19.	Women rights in the applied legislations according to human right charters

⁸³ This table was provided by the Training Department of the Bar Association and it is a proposal for developing the training curriculum for trainee lawyers.

Institutional Advantage

The number of law graduates has increased unsteadily making it difficult to absorb these numbers, provide them with good quality training, and disabled the registration of large numbers of law graduates in the trained lawyers' register because there are no professors who can register them as trainees and provide quality training that enables them to compete in The labor market and many other gaps that will be mentioned later in this study. The institutional advantage of the Palestinian Bar Institute is that it is the only institution in Palestine that will work to balance the labor market need of lawyers and prepare trained lawyers to improve training in the legal profession. This is through the development of a legal and scientific training regulation for the Institute that provides quality training, controls for the admission of trained lawyers, and a comprehensive training curriculum designed to qualify trained lawyers to practice the legal profession, ensuring that highly qualified and professional lawyers are graduated.

In accordance with the abovementioned reasons and the legal provisions of the Bar association committee for regulating profession affairs, the Palestinian Bar Association is keen to develop legal profession through training programs conducted in recent years. Therefore, it is obliged to implement the decision of General Authority regarding the establishment of the training institute of lawyers in order to accomplish professional development, continuous training and qualification for legal practicing.

Legal Structure

The legal and organizational structure of the training institute differs according to the institute goal and the administrative body. There are comparative experiences in other countries regarding the organization of training in which the institute may be established to be independent and public under the supervision of the Ministry of Justice in countries such as Tunisia, Uzbekistan and Rwanda. As for Japan, the model of training institute is established under the supervision of the Supreme Court in order to train new lawyers, public prosecutors and judges, while it is under the supervision of Bar Association in Lebanon and the Regional Center for lawyers Professional Training in France where the affiliation is essential for the license of law.

Establishing the training institute requires defining its legal form. It is considered a public institute associated with Ministry of Justice or Ministry of Higher Education under special law which is followed by a set of regulations and resolutions of financial and administrative organization.

On the other hand, if the institute is associated with the Bar, the establishment legislation is under the provisions of the Legislation governing the legal profession, the authorities of Bar committee or the adopted training regulation. Thus, the establishment is through amendment, addition to the law and probable repeal of some articles. In some cases, there is addition without repealing the law or the internal regulation.

Opportunity Analysis

Labor Market of Legal Education Graduates in Palestine

All legal education institutes and Bar Association in Palestine play an integral role in creating legal education regulation. This integration is a consequent of the Bar's effort of qualifying graduates for law practicing during two study years since it is the main and only resource for legal training. Training duration is a main stage to sharpen trainees' skills and form their professional identities. Thus, these institutes and the Bar are influential parts of the law education regulation that produce practicing lawyers for work.

There is an inverse relationship between the rising number of faculties of law and their graduates, and the performance level of the current training regulation and its outputs for the work. The Bar Association endeavors to find solutions for the rising number of trainees through adopting a developed training regulation and approach. It is crucial to study the most relevant reason for the rising number of trainees who want to register in register of the lawyers' trainees for studying law with no effective admission standards in law faculties and a clear plan by the Ministry of Higher Education. Recently, 13 faculties award bachelor's degree in law; eight in the West Bank and five in the Gaza Strip.

Faculties of Law in the West Bank are listed from the northern to southern Palestinian cities as follows:

- 1- Faculty of Law at Al-Quds University.
- 2- Faculty of Law at An-Najah National University.
- 3- Faculty of Law and Public Administration at Birzeit University.
- 4- Faculty of Law at the Arab American University.
- 5- Faculty of Law and Police Science at Al-Istiqlal University.
- 6- The College of Law & Political Science in Hebron University.
- 7- Program of Law in Modern University College.
- 8- Faculty of Law at Palestine Ahllya University.

Faculties of law in the Gaza Strip:

- 1- Faculty of Law and Judicial Practice at Palestine University.
- 2- Faculty of Law at Al Azhar University.
- 3- Faculty of Law at Israa University.
- 4- Faculty of Sharia and Law at Islamic University.
- 5- Faculty of Law at Gaza University.

The number of these faculties is rising in record time since teaching law is relatively new, coinciding with arrival of the Palestinian National Authority (PA) in 1994. The Ministry of Education and Higher Education is responsible for planning and tracking the programs of educational institutes under the resolution of Law 6 of 2018. Article 5 states that one of the ministry's tasks is "keeping an eye on the institute's programs, academic regulations, services, performance, outputs as well as rewiring applications for licensing higher education institutes." The issuance of Resolution 1 of 2016 by the Minister of Higher Education about the license of establishing Palestinian higher educational institutes confirms that there is no need for more law faculties and programs in the Palestinian labor market. Article 1 provides for, "the stop of granting license to establish new higher education institutes except for the ones that suggest new programs and majors."

According to the statistics of the Ministry of Education, the number of law graduates of 2017/2018 is approximately 11.800 in the West Bank and the Gaza Strip, confirming that there is a high rise in the demand on studying law. Most of these graduates register in the register of the lawyers' trainees at Palestinian Bar Association⁸⁴.

Moreover, legal education in Palestinian universities is still mostly depending on theoretical materials without providing students with the required skills in their career despite the attempts of reform in the recent years. This leads to graduating overwhelmed lawyers with theoretical information compared with acquiring few skills to apply them. Therefore, they choose to practice law since they are not prepared for other working options.

In addition, parents play an essential role in increasing the demand on studying law, since they encourage their children to study majors of social value such as law. It is rare that parents refuse the desire of their children to study law especially males besides the students thought that lawyers have high social and financial positions. Some of students also study law hoping for serving and achieving justice.

The Palestinian Central Bureau of Statistics (PCBS) refers to the unemployment rate of law graduates is approximately 27 percent in 2018. Recently, the Bar has announced a statement of the situation of law graduates in labor market. It recommended students not to enroll in this major to avoid expected unemployment particularly that the capacity to perform legal work is little in comparison with other countries.

The Ministry of Education conducted a detailed analysis of the number of law graduates from colleges and universities in Palestine for five academic years (2014-2015 to the first semester of 2018-2019) and their distribution based on gender, geographical location and educational institute for each year as the charts show later. The number of these educational institutes are

⁸⁴ Database of the Ministry of Education and Higher Education in Palestine.
http://www.aqac.mohe.gov.ps/aqac/?page_id=831

12; eight in the West Bank and four in the Gaza Strip. It is noteworthy that there is no information about Israa University in Gaza which is referred to before.

Therefore, since the Bar organizes law profession, it takes the responsibility to rebalance the need of lawyers in the labor market and their numbers. Additionally, lawyers should be provided with influential training and experience for practicing the profession through developing training regulation, changing the criteria of admitting students who desire to study law and setting rules to admit trainees on legal and scientific bases. This phenomenon reflects the reality of the legal education in Palestine and its role in increasing the number of training lawyers and the lack of initiatives by law institutes or Ministry of Higher Education.

Figure (1): The number of law students in Palestinian colleges and universities in the recent five years

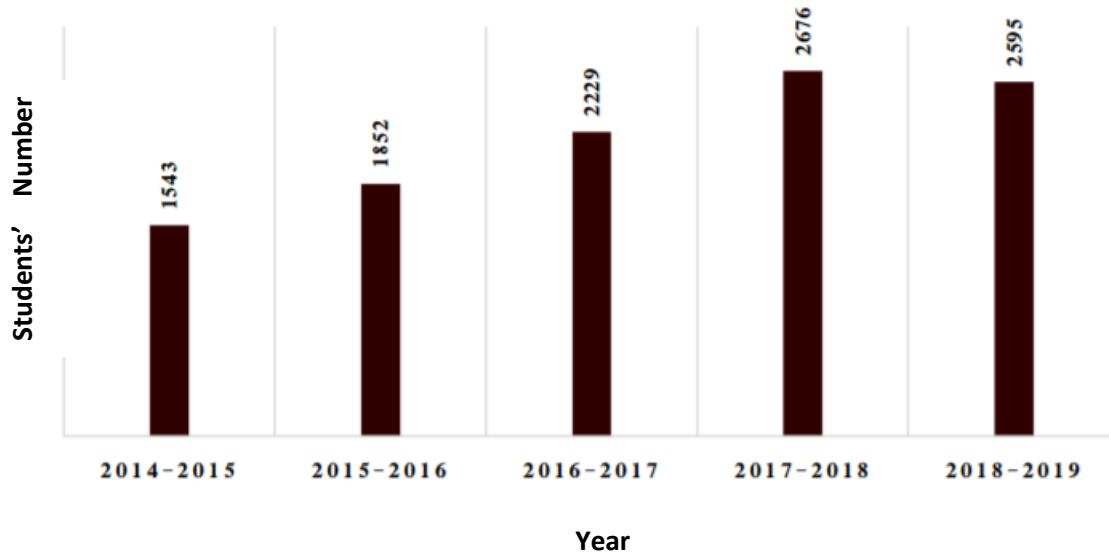


Figure (2): Male to female ratio for law students

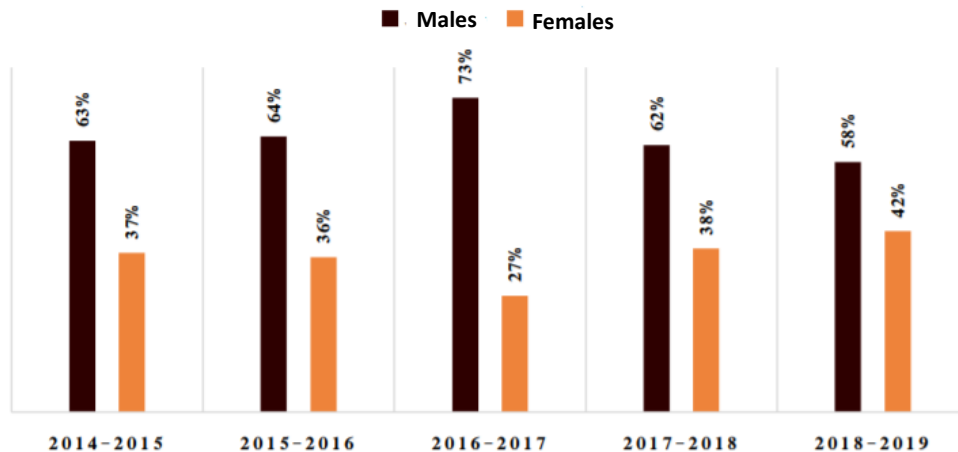


Figure (3): The number of law students for the last five years in the West Bank and Gaza Strip

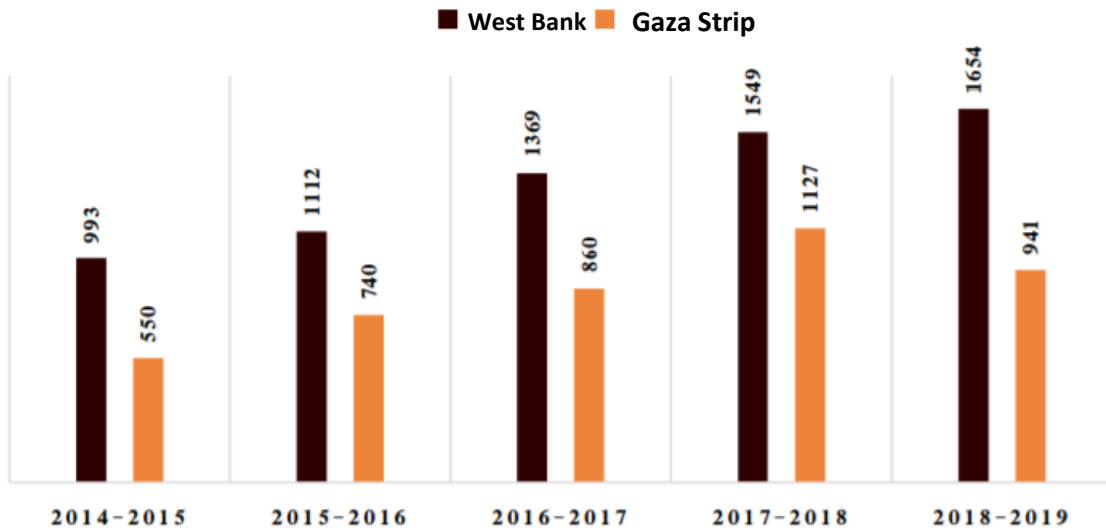


Figure (4): The number of law students during the 2014-2015 academic year in Palestinian colleges and universities

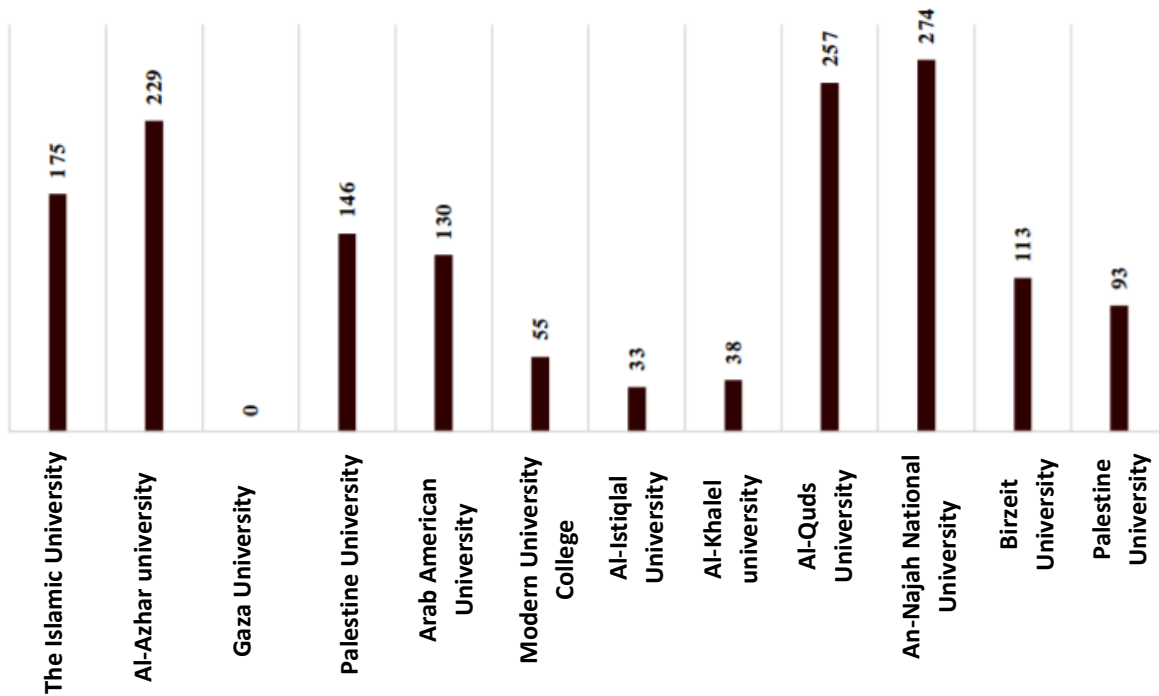


Figure (5): The number of law students during the 2015-2016 academic year in Palestinian colleges and universities

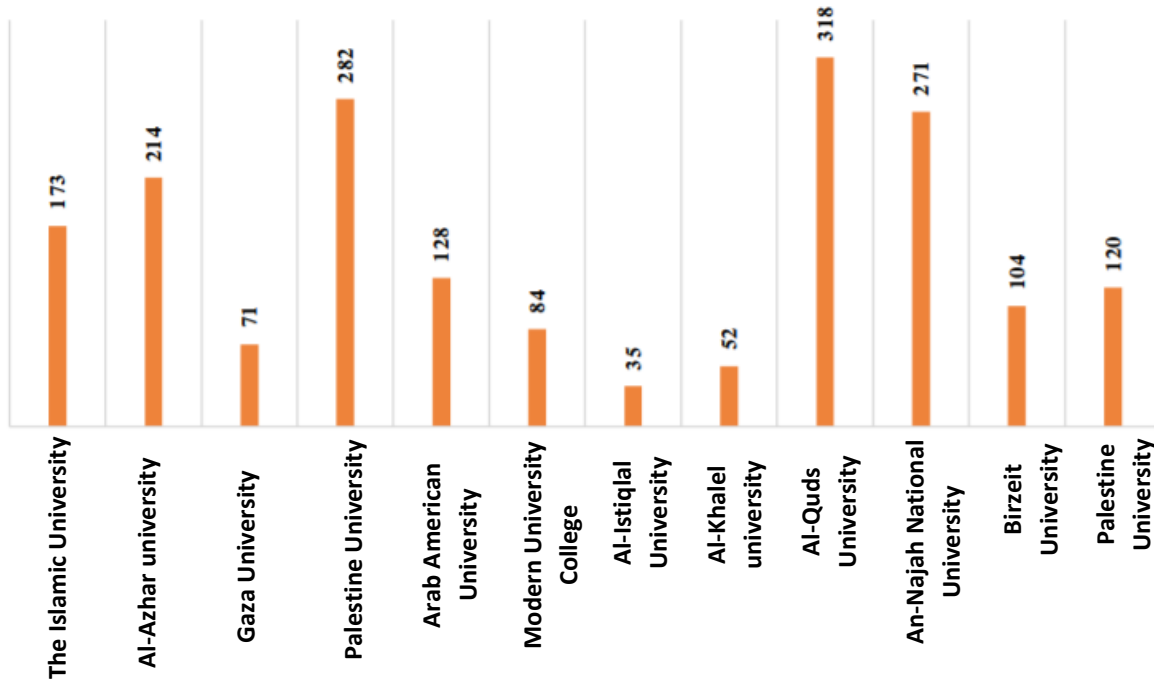


Figure (6): The number of law students during the 2016-2017 academic year in Palestinian colleges and universities

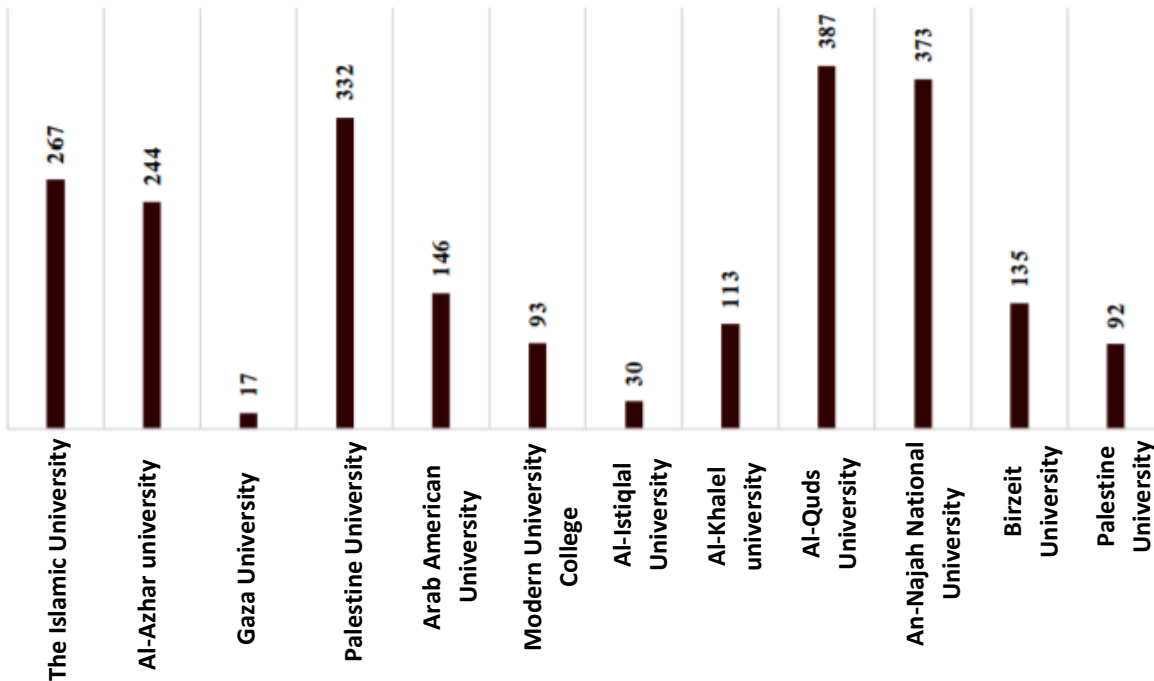


Figure (7): The number of law students during the 2017-2018 academic year in Palestinian colleges and universities

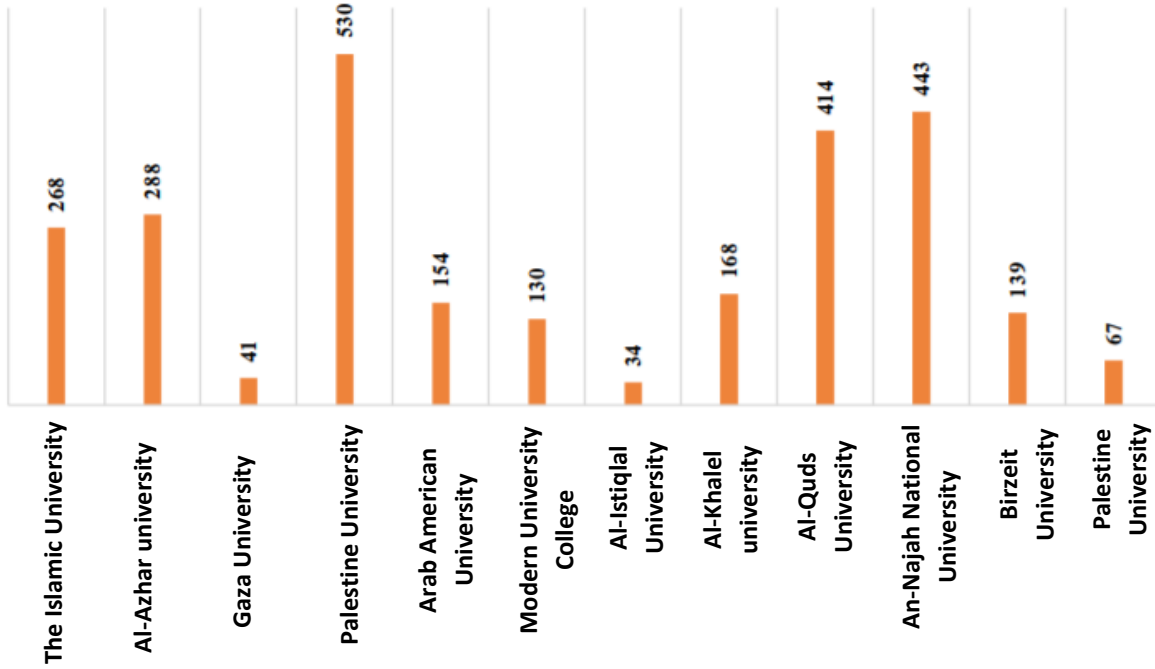
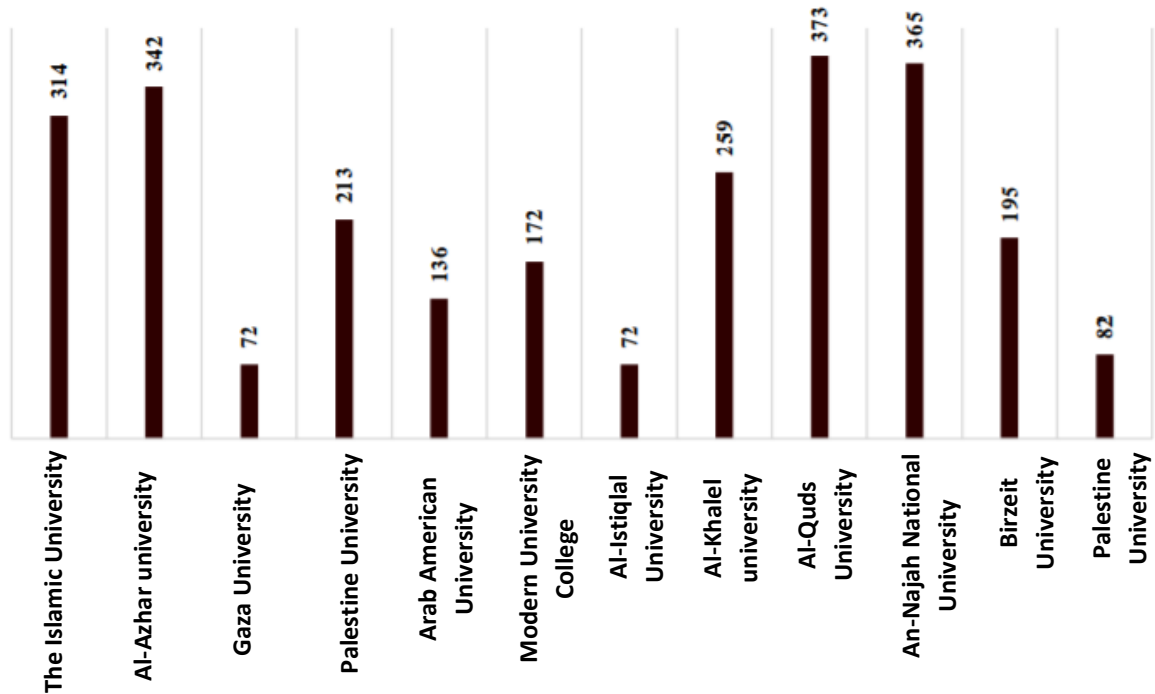


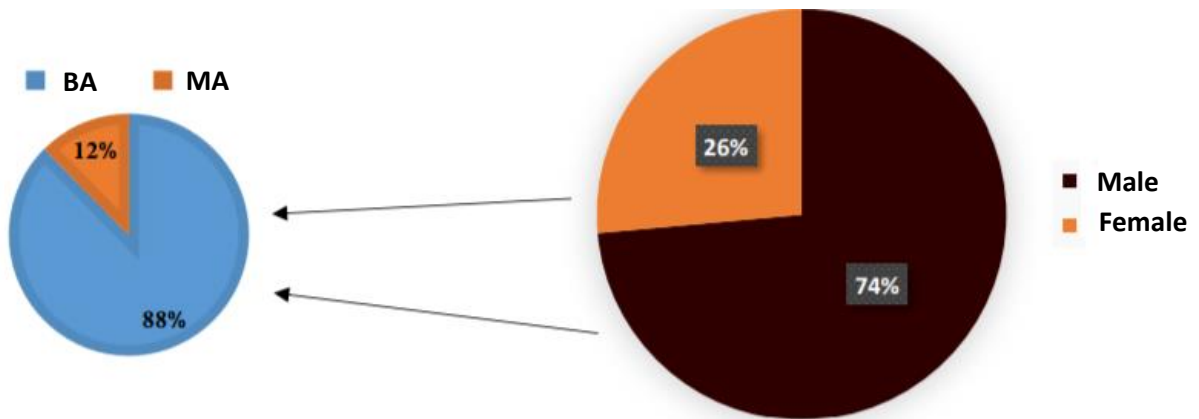
Figure (8): The number of law students during the 2018-2019 academic year in Palestinian colleges and universities



The following are detailed information about the law students of each university and college in Palestine during the first quarter of the year 2018-2019 as provided by the Ministry of Education.

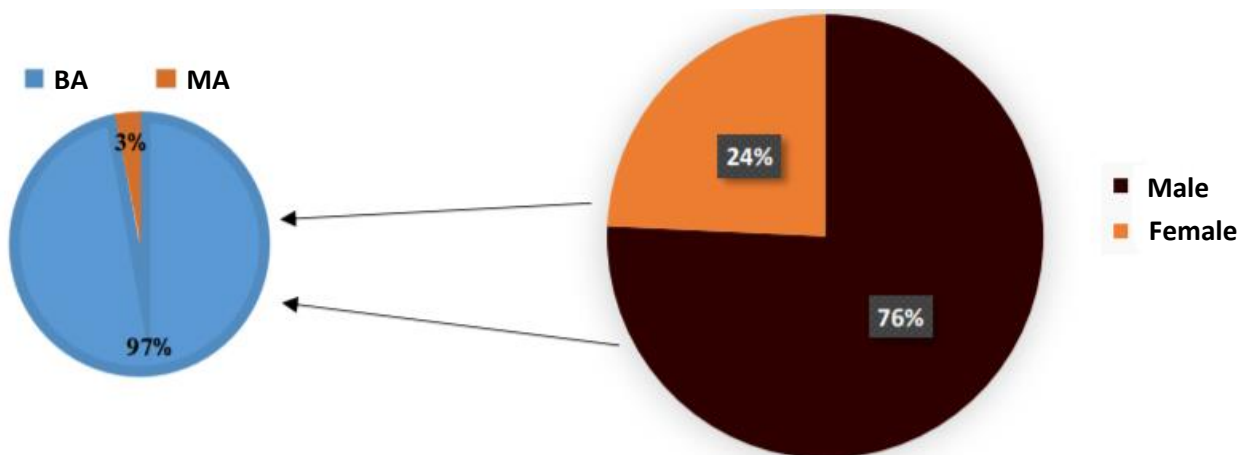
➤ **The Islamic University**

The largest percentage of the law students at the Islamic University are males, while 26% are females, and the vast majority have a bachelor's degree in Sharia and Law and only 12% have a master's degree in public law.



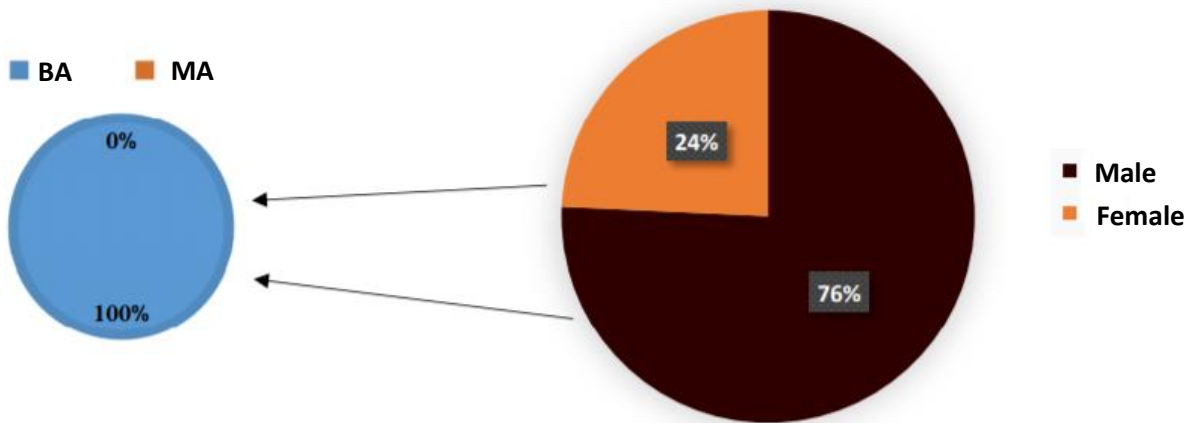
➤ **Al-Azhar university**

The largest percentage of law students at Al-Azhar University are males, while 24% are females, and the vast majority have a Bachelor's degree in law and only 3% have a Master's degree in law.



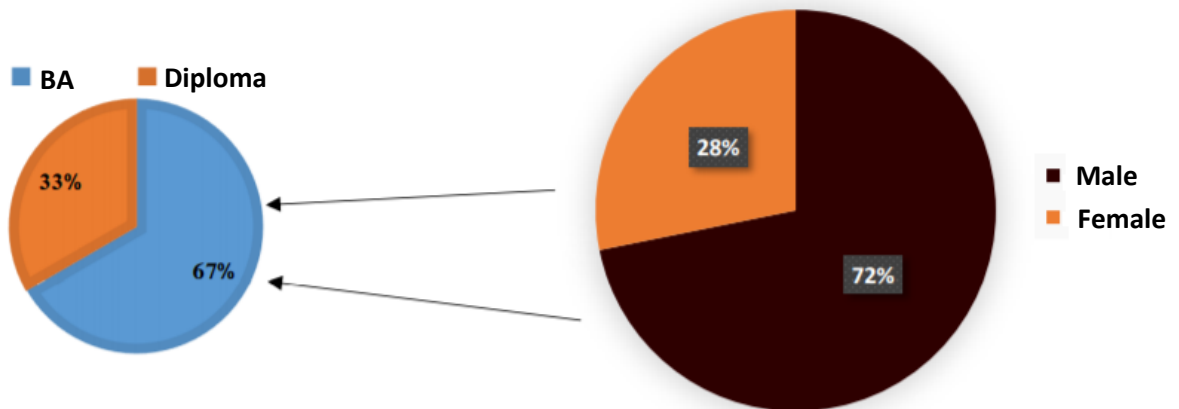
➤ **Gaza University**

The largest percentage of law students at Gaza University are males, while 24% are females, and all students have a Bachelor's degree in law.



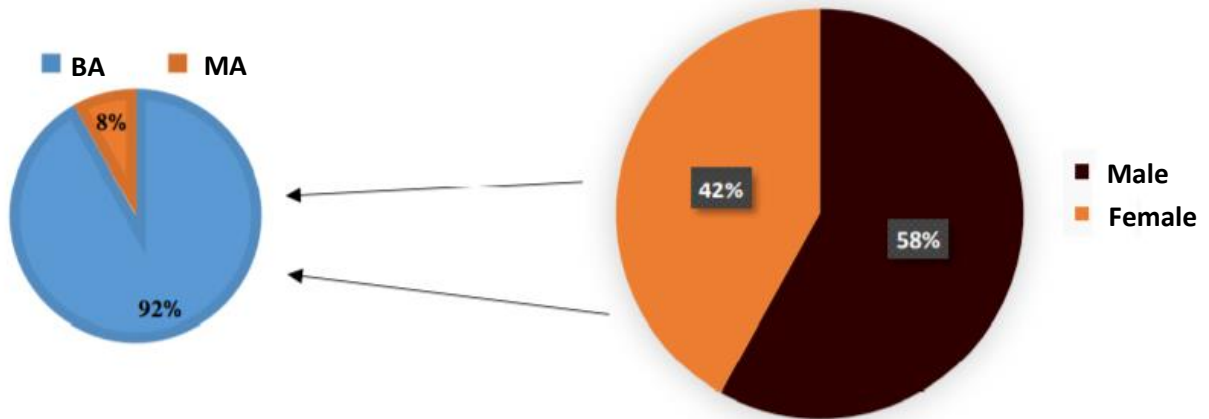
➤ **Palestine University**

The data show that the largest percentage of Palestine University law students are also males, while 28% are females and 33% of them have a Bachelor of Law degree, and 33% have an intermediate diploma in legal assistance.



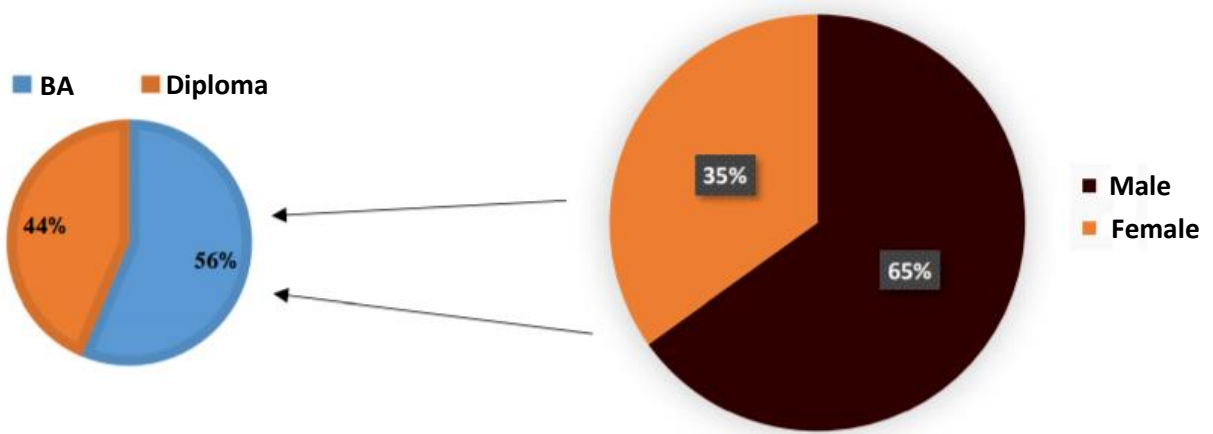
➤ Arab American University

Data show that nearly half of the Arab American University law students are males, 42% are females, and the vast majority have a Bachelor of laws degree, only 8% have Master of Business Law degree.



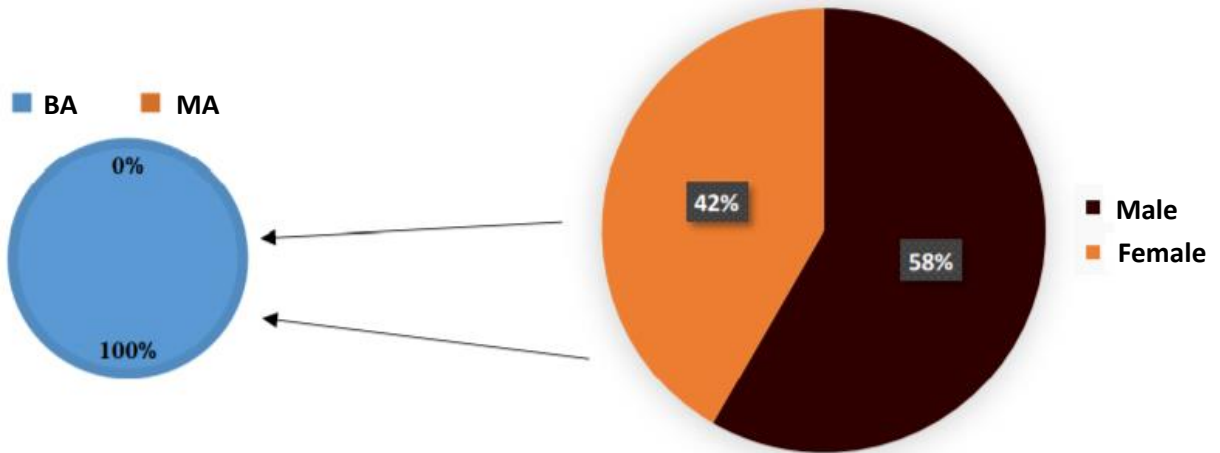
➤ Modern University College

The ratio of male law students in Modern University College is 65%, while 35% of students are females, and about half have a Bachelor's degree in law, the rest have a diploma in legal assistance and Diploma in land requalification.



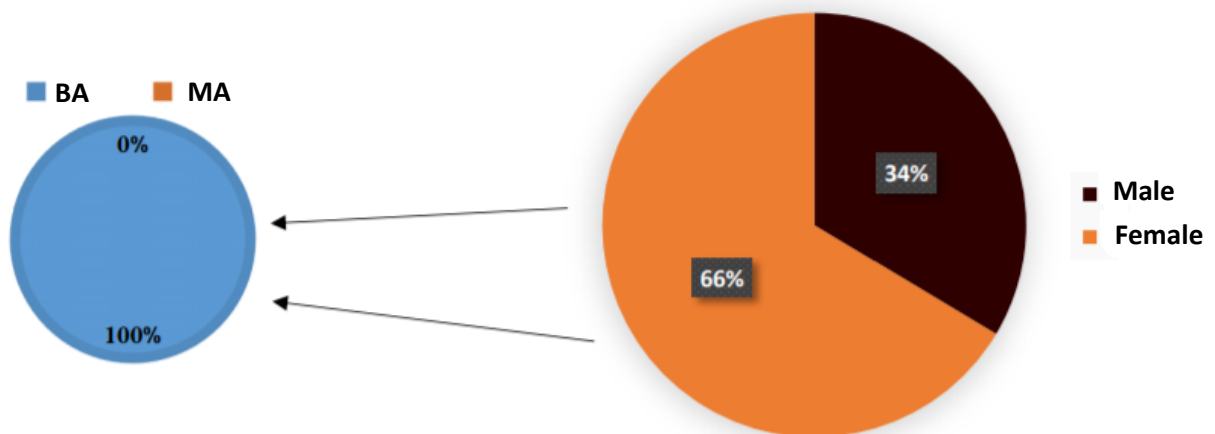
➤ **Al-Istiqlal University**

It was found that nearly half of the law students at Al-Istiqlal University of were males, while 42% were females, and all students have a bachelor's degree from the University in the discipline of crime and law, and rights and police sciences.



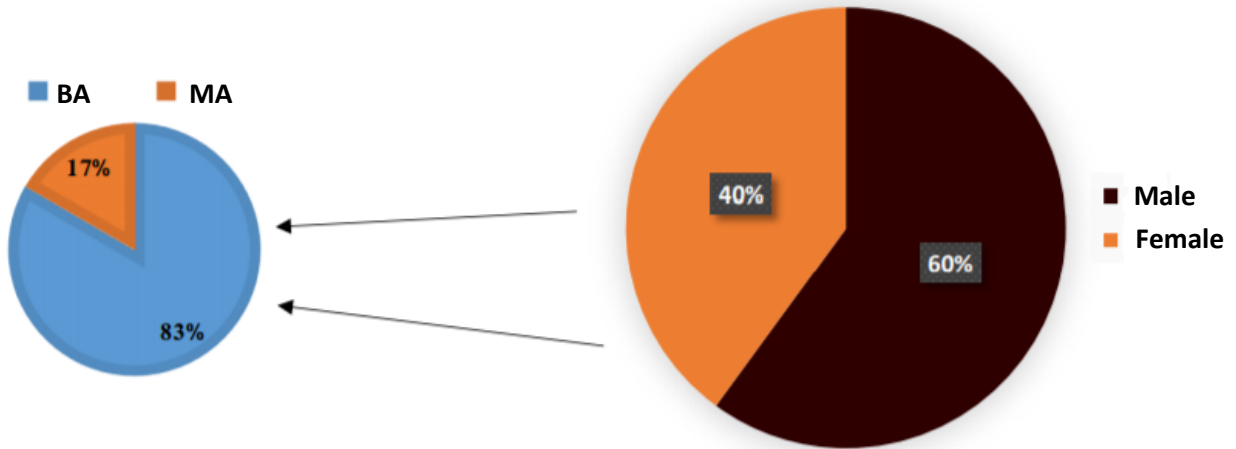
➤ **Al-Khalel university**

As for the number of students at Al-Khalel university, it is clear that 66% of students are females, while 34% are males, and all students have a bachelor's degree from the University in the discipline of jurisprudence, law, public law, and private law.



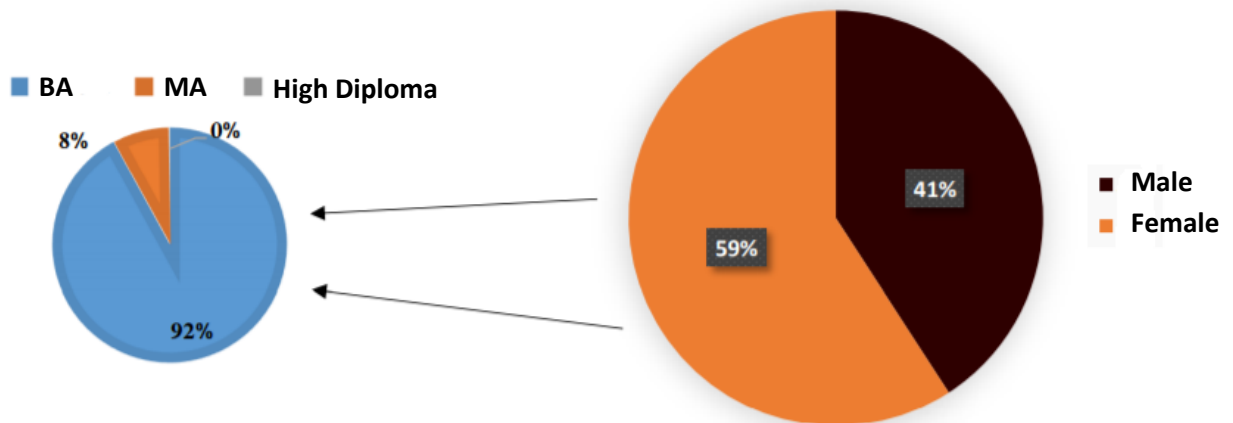
➤ **Al-Quds University**

With regard to the number of students at Al-Quds University, it is clear that 60% of students are males, 40% are female, and the vast majority are females and the majority have a Bachelor's degree in law.



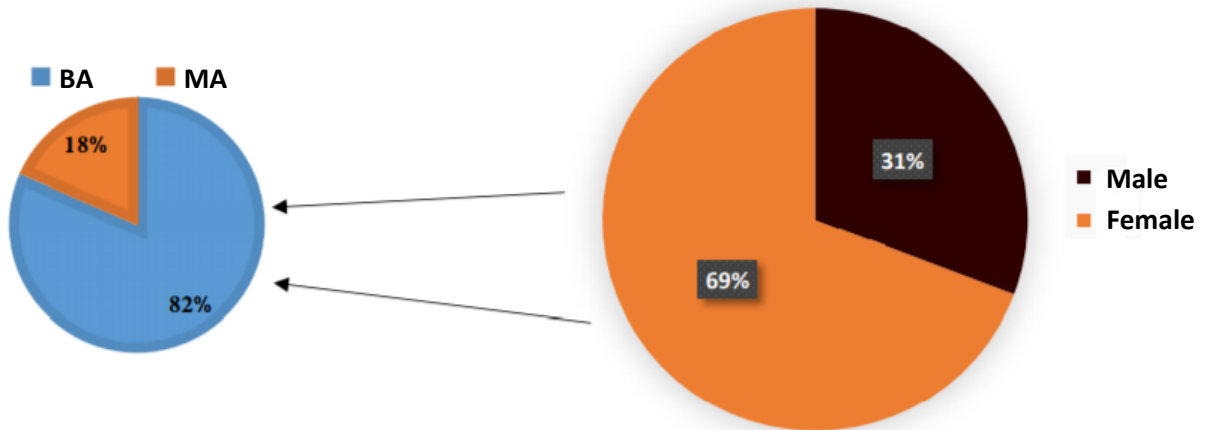
➤ **An-Najah National University**

Regarding An-Najah National University, more than half of the students are females, 41% are males, and the vast majority have a Bachelor's degree in law, and 8% have a Master's degree in public and private law. Only one person has a high diploma in public law.



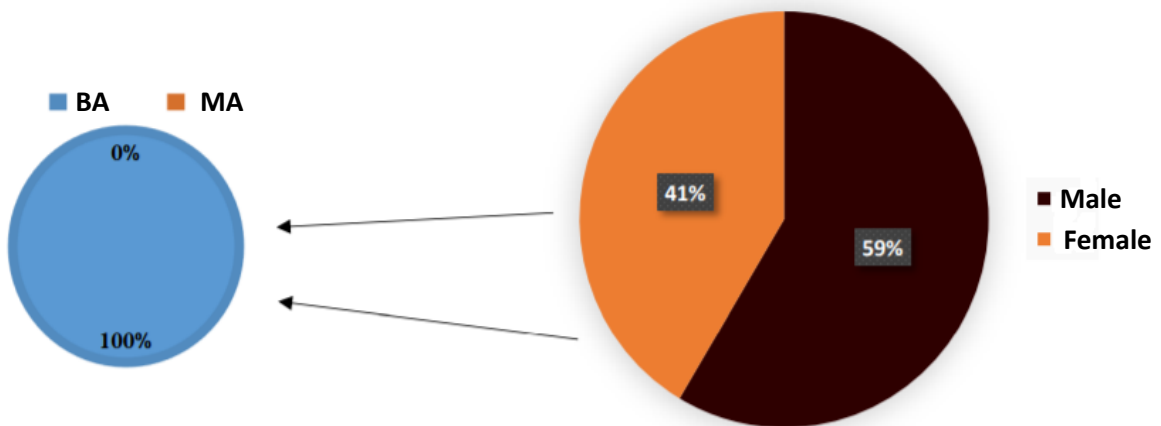
➤ **Birzeit University**

Data show that the largest percentage of Birzeit University law students are females, while 31% are males, and the majority of these students have a Bachelor's degree in law, 18% have a Master's degree in law as well.



➤ **Palestine University**

At Palestine University, it is clear that more than half of the students are males, 41% are females, and all students have a bachelor's degree from the university in law.



Analysis of Current Training Regulation

➤ **The problems of training on law jobs in Palestine and the requirements of developing the current training regulation**

The vast majority of law graduates seek to affiliate with the Bar Association as it is the professional and institutional home that accommodates the outputs of legal educational regulation. However, the rising number of trainees at the Bar obstacles the provision of suitable environment and training and causing the current regulation to face the following problems:

- 1- The training regulation is inadequate to examine law graduates in accordance with scientific and professional bases that provide trainees with the required knowledge to practice law.
- 2- The policies of legal education regulation in universities and Ministry of Education is not firm enough in granting licenses to open law faculties and programs.
- 3- Law students are not educated enough to realize their working options after graduation.

➤ **The current training regulation at the Palestinian Bar Association**

First: the legal framework of the current training regulation

Article 4/42 of Law on Lawyers 3 of 1999 and its amendments granted the Bar committee the authority to set the required regulations for implementing this Law provisions after being approved by the General Authority. Moreover, Article 19 of the same Law states that, "the internal regulation determines the training type and its conditions." Accordingly, the training regulation of practicing lawyers 1 of 2004 and its amendments was issued to determine the mechanism of training and registering in the register of the trainee lawyers until the training duration is completed and law is practiced.

After reviewing the training regulation and its amendments, it is clear that the regulation covers the training affairs largely, yet it does not arrange registry conditions sequentially, causing misunderstanding especially for new trainees of law. Likewise, lawyers are not guaranteed to be well trained despite of the validity of the regulation amendments approved in the General Authority meeting on April 4, 2018 for requiring trainees to attend 40 sessions divided equally before magistrate and first instance courts. Nevertheless, it is not a clear evidence that lawyers were trained effectively at all legal and scientific levels since the amendments do not determine a procedure to approve the attendance of the lawyer to these sessions except through court hearings. Along the same lines, attending classes at the Bar is not organized enough in the training regulation and its amendments; the topics and lecturers' requirements are stated in general.

Recently, the amendments of the training regulation in 2018 are tailored to regulate the number of trainees, yet the regulation does not provide for the tools and methods of implementation and the supervision on training activities, urging to think of other influential mechanisms.

Second: the organizational Structure of the current training regulation

Under the applied training regulation No. 1 of 2004 and its amendments, the training committee takes the responsibility of training affairs. It consists of the elected president and two members or two practicing lawyers. The committee is entitled to assign other committees consists of three lawyers to perform its works under the amendments to the regulation in each governance. There is also a training unit, which consists of the director and four employees to oversee new trainees, organize and receive researches, discussions, training, continued education and exams.

The training committee supervises other subsidiary committees such as research and exams committees and prepares the name lists of admitted lawyers. The regulation only determines the conditions of teachers who are required to have experience in practicing law for more than 10 years which is not enough as a qualification. The Bar council makes the resolution of forming these committees under Article 28 of training regulation. The committee consists of 3-5 participants who have the right to get rewards which are paid out from the training affairs fund and determined by the Bar council. The council also may form different subsidiary committees of research and exams in need.

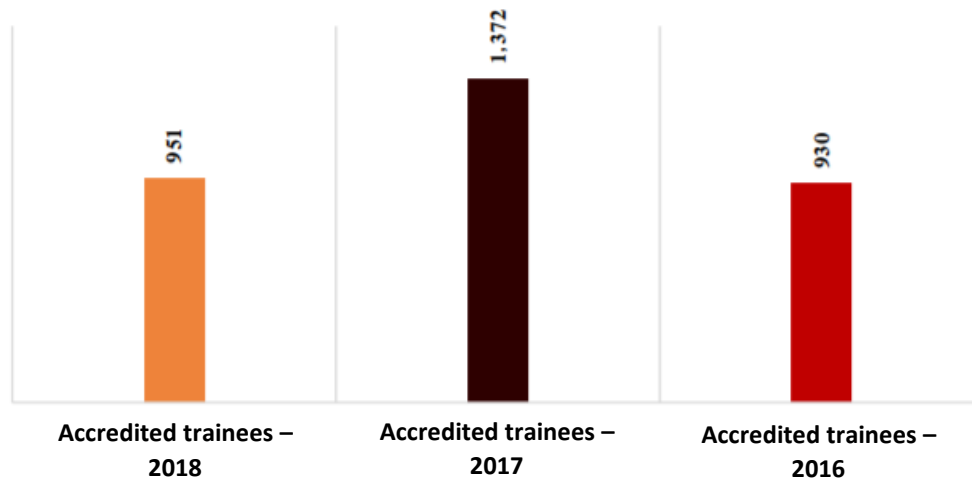
Generally, the Bar has no clear administrative structure for the training regulation. The current regulation of training unit lacks the suitability with the rising number of trainees and ability to provide effective training regarding supervision and development. As for the training committee tasks, they are limited to supervision which affect the development of the training program.

The Bar organizes the files of training lawyers by using papers to save training and trainees data as it adopts paper data device. However, it saves computer data via insufficient programs that do not save time and effort, unable to cope with the number of trainees, regulate their attendance or figure out the times of breaking the training.

According to the statistics of training department during 2016-2019, the number of applicants for April course in 2019 is 752, 718 of them passed while 25 applicants failed and nine were absent. That is to say, the percent of success was 96.6 for 3.36 of failure. In 2018 November course, the number of applicants was 757, 425 of them passed while 312 of them failed and 14 were absent. The percent of success was 57.66 for 42.33 of failure.

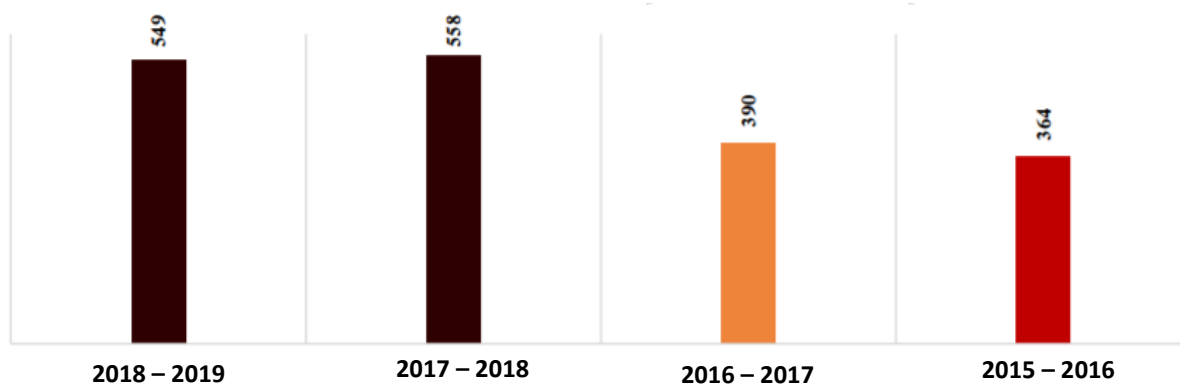
The total number of admitted trainees was 1372 in 2017 and 951 trainees in 2018 as it is shown in the following chart.

Figure (9): The number of trainees accredited for the years 2016-2018



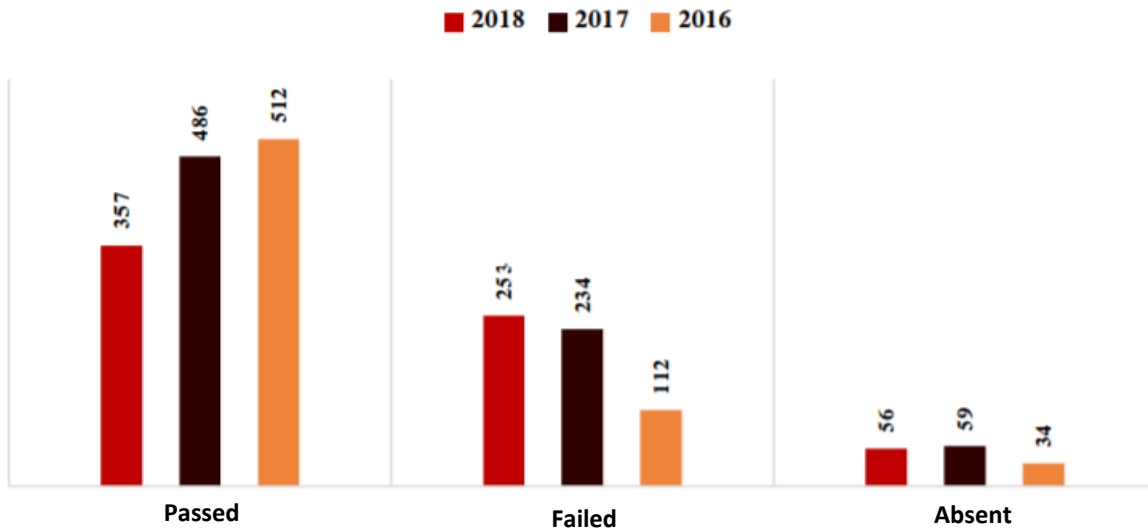
The following figure shows the number of lectures held during the October-April period for the years 2016-2019.

Figure (10): The number of lectures held during the October-April period for the years 2016-2019



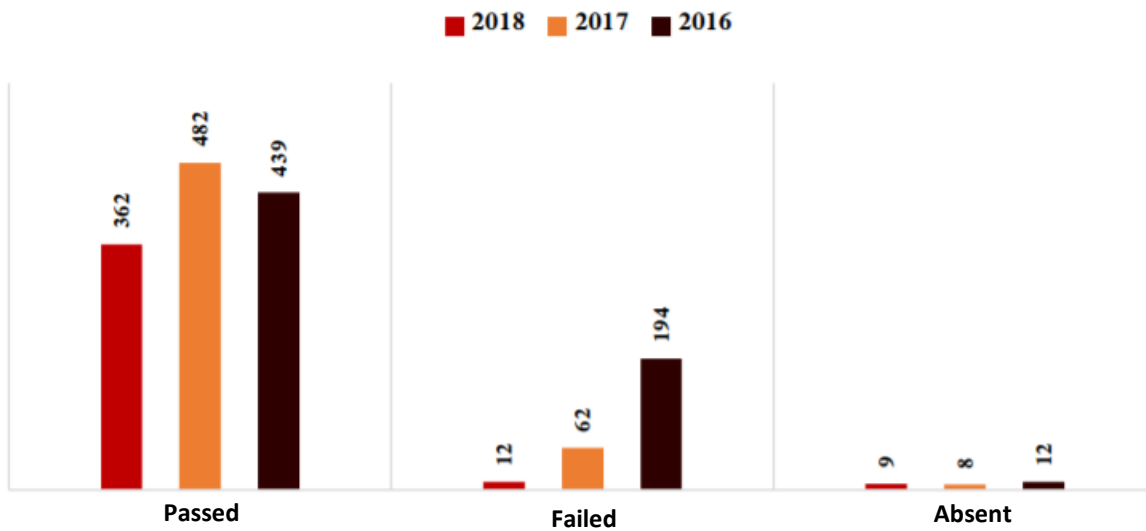
1,376 trainees applied for the training exam during April 2019 and the exam results have not been disclosed yet as they are under scoring. Besides, 666 trainees took the written exam in April 2018 where 357 passed and 253 failed. The examination was not attended by 56 trainees, in return 383 trainees applied for the same exam in the same year where 362 passed, 12 failed and 9 of them were absent. The figure below shows the number of trainees applied for April 2016-2018 written practice exams.

Figure (11): The number of trainees applied for April 2016-2018 written practice exams



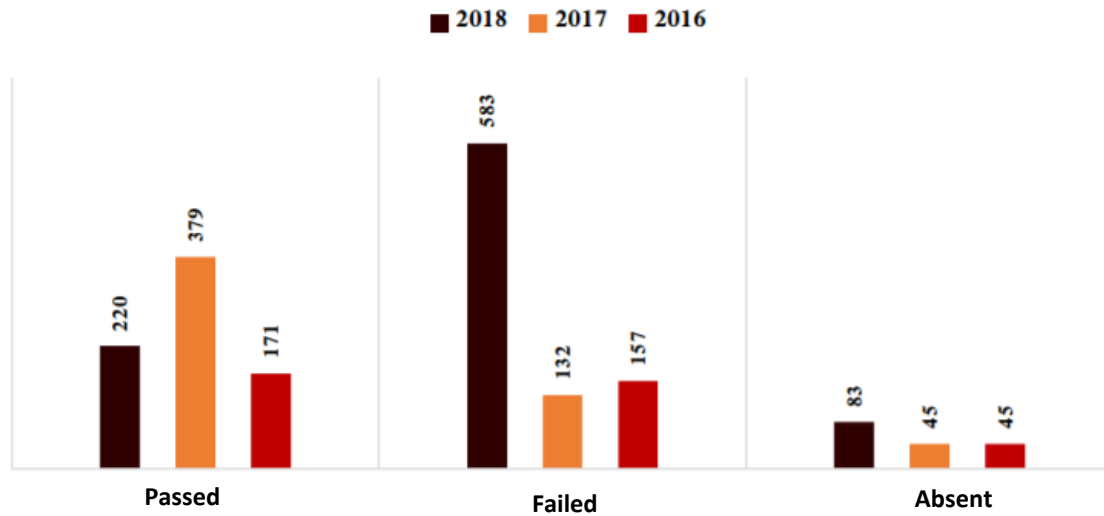
The figure below shows the number of trainees applied for April 2016-2018 oral practice test.

Figure (12): The number of trainees applied for April 2016-2018 oral practice test



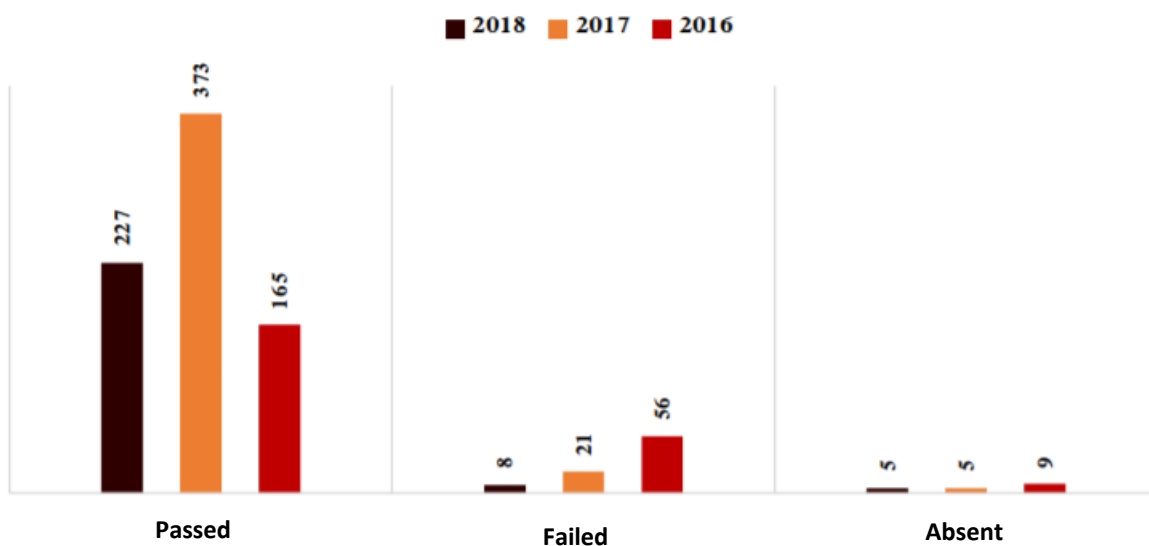
The figure below shows the number of trainees applying for October 2016-2018 written practice exams.

Figure (13): The number of trainees applying for October 2016-2018 written practice exams.



The figure below shows the number of trainees applying for October 2016-2018 oral practice test.

Figure (14): The number of trainees applying for October 2016-2018 oral practice test.



SWOT Analysis

The table below shows the results of the Institute's SWOT analysis, which is represented by internal strengths, weaknesses, opportunities and external threats.

Table (1): Institute's SWOT Analysis

Strengths	Weaknesses
<ul style="list-style-type: none"> – The existence of an effective and first-of-its-kind institute that sponsors the affairs of newly trained lawyers. – The appropriate legal environment for the establishment of the Institute. – Strategic compatibility with the Palestinian Bar Association. – Quality and diversity of services provided by the Institute. – Keeping pace with the development of the legal profession and new legal subjects. – Ability to qualify new graduates and prepare them for entry into the labor market. 	<ul style="list-style-type: none"> – The lack of the competent local expertise in the field of the Institute's work. – The limited capacity of the institute.
Opportunities	Threats
<ul style="list-style-type: none"> – The market need for the establishment of the Institute to regulate the numbers of new graduates. – Awareness by the higher authorities of the importance of developing the legal profession. – Provides strategic partnerships with relevant parties. – Support for the establishment of the Institute at the political level. – Donor funding is available. – Existence of a regional and international local relations network. – The use of technological tools in the profession of law. 	<ul style="list-style-type: none"> – Fluctuation of public opinion around the idea of the Institute. – Instability of political and economic situation. – Weak planning and integration of institutional plans for most Palestinian universities and colleges. – Reduced support from financiers. – Large numbers of graduates in the legal profession.

- Taking advantage of experiences in neighboring countries.

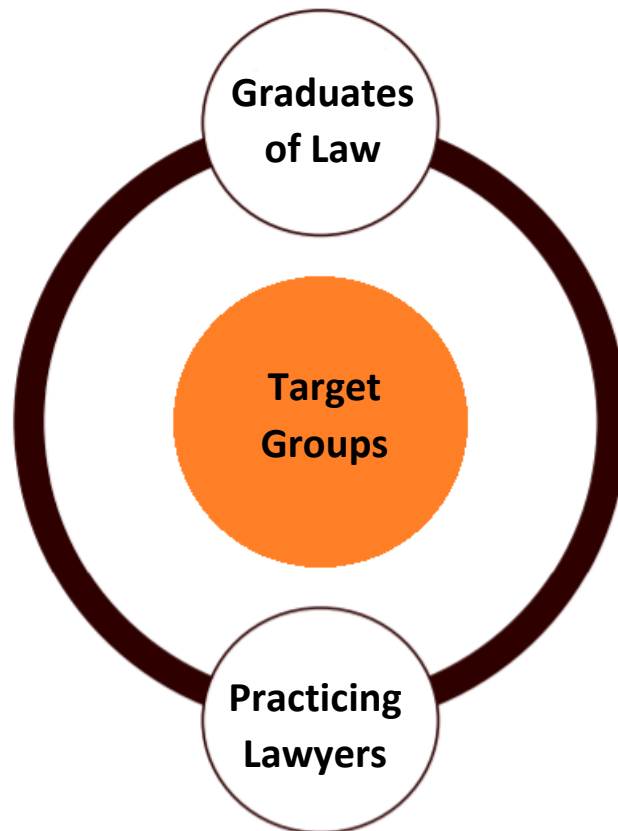
Marketing Strategy

Market Segmentation and Targeting

The figure below shows the project target groups:

1. Graduates of law who wish to practice the profession of law.
2. The practicing lawyers who need in-depth and more focused training in various legal fields.
- 3.

Figure (15): Target Groups



Marketing Plan

➤ **Marketing Plan objectives:**

1. Strengthen and develop the Institute's vision and activities in the minds of the trainees and all partners with outstanding status.
2. Improving the legal training image in Palestine and raising its quality.
3. Reach out to target audiences and enhance the Institute's role in developing competencies.
4. Develop strategies for collaboration with external institutions and donors.

A marketing plan includes the correct deployment of messages that target audiences; it is therefore logical to assume the need to utilize media and non-media channels of communication.

➤ **Media channels of communication:**

- Press conferences.
- Press News.
- Articles in newspapers, professional press and websites.
- TV and radio coverage.

➤ **Non-Media channels of Communication:**

- website.
- Professional social media and official pages.
- Newsletters.
- Seminars and workshops.
- Conferences.
- Emails and phone calls.
- booklets.
- Field visits.

➤ The main procedures of the marketing plan:

Table (2): Main Procedures of the Marketing Plan

Intervention	Description
Website	<p>The website will be the cornerstone of the marketing plan so that it will not only provide direct information about the Institute in general and its activities in particular, but will also serve as a platform for the publication of other promotional materials such as publications, brochures and symposia.</p> <p>The website will serve as a platform for encouraging and inviting audiences to participate in the Institute's activities and programs.</p>
Promotional Material	<p>Consists of brochures, flyers and other promotional materials such as stationery, newsletters, catalogs, banners, billboards and more materials that can be used in training, seminars, and external reviews.</p>
Social Media Websites	<p>Develop pages on social websites such as YouTube, LinkedIn, Twitter, and Facebook.</p> <p>These pages will then be considered a tool for making connections with target audiences and for their interactions and feedback.</p>
Promotional film	<p>A 3-minute film outlining the Institute's enrollment mechanism, programs, and strategic framework.</p>

Management and operation

Location and facilities

Considering that the Training Institute is professionally affiliated with the Palestinian Bar Association, and that the Institute is an independent academic institution, it is suggested to build a separate building on a plot of land owned or intended to be owned by the Palestinian Bar Association, with a proposed building size of two thousand forty square meters (2040 m²), and it consists of several floors ranging from 4-5 floors, and it is suggested that the institute be at Ramallah and Al-Bireh Governorate. The institute's building is intended to include the facilities shown in the table below.

Table (3): The facilities needed by the Training Institute

Item	Description
Classrooms	Building 8 classrooms with an area of 50 square meters for each hall, with a total area of 400 square meters.
Administrative offices	Building 15 offices with an area of 20 square meters for each office and a total area of 300 square meters.
Parking	Providing a parking with a total area of 400 square meters
Library	Building a library with a total area of 100 square meters
Computer lab	Building a computer lab with a total area of 100 square meters.
Multi-purpose hall	Building a multi-purpose hall with a total area of 350 square meters.
Medical clinic	Building a medical clinic with a total area of 40 square meters.
Cafeteria	Building a cafeteria with a total area of 150 square meters.
Health facilities	Building sanitary facilities, including toilets, with a total area of 100 square meters.
Service facilities	Building facilities for services including a guard room, a warehouse, and an additional room with a total area of 100 square meters

The following tables show the tools and equipment needed by the training institute along with the regulations and infrastructure.

Table (4): Tools and Equipment

Item	Description
Classrooms	Includes a smart board and a projector for each hall
Administrative offices	Includes a computer and a printer for each administrative office
Library	Includes computers, a printer, and the price of books
Computer lab	Includes 40 computers and a copier
multipurpose hall	Includes smart pad and projector
medical clinic	Includes a computer and a printer
Service facilities	Includes a computer and monitors

Table (5): Regulations and Infrastructure

Item	Description
Air conditioning regulation	Installing an air conditioning regulation covering an area of 1640 square meters, at a cost of 75 dollars per square meter.
Monitoring regulation	Installing cameras for the project facilities.
fire regulation	Installing fire detection regulation.
sound regulation	Installing a sound regulation for the multi-purpose hall.
Lifts	Installing (2) elevators for the building, at a cost of \$ 100,000 per elevator.
Networks and information regulations	Installing infrastructure related to networks and information regulations.
Computerized regulations	Includes administrative, financial regulations and a website.
Car	Providing a private car for transportation.

Capacity

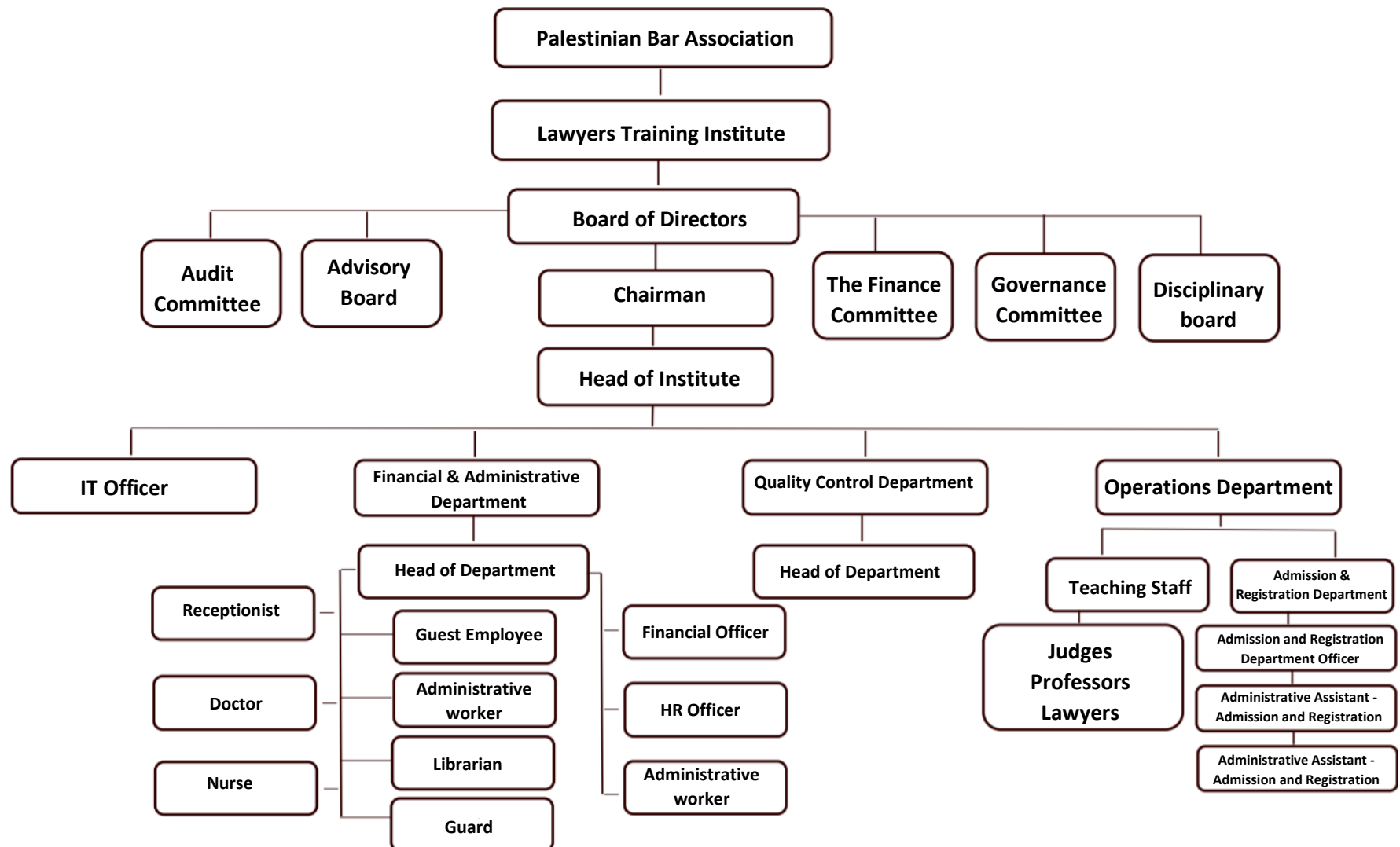
In the first and second years, 200 trainees will be chosen according to their competence, while the number rises to 250 trainees in the third, fourth and fifth years. As for the unchosen students, they repeat the process until they are admitted. Students have the right to take the exam for three times maximum or according to the training regulation after amendment. The capacity of the training institute is 200 trainees in the first and second years and it rises to 250 trainees in the third, fourth and fifth years. The mechanism of regulating the number of trainees during the five years is summarized as follows:

All graduates head to the bank to submit a joining request for about \$70, the institute cooperates with certain banks announced on the institute website. They fill the data in the web portal and keep an eye to learn the time of the initial writing exam, followed by another writing exam then conducting an interview. In the first and second years, 200 trainees are chosen according to their competence, while the number rises to 250 trainees in the third, fourth and fifth years. As for the unchosen students, they repeat the procedures until they are admitted. Students have the right to take the exam for three times maximum or according to the training regulation after amendment.

The Organizational Structure

The administrative regulation of the institute is determined under the internal regulation. The structure encompasses board of directors and its committees. The board consists of the institute director and four main departments (operations, quality control, financial and administrative affairs and IT), and the academic staff of judges, lawyers and professors. The following chart shows the administrative and organizational structure of the institute.

Figure (16): The organizational and administrative structure of the Lawyers Training Institute



Employment Plan

The employment plan is considered one of the basic elements on which the success of the project is based, and which must be prepared before starting the implementation of the project, so that it directly affects the estimated budgets related to the cost of human resources and the annual project work plan. Among the most important elements that the employment plan clarifies are the following: the necessary human resources during the project operation period, the time frame for appointing and occupying positions, and the expected monthly/annual salary.

Table (6): Employment Plan of Lawyers Training Institute

Position	No.	Monthly Salary (US\$)	Expected appointment date
Head of Institute	1	4,500	The first quarter of 2021
Operations Director	1	2,000	The first quarter of 2021
Head of Admission and Registration Department	1	1,200	The first quarter of 2021
Administrative Assistant – Admission and Registration	2	800	The first quarter of 2021
Information Technology Officer	1	1,500	The first quarter of 2021
Finance and Administration Officer	1	1,500	The first quarter of 2021
HR Officer	1	850	The first quarter of 2021
Administrative Assistant - Financial and Administrative Department	1	800	The first quarter of 2021
Financial Officer	1	1,000	The first quarter of 2021
Quality Control Officer	1	1,200	The first quarter of 2021
Doctor (part time)	1	1,000	The first quarter of 2021
Nurse	1	1,000	The first quarter of 2021
Receptionist	2	600	The first quarter of 2021
Guard	1	800	The first quarter of 2021
Librarian	1	800	The first quarter of 2021
Guest employee	2	600	The first quarter of 2021
Receptionist	1	600	The first quarter of 2021
Teaching staff	-	-	The first quarter of 2021

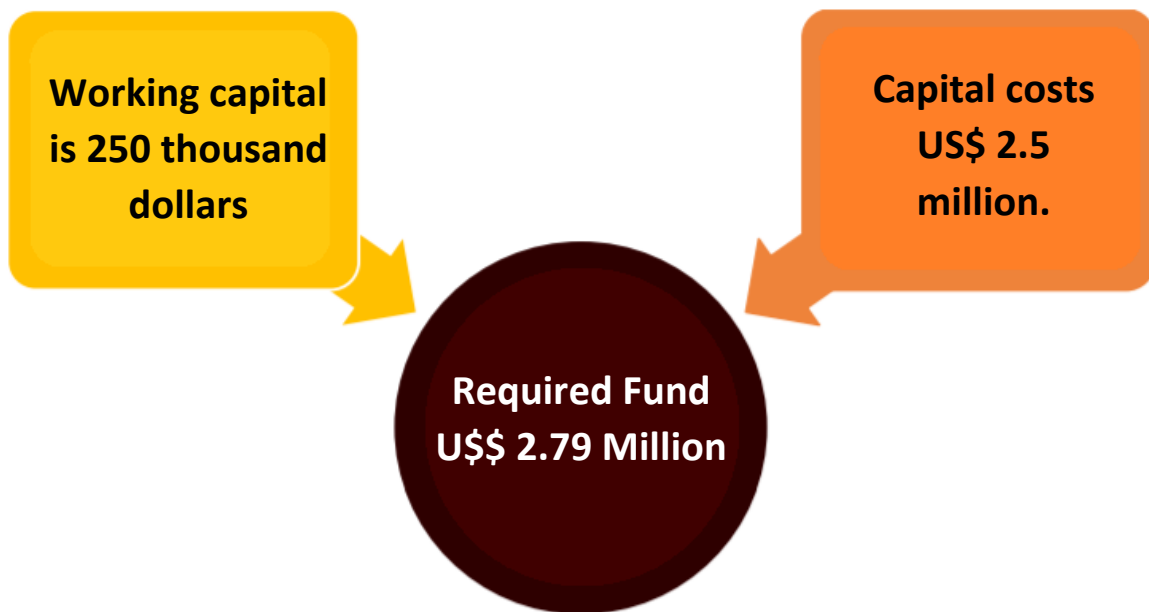
Implementation Plan

Activity	Foundational Year				First Year			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Determine the terms of reference for the technical works related to the project	■							
Bidding for the project technical offer		■						
Contracting with the company carrying out the technical works of the project		■						
Carrying out construction works and infrastructure related to the project			■	■				
Supply of additional machinery and equipment needed for the project				■				
Preparing and implementing promotional and marketing campaigns to launch the project				■				
Implementing the recruitment process based on the project's recruitment plan					■			
Launching project services					■			
Follow up the project performance, identify deviations from the project study indicators, and update the plan as necessary					■	■	■	■

Financial Analysis

Financial Plan

Based on the results of the financial analysis, the amount of funding needed for the project is estimated at US\$ 2.79 million.



The table below shows the financing needs for the project.

Table (7): Financing needs for the project

Item	Foundational Year (US\$)	First Year (US\$)
Investment activities	2,541,500	-
Working capital	50,000	200,000
Required fund	2,591,500	200,000

Financial assumptions and projections

1. Capital expenditures and assets

The table below shows the capital expenditures related to the land needed for the project site.

Table (8): Cost of Land

Item	Description	Cost Per m ² (US\$)	Total Cost (US\$)	Depreciation rate
Piece of land	The piece of land is considered a contribution by the Bar Association	-	1,071,429	-

The table below shows the capital expenditures related to the construction of the project and the depreciation rates thereon.

Table (9): Construction expenses and depreciation rates.

Item	Description	Cost Per m ² (US\$)	Total Cost (US\$)	Depreciation rate
Classrooms	Building 8 classrooms with an area of 50 square meters for each hall, with a total area of 400 square meters.	600	240,000	%2.5
Administrative offices	Building 15 offices with an area of 20 square meters for each office and a total area of 300 square meters.	600	180,000	%2.5
Parking	Building a parking with a total area of 400 square meters	600	240,000	%2.5
Library	Building a library with a total area of 100 square meters	600	60,000	%2.5
Computer lab	Building a computer lab with a total area of 100 square meters.	600	60,000	%2.5
Multi-purpose hall	Building a multi-purpose hall with a total area of 350 square meters.	600	210,000	%2.5
Medical clinic	Building a medical clinic with a total area of 40 square meters.	600	24,000	%2.5
Cafeteria	Building a cafeteria with a total area of 150 square meters.	600	90,000	%2.5
Health facilities	Building sanitary facilities, including toilets, with a total area of 100 square meters.	600	60,000	%2.5
Service facilities	Building facilities for services including a guard room, a warehouse, and an additional room with a total area of 100 square meters	600	60,000	%2.5
Total			1,224,000	-

The table below shows the capital expenditures related to the finishing and decoration of the project and the depreciation rates thereon.

Table (10): Finishing and decoration expenses and depreciation rates

Item	Description	Cost Per m ² (US\$)	Total Cost (US\$)	Depreciation rate
Classrooms	Finishing 8 classrooms with an area of 50 square meters for each hall, with a total area of 400 square meters.	200	80,000	5%
Administrative offices	Finishing 15 offices with an area of 20 square meters for each office and a total area of 300 square meters.	200	60,000	5%
Library	Finishing a library with a total area of 100 square meters	200	20,000	5%
Computer lab	Finishing a computer lab with a total area of 100 square meters.	200	20,000	5%
Multi-purpose hall	Finishing a multi-purpose hall with a total area of 350 square meters.	350	122,500	5%
Medical clinic	Finishing a medical clinic with a total area of 40 square meters.	250	10,000	5%
Cafeteria	Finishing a cafeteria with a total area of 150 square meters.	200	30,000	5%
Health facilities	Finishing sanitary facilities, including toilets, with a total area of 100 square meters.	250	25,000	5%
Service facilities	Finishing of facilities for services including a guard room, a warehouse, and an additional room with a total area of 100 square meters	200	20,000	5%
Total			387,500	--

The table below shows the capital expenditures related to the project's furniture and its depreciation rates.

Table (11): Capital expenditures related to the project's furniture and its depreciation ratios.

Item	Description	Total Cost (US\$)	Depreciation rate
Classrooms	Furnishing of 8 classrooms with an area of 50 square meters for each hall, with a total area of 400 square meters.	40,000	15%
Administrative offices	Furnishing of 15 offices with an area of 20 square meters for each office and a total area of 300 square meters.	15,000	15%
Library	Furnishing of a library with a total area of 100 square meters	20,000	15%
Computer lab	Furnishing of a computer lab with a total area of 100 square meters.	20,000	15%
Multi-purpose hall	Furnishing of a multi-purpose hall with a total area of 350 square meters.	140,000	15%
Medical clinic	Furnishing of a medical clinic with a total area of 40 square meters.	5,000	15%
Service facilities	Furnishing of facilities for services including a guard room, a warehouse, and an additional room with a total area of 100 square meters	5,000	15%
Total		245,000	--

The table below shows the capital expenditures related to the project machines and equipment and its depreciation rates.

Table (12): Capital expenditures related to the project machines and equipment and its depreciation rates.

Item	Description	Total Cost (US\$)	Depreciation rate
Classrooms	Includes a smart board and a projector for each hall	40,000	20%
Administrative offices	Includes a computer and a printer for each administrative office	18,000	20%
Library	Includes computers and printers	10,000	20%
Computer lab	Includes 40 computers, copiers and printers	50,000	20%
Multi-purpose hall	Includes smart pad and projector	10,000	20%
Medical clinic	Includes a computer and a printer	1,500	20%
Service facilities	Includes a computer and monitors	2,500	20%
Total		132,000	-

The table below shows the capital expenditures related to the project's regulations and infrastructure and their depreciation rates.

Table (13): Capital expenditures related to the project's regulations and infrastructure and their depreciation rates.

Item	Description	Total Cost (US\$)	Depreciation rate
Air conditioning regulation	Installing an air conditioning regulation covering an area of 1640 square meters, at a cost of 75 dollars per square meter.	123,000	10%
Monitoring regulation	Installing cameras for the project facilities.	15,000	15%
fire regulation	Installing fire detection regulation.	50,000	10%
sound regulation	Installing a sound regulation for the multi-purpose hall.	5,000	10%
Lifts	Installing (2) elevators for the building, at a cost of \$ 100,000 per elevator.	200,000	5%
Networks and information regulations	Installing infrastructure related to networks and information regulations.	75,000	10%
Computerized regulations	Includes administrative, financial regulations and a website.	50,000	10%
Car	Providing a private car for transportation.	35,000	25%
Total		553,000	-

The table below summarizes the project's capital expenditures.

1. Capital Expenditures

Table (15): Summary of project's capital expenditures

Item	Total Cost (US\$)
Cost of land	1,071,429
Construction expenses	1,224,000
Finishing and decoration expenses	387,500
Furniture	245,000
Machines and equipment	132,000
Regulations and infrastructure	553,000
Total	3,612,929

2. Depreciation

The table below shows the annual depreciation value on the fixed assets of the project over the next five years.

Table (16): Depreciation of fixed assets

Item	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Depreciation (US\$)	164,425	164,425	164,425	164,425	155,675

3. Revenues

- Revenue of the placement test

Based on market research findings, the table below shows the revenue from placement test fees.

Table (17): Revenue of Placement test

Revenues	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Students number	1,500	2,800	4,000	5,000	5,000
Fees (US\$)	70	70	70	70	70
Revenue	105,000	196,000	280,000	350,000	350,000

- Training revenue

The table below shows the revenues from the student training fees, as it was assumed that the capacity of the institute is 250 students per year, and the average training fee is \$ 2,000 per student.

Table (18): Training revenue

Revenues	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Students number	200	200	250	250	250
Training Fees per student (US\$)	2,000	2,000	2,000	2,000	2,000
Revenue	400,000	400,000	500,000	500,000	500,000

- Supporting courses revenue

It has been assumed that 4 supporting training courses will be held annually for practicing and junior lawyers. The table below shows the revenues from the supporting courses.

Table (19): Supporting courses revenue

Revenues	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
The number of annual courses	4	4	4	4	4
number of participants	75	75	75	75	75
Course fees for each participant	150	150	150	150	150
Revenue from supporting courses	45,000	45,000	45,000	45,000	45,000

- Cafeteria Revenue

The table below shows the revenues from renting the cafeteria to the private sector.

Table (20): Cafeteria Revenue

Item	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Cafeteria Revenue	15,000	15,000	15,000	15,000	15,000

- Revenue from Training Institute Fees

The table below shows the revenue from the training institute's fees, as a fee will be paid by each lawyer annually for the training institute.

Table (21): Training Institute Fees Revenue

Item	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Training Institute Fees Revenue	150,000	150,000	150,000	150,000	150,000

- Grants and external aid revenue

The table below shows the revenues from grants and external aids.

Table (22): Grants and External Aids Fees Revenue

Item	Foundational Year	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Grants and External Aids Fees Revenue	2,600,000	500,000	500,000	500,000	500,000	500,000

- Other Revenues

The table below shows other project revenues mainly from renting multi-purpose hall.

Table (23): Other Revenues

Item	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Other Revenues	25,000	25,000	25,000	25,000	25,000

- Summary of Revenues

Table (24): Summary of Revenues

Item	Foundational Year	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Revenue of Placement test	-	105,000	196,000	280,000	350,000	350,000
Training revenue	-	400,000	400,000	500,000	500,000	500,000
Supporting courses revenue	-	45,000	45,000	45,000	45,000	45,000
Cafeteria Revenue	-	15,000	15,000	15,000	15,000	15,000
Training Institute Fees Revenue	-	150,000	150,000	150,000	150,000	150,000
Grants and External Aids Fees Revenue	2,600,000	500,000	500,000	500,000	500,000	500,000
Other Revenues	-	25,000	25,000	25,000	25,000	25,000
Total Revenue	2,600,000	1,240,000	1,331,000	1,515,000	1,585,000	1,585,000

4. Expenses of salaries and wages

- Administrative staff

Based on the prepared employment plan, the table below shows the expected salary and wages expenses for the next five years of the project.

Table (25): Expenses of salaries and wages

Position	No.	Monthly Salary (US\$)	Annual Salary (US\$)
Head of Institute	1	4,500	54,000
Operations Director	1	2,000	24,000
Head of Admission and Registration Department	1	1,200	14,400
Administrative Assistant – Admission and Registration	2	800	19,200
Information Technology Officer	1	1,500	18,000
Finance and Administration Officer	1	1,500	18,000
HR Officer	1	850	10,200
Administrative Assistant - Financial and Administrative Department	1	800	9,600
Financial Officer	1	1,000	12,000
Quality Control Officer	1	1,200	14,400
Doctor (part time)	1	1,000	12,000
Nurse	1	1,000	12,000
Receptionist	2	600	14,400
Guard	1	800	9,600
Librarian	1	800	9,600
Guest employee	2	600	14,400
Receptionist	1	600	7,200
Total			273,000

- It was assumed that the salary and wages expenses grow by 3% annually.
- It was assumed that employee expenses including end-of-service, leave and insurance represent 10% of annual employee expenses.

- Teaching Staff

The table below shows the salaries and wages expenses related to the teaching staff.

Table (26): The salaries and wages expenses related to the teaching staff

Item	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
The number of students at the institute	200	200	250	250	250
Number of students in the class	40	40	40	40	40
Number of classes	5	5	6.25	6.25	6.25
Number of study weeks	32	32	32	32	32
The number of study hours per week	15	15	15	15	15
Average price of study hour	100	100	100	100	100
Total	240,000	240,000	300,000	300,000	300,000

The table below shows the salaries and wages expenses of the Institute's employees.

Table (27): The salaries and wages expenses of the Institute's employees

Item	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Salaries and wages expenses	273,000	281,190	289,626	298,314	307,264
End-of-service expenses	27,300	28,119	28,963	29,831	30,726
Teaching staff	240,000	240,000	300,000	300,000	300,000
Total	540,300	549,309	618,588	628,146	637,990

5. Project-related Operation Expenses

The table below summarizes the operating expenses of the project during the next five years.

Table (28): The operating expenses of the project during the next five years

Item	Details	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Admission examination fees	US\$ 10 for each applicant	15,000	28,000	40,000	50,000	50,000
Service expenses (electricity, water, telecommunications)	US\$ 6,500 per month, and a growth rate of 3% annually	78,000	80,340	82,750	85,233	87,790
Stationery	US\$ 175 per student annually	35,000	35,000	43,750	43,750	43,750
Hospitality expenses	US\$ 1,250 per month has been assumed and growth rate is 3% annually	15,000	15,540	15,914	16,391	16,883
Maintenance expenses	Assumed to be 1% of the capital expenditures, and a growth rate of 5% annually	36,129	37,936	39,833	41,824	43,915
Insurance expenses	It is assumed to be US\$ 10,000 annually and a growth rate of 5% annually	10,000	10,500	11,025	11,576	12,155
Promotion and marketing expenses	It is assumed to be \$ 50,000 for the first year, and 1% of total revenue during other years	50,000	13,310	15,150	15,850	15,850
Transportation expenses	It is assumed to be 500 dollars per month, and with a growth rate of 5% annually	6,000	6,300	6,615	6,946	7,293
Training and consulting expenses	Assumed to be with a value of 50,000 for the foundational year and the first year, and 10,000 for the remainder of the years	50,000	10,000	10,000	10,000	10,000
Other expenses	Assumed to be 1% of the total revenue	12,400	13,310	15,150	15,850	15,850
Total		307,529	250,236	280,187	297,420	303,486

Expected Income Statement

Item	Foundational Year	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Revenues	2,600,000	1,240,000	1,331,000	1,515,000	1,585,000	1,585,000
General and administrative expenses	-	540,300	549,309	618,588	628,146	637,990
Operating expenses	50,000	307,529	250,146	280,186	297,420	303,486
Operating profit	2,550,000	392,171	531,545	616,225	659,434	643,524
Depreciation expense	-	164,425	164,425	164,425	164,425	155,675
Total Revenue	2,550,000	227,746	367,120	451,800	495,00	487,849

Projected Balance Sheet

Item	Foundational Year	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Assets						
Cash	8,500	427,971	987,635	1,632,823	3,322,089	2,966,339
Net fixed assets	3,612,929	3,448,504	3,284,079	3,119,654	2,955,229	2,799,554
Total assets	3,621,429	3,876,475	4,271,714	4,752,477	5,277,318	5,795,893
Liabilities						
End-of-service expenses	-	27,300	55,419	84,382	114,213	144,939
Total liabilities	-	27,300	55,419	84,382	114,213	144,939
Equity						
Capital	1,071,429	1,071,429	1,071,429	1,071,429	1,071,429	1,071,429
Retained earnings	2,550,000	2,777,746	3,144,866	3,596,666	4,091,676	4,579,525
Total equity	3,621,429	3,849,175	4,216,295	4,668,095	5,163,105	5,650,954
Total liabilities and equity	3,621,429	3,876,475	4,271,714	4,752,477	5,277,318	5,795,893

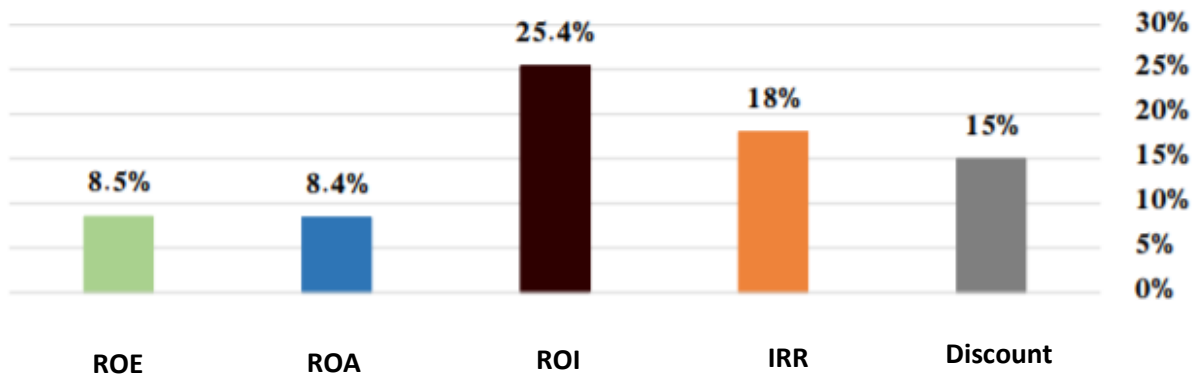
Expected cash flow statement

Item	Foundational Year	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
Operational activities						
Net income	2,550,000	227,746	367,120	451,800	495,009	487,849
Depreciation expenses	-	164,425	164,425	164,425	164,425	155,675
End-of-service expenses	-	27,300	55,419	84,382	114,213	144,939
Cash flows from operating activities	2,550,000	419,471	559,664	645,188	689,266	674,250
Investment activities						
Additions to fixed assets	(2,541,500)	-	--	-	-	-
Cash flows from investment activities	(2,541,500)	-	-	-	-	-
Finance activities						
Capital	-	-	-	-	-	-
Cash flows from financing activities	-	-	-	-	-	-
Net change in cash during the period	8,500	419,471	559,664	645,188	689,266	674,250
Cash at the end of period	8,500	427,971	987,635	1,632,823	2,322,089	2,996,339

Financial Feasibility Analysis Indicators

Table (29): Financial feasibility analysis indicators

Year	Net cash flows	Year	Net cash flows
Year (0)	2,550,000	Year (1)	392,171
Year (2)	531,545	Year (3)	616,225
Year (4)	659,434	Year (5)	643,524
Investment costs		3,612,929	
Discount		15%	
Internal rate of return (IRR)		18%	
Net Present Value (NPV) in USD		208,897	
Average payback period		3.9 Year	
Breakeven		Year (1)	
Return on Investment (ROI)		25.4%	
Return on Assets (ROA)		8.4%	
Return on Equity (ROE)8.5%		8.5%	



Financial Performance Indicators

No.	Item	Year (1)	Year (2)	Year (3)	Year (4)	Year (5)
1	ROA (%)	5.9%	8.6%	9.5%	9.4%	8.4%
2	ROE (%)	5.9%	8.7%	9.7%	9.6%	8.6%
3	Total Assets (In million dollars)	3.9	4.3	4.8	5.3	5.8
4	Total Liabilities (In million dollars)	0	0.1	0.1	0.1	0.1
5	Equity (In million dollars)	3.9	4.2	4.7	5.2	5.7
6	Revenue (In million dollars)	1.24	1.33	1.52	1.59	1.59
7	Revenue growth	-	7%	14%	5%	-
8	Indirect expenses (In million dollars)	0.47	0.41	0.44	0.46	0.46
9	Operating profit margin	32%	40%	41%	42%	41%
10	Net profit (In million dollars)	0.2	0.4	0.5	0.5	0.5
11	Net profit margin (in million dollars)	18%	28%	30%	31%	31%
12	Cash flows from operational activities	0.4	0.6	0.6	0.7	0.7
13	Asset Turnover (Number of times)	0.3	0.3	0.3	0.3	0.3
14	Cash flows from investment activities (In million dollars)	-	-	-	-	-
15	Cash flows from financing activities	-	-	-	-	-
16	Cash (In million dollars)	0.4	1	1.6	2.3	3

Financial Recommendations

1. Implementing the project due to the positive indicators of financial feasibility analysis as shown in the financial analysis, as well as the presence of many positive effects on the organization of the legal profession and the labor market.
2. Providing the necessary financing for the project, which is estimated to be approximately \$ 2.79 million.
3. Providing the project facilities mainly represented in the piece of land, which is intended to be a contribution from the Bar Association.
4. Building and equipping the institute with a total area (2040 square meters) that contains (teaching halls, administrative offices, car park, library, computer lab, multi-purpose hall, medical clinic, cafeteria, and other service facilities).
5. Implementing and following-up the project activities outlined in the implementation plan.
6. Charging \$ 70 fee for each student taking the entrance examination.
7. Charging \$ 2000 for each student accepted at the institute for the training services provided.
8. Providing support courses services at fees between (150 - 200) dollars for the participant to contribute to the improvement of the Institute's revenues.
9. Renting the cafeteria to the private sector to improve the institute's revenues.
10. Trying to raise fund from external parties in the amount of 500 thousand dollars annually to enhance the Institute's revenues.
11. Renting the multi-purpose hall to external parties to enhance the Institute's revenues.
12. Adding annual fees to practicing lawyers as support for the training institute.
13. Providing the necessary human resources for the project specified in the employment plan.
14. Using green energy regulations to operate the institute, which contributes to reducing operational costs.