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Project Remor

Deliverable 5.1

Summary report on the selection of legal practitioners

The Remor project has focused on the trans-border enforcement of maintenance obligations, as part of the civil law cooperation of the European Union.

The aim has been to bring attention to the national rules and how they interface with the legal system of other member states, so as to achieve on the one hand an understanding of the reach and limitations of the available EU instruments, and on the other hand also to give rise to a reconsideration of the principles underlying the national systems.

It has therefore been important that the project reached out not only to legal practitioners in the traditional sense of practicing lawyers registered at the national bars, but that it also addressed other practitioners, including those in public service, as well as law makers. Finally, an academic input into the considerations has also been an important aspect of the project.

It was on this background that the project team was composed of two university institutions, in Italy and Latvia, and two bar associations, in Malta and Romania. At the same time, it was recognised that amongst legal practitioners in the traditional sense, the pursuit of maintenance obligations was viewed as a specialized part of family law practice, which in itself constitutes a grouping often separate from other legal practice.

In general, the issue therefore became not so much the selection of legal practitioners, but rather the reaching out to encounter a sufficiently broad selection of practitioners in the wider sense. Especially in the new member states, such as Latvia, this also involves a financial issue for practitioners from public service, whose institutions do not have large budgets for external training, and where similar restrictions also may apply to private practitioners.

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Thus the co-financing requirement in the forming of participation fees for seminar participation did constitute a problem for the project implementation. In Italy, this financial issue was solved by sponsorship, which unfortunately was not a possibility in Latvia. Ultimately, the financial issue led to the seminar in Riga being cancelled, whereas the seminars in Italy, Malta and Romania were performed. Common to all seminars, the participation was broad as were the topics and the debate, as set out in the seminar reports.

The conclusion of the project on the selection of practitioners was thus that this issue did not in itself constitute a limitation on the performance of the project, but rather constituted a challenge, in reaching out to a sufficiently broad selection of seminar participants. Based on the seminar feedback, it is the opinion of the project was successful in achieving such contact with both practitioners and other parties related to the trans-border enforcement of maintenance obligations.

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