



# **The 37<sup>th</sup> Annual Course of the International Association of Law Libraries**

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## **The Law Practitioner in Luxembourg**

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# Practicing law in Luxembourg

- 1. What is a law practitioner?
  - A person who studies, develops or applies legal rules
  - Creating the law → legislators
  - Applying and enforcing the law → judges and prosecutors
  - Teaching the law → professors
  - Legal advice and client representation → advocates
  - Support functions: bailiffs, paralegals, librarians, data-base managers
  
- 2. What is Luxembourg Law?
  - A sovereign constitutional, legal and judicial system
  - Inspired from the three neighbours' legal systems
  - Integrated in the EU legal system
  - Member of the Roman law legal family
  
- 3. Practicing Law in a small jurisdiction
  - Everybody knows each other → conflicts of interests
  - International business center → practitioners of many nationalities
  - Every legal question has a foreign law aspect

# Who practices law in Luxembourg?

- 1. **The advocates**
  - Two judicial districts and two bar societies (Luxembourg, Diekirch)
  - 6 lists of advocates (barristers, trainees, honorary advocates, EU lawyers, law firms)
  - Luxembourg district: 2700 advocates; Diekirch district: 40 advocates
  
- 2. **The judges**
  - 150 judges sitting in 3 Magistrates Courts, 2 District Courts, 1 Court of Appeal, 1 Court of Cassation, 1 Constitutional Court + Administrative Tribunal and Administrative Court
  - All judges are professional career judges appointed by the Grand Duke
  - All EU Courts have their seat in Luxembourg
  - ADR underdeveloped
  
- 3. **The teachers**
  - University of Luxembourg, created in 2003, new law in 2018, 6500 students
  - Faculty of Law, Economics and Finance
  - 3 years' bachelor (LL.B), 7 masters (LL.M), doctoral school, legal research
  - Masters focus on EU law, financial law, international criminal law, space law

# How to practice law in Luxembourg?

- 1. **A specific type of clients**
  - EMEA headquarters for many global multinational groups  
→ international tax law
  - EU headquarters for financial institutions (banks, insurance companies, investment funds)  
→ contract law and financial regulation
  
- 2. **A comparative law approach**
  - Many laws and statutes are interpreted in the light of their foreign sources
  - Role of French, Belgian and German case law
  - Many financial rules have Anglo-Saxon origins
  - EU law and the ECHR
  - Importance of research: law libraries and data bases
  
- 3. **A multinational and multilingual environment**
  - Luxembourg has 3 official languages
  - Conflicts of law and conflicts of jurisdiction
  - Luxembourg nationals are now a minority