

SUMMARY

## **ECJ 3 April 2025, case C-807/23 (Jones Day), free movement**

### ***Katharina Plavec – v – Rechtsanwaltskammer Wien, Austrian case***

#### **Summary**

The Austrian law which requires that a period of the compulsory practical training to qualify as a lawyer must be carried out with a lawyer *established* in Austria, constitutes a restriction on the freedom of movement guaranteed under Article 45 TFEU.

#### **Question**

Must Article 45 TFEU be interpreted as precluding legislation of a Member State which requires a specific part of practical training, which is necessary in order to be admitted to practise as a lawyer and during which the trainee lawyer has some power to act as a legal representative before the courts of that Member State, to be completed with a lawyer established in that Member State, while precluding the possibility of that part being completed with a lawyer established in another Member State, even though that lawyer is admitted in the first Member State and the activities carried out in the context of that training relate to the law of that first Member State?

#### **Ruling**

Article 45 TFEU must be interpreted as precluding legislation of a Member State which requires a specific part of practical training, which is necessary in order to be admitted to practise as a lawyer and during which the trainee lawyer has some power to act as a legal representative before the courts of that Member State, to be completed with a lawyer established in that Member State, while precluding the possibility of that part being completed with a lawyer established in another Member State, even though that lawyer is admitted in the first Member State and the activities carried out in the context of that training relate to the law of that first Member State, and therefore not allowing the persons who have studied law

concerned to complete that part of that training period in another Member State on the condition that they prove to the competent national authorities that that part of the training as will be completed by him or her is capable of providing them with training and experience equivalent to that provided by practical training with a lawyer established in the first Member State.

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**Creator:** European Court of Justice (ECJ)

**Verdict at:** 2025-04-03

**Case number:** C-807/23