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1. Country details

In 2018, Finland's population was 5.522 million and its gross domestic product (GDP) USD 257 billion (per capita USD 46,559).

The legal aid system used in Finland is known internationally as a mixed legal aid model. Legal aid services employ both public and private service providers. This means that a person entitled to state-funded legal aid can choose whether he or she wants to use the services of public or private lawyer. No distinction of primary v. secondary legal aid services can be made.

The state legal aid offices employ around 210 public legal aid lawyers and about the same number of legal aid secretaries. Half of the public legal aid lawyers are members of the Finnish Bar Association. In Finland, there are around 2,100 attorneys (members of the Bar) and around 1,600 licensed lawyers who handle legal aid cases. This means that there are altogether around 3,800 lawyers providing legal aid services.

2. Legal aid organisation / authority

Legal aid is governed by two legislative acts:

- Act on Legal Aid and Public Guardianship Districts, and
- Legal Aid Act

and four decrees:

- Government Decree on Legal Aid and Public Guardianship Districts
- Ministry of Justice Decree on Legal Aid and Public Guardianship Districts, Locations of Legal Aid and Public Guardianship Offices, and Municipalities whose Public Guardianship Services the Districts are Responsible for
- Government Decree on Legal Aid, and
- Government Decree on Legal Aid Fee Criteria.

The Ministry of Justice is responsible for the overall management and supervision of the legal aid offices. The financial and personnel administration of legal aid offices has been centralised in the legal aid and public guardianship districts. The six legal aid and public guardianship districts, which function as agencies, began their operations on 1 October 2016. This reorganisation enables the staff working at the legal aid offices to focus on legal aid decisions and the practice of law.

With an area of about 340,000 km², Finland has 23 legal aid offices, which are located mainly in the vicinity of the district courts. The legal aid offices have 158 locations, of which around half are service points where clients are met as required. The legal aid offices are small: they have between 2 and 37 employees. The total number of employees is only around 420, of whom half are public legal aid lawyers and the other half legal aid secretaries who help legal aid customers and lawyers working in office. Applicants for legal aid may choose which legal aid office they wish to use.

Legal aid is administered by legal aid offices and courts. Legal aid is granted by the legal aid offices. If a legal aid office does not accept a legal aid application and deems that there is no reason for a rectification, the application may be submitted to a court for consideration. If the court does not grant legal aid, it is possible to appeal against the decision.

Legal aid is provided at the expense of the state to persons who need expert assistance in a legal matter and who are unable to meet the costs of proceedings as a result of their economic situation. Legal aid covers the provision of legal advice, the necessary measures and representation before a court of law and another authority, and the waiver of certain expenses related to the consideration of the matter. Legal aid is not provided to a company or a corporation.

Legal aid can be paid fully or partially by the state and the eligibility is based on the applicant's available means and is assessed by net monthly income. This is calculated from the combination of monthly income after taxes, expenditure and wealth. Expenses to be taken into account are for example housing costs (no instalment of a mortgage), child care fees and recovery proceedings. Wealth is calculated after liabilities attached to its value are reduced. Primary residence and car are usually excluded from the wealth calculations.

Income levels for single persons and persons with spouses for fully or partially paid legal aid are as follows:

Income / single person	Excess	Income / spouses, per person	Excess
EUR 600 at the most	0%	EUR 550 at the most	0%
EUR 800 at the most	20%	EUR 700 at the most	20%
EUR 900 at the most	30%	EUR 800 at the most	30%
EUR 1,050 at the most	40%	EUR 1,000 at the most	40%
EUR 1,150 at the most	55%	EUR 1,100 at the most	55%
EUR 1,300 at the most	75%	EUR 1,200 at the most	75%

All who are obligated to pay an excess have to also pay a legal aid charge of EUR 70. Around 75% of the matters managed by legal aid offices are handled for free.

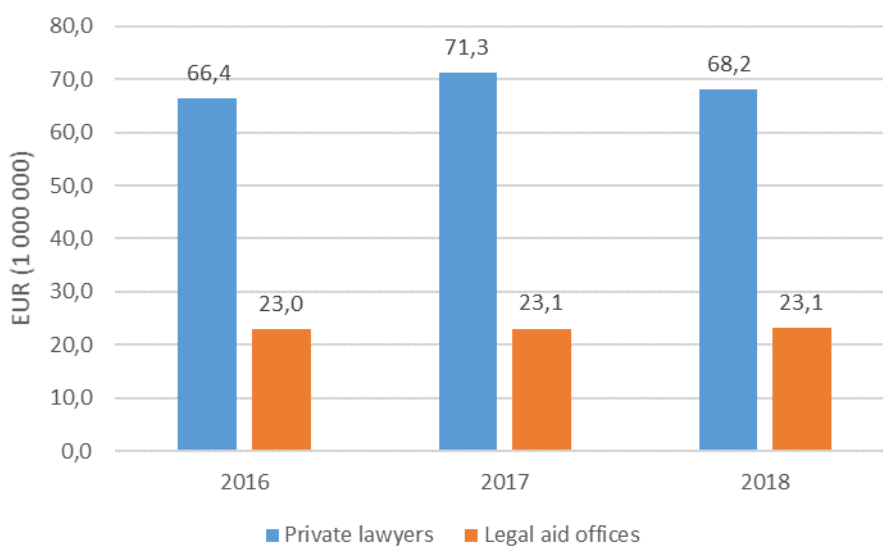
Because legal aid is granted on the basis of the applicant's monthly available means (not income), it is hard to say what share of the Finnish population qualifies for legal aid. A person's situation in life has a major role in determining if he or she has a right to legal aid.

The legal aid fees are determined in compliance with the Government Decree on Legal Aid Fee Criteria. At the moment, the hourly fee is EUR 110. A minimum fee per case is also possible (EUR 415–715, depending on type of case and the length of court session).

3. Budget and spend

The funding for legal aid comes from the Government's Budget via the Ministry of Justice. All public legal aid lawyers, who work at a state legal aid office get a monthly salary paid by the state from the legal aid budget. A private lawyer who deals with a legal aid case will be paid an hourly remuneration case per case. A private lawyer's fee is also paid from the legal aid budget by a decision of a state legal aid office or a court.

Cost of legal aid



4. Scope, caseload and eligibility

Lawyers working at the public legal aid offices are public officials paid by the state who can handle all type measures from legal advice to court proceedings. Private lawyers handling legal aid cases are like any other private practitioners of law (bar members or licensed lawyers). The biggest distinction between the services of the legal aid offices and those provided by private lawyers is that the private lawyers are only allowed to handle legal aid cases involving court proceedings. This leaves all out-of-court issues (such as providing legal advice or document drafting) under the jurisdiction of the legal aid offices.

Legal aid is not provided if:

- the matter is of minor importance to the applicant
- it would be manifestly pointless in proportion to the benefit that would ensue to the applicant
- pleading the case would constitute an abuse of process, or
- the matter is based on an assigned right and there is reason to believe that the purpose of the assignment was to receive legal aid.

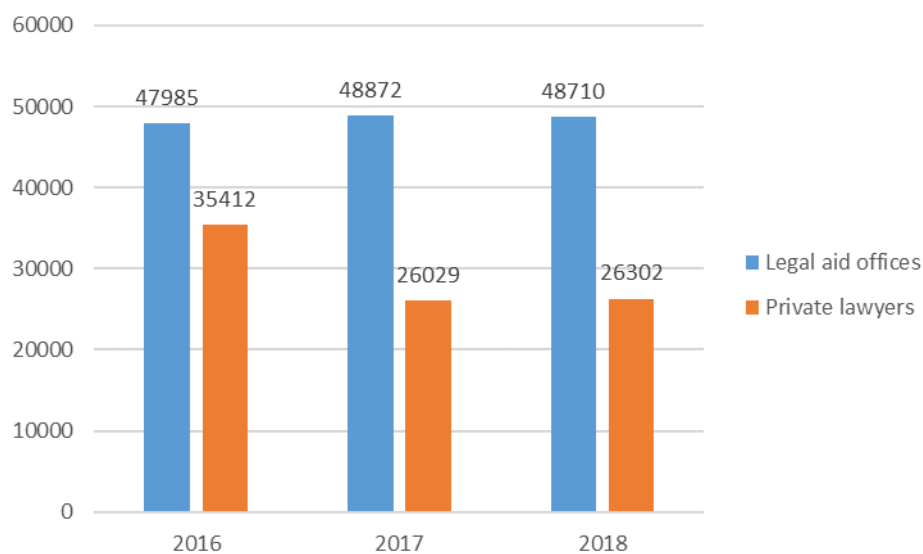
Legal aid does not cover a lawyer's services:

- in a petitionary matter handled in a general court, unless there are especially weighty reasons for it
- in a simple criminal case, where the prevailing penal practice indicates that the foreseeable penalty will not be more severe than a fine or where the access of the defendant to justice does not require a lawyer in view of the foreseeable penalty and the results of the investigation of the matter
- in a matter concerning taxation or a public charge, unless there are especially weighty reasons for it, or
- in a matter where the person's right to request a rectification or to appeal is based on a membership of a municipality or another public corporation.

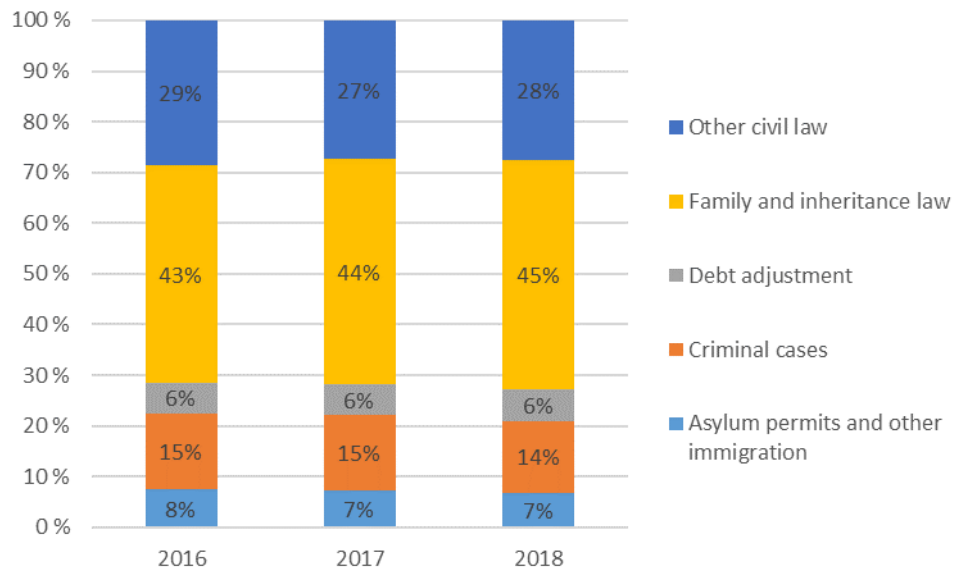
However, a public legal aid lawyer may provide legal advice and draw up any required documents, if necessary.

If the party opposing the legal aid recipient would be liable to compensate in full or in part for the recipient's legal costs (by virtue of the Code of Judicial Procedure, the Criminal Procedure Act or the Act on Administrative Judicial Proceedings), that party shall be ordered to compensate the state for the expenses paid from state funds.

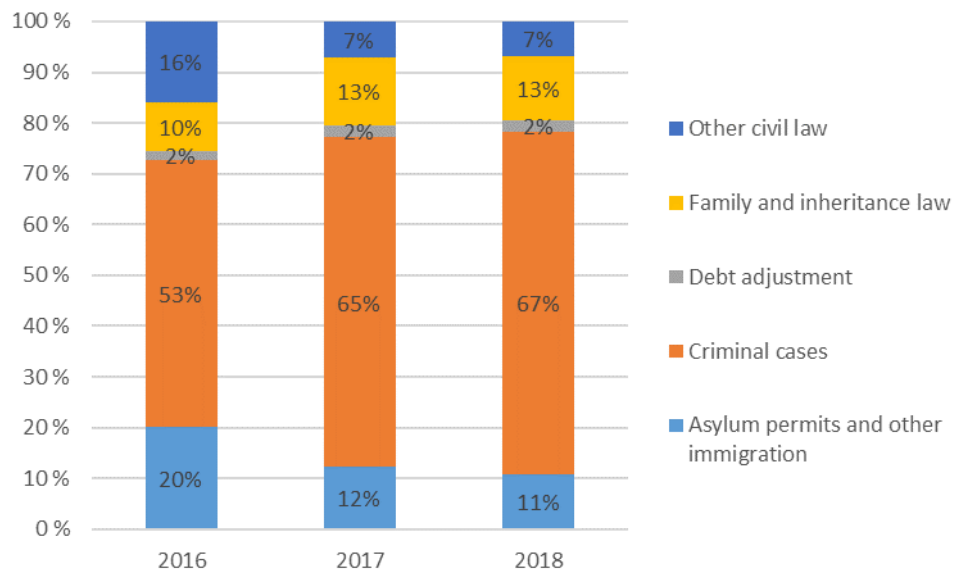
Cases dealt with by legal aid offices and by private lawyers



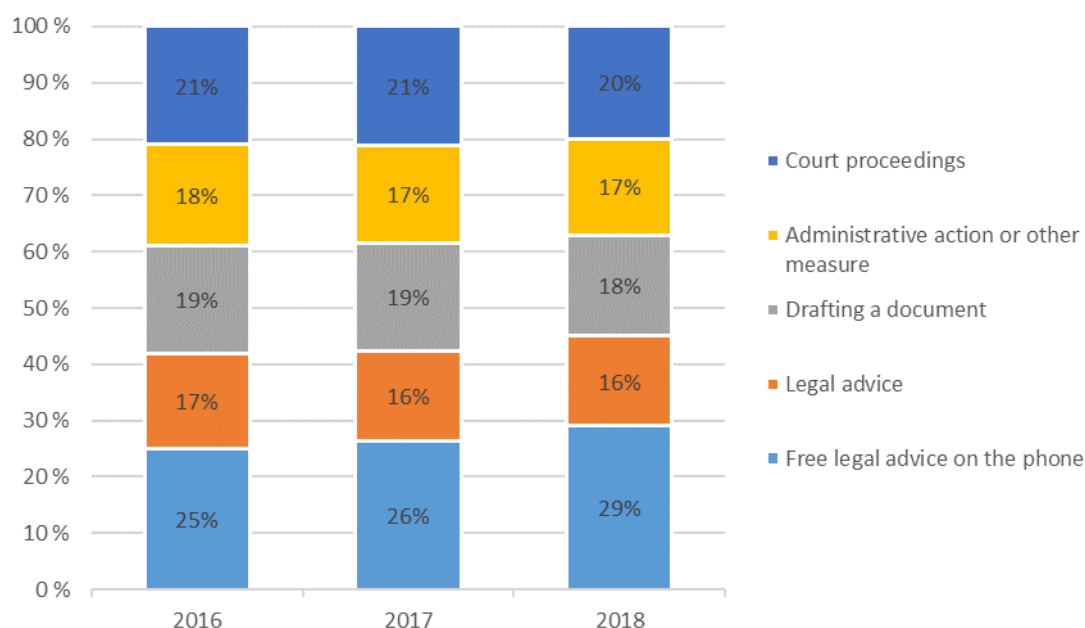
Cases received by legal aid offices



Legal aid cases received by private lawyers



Cases dealt with at legal aid offices



5. Quality assurance

Legal aid is provided by public legal aid lawyers and private lawyers. A public legal aid lawyer is a lawyer working at a state legal aid office. Private lawyers are attorneys or other private lawyers. An attorney is a lawyer who is a member of the Finnish Bar Association and whose activities are supervised by the Bar and the Chancellor of Justice. All private lawyers who are not attorneys and who deal with legal aid cases have to be licensed lawyers. A licensed lawyer is a lawyer who has been granted a permit by the Licensed Lawyers Board to act as an attorney. The activities of public legal aid lawyers and licensed lawyers are supervised in the same manner as those of attorneys. Where the person receiving legal aid has self-nominated an eligible person as his or her lawyer, that person shall be appointed unless there are special reasons to the contrary. In his or her task, the lawyer shall adhere to proper conduct as attorney.

Public legal aid lawyers can handle all type of measures from legal advice to court proceedings. In matters that are not to be brought before a court (e.g. advice or drawing up of a document, such as an estate inventory or an agreed distribution of matrimonial property), legal aid is given only by public legal aid lawyers. In these situations, the recipient of legal aid cannot choose a private lawyer, unless there is a special reason for it. The reason may be that the legal aid office has a conflict of interest in the matter, is too busy to take the client or the matter requires special knowledge that the public legal aid lawyers of the office do not have.

The requirements for eligibility for the office of public legal aid lawyer are a Master of Laws degree obtained in Finland (but not master of international and comparative law) and adequate experience of advocacy or adjudication. Half of the public legal aid lawyers are members of the Bar.

The licence to serve as an attorney and legal counsel is granted to a person who:

- has completed a master's degree in law (other than a master of international and comparative law degree), or a corresponding law degree abroad which has been recognized in Finland as separately provided
- has become sufficiently acquainted with the work of a lawyer and legal counsel
- is honest and is not manifestly unsuitable for the work of a lawyer and legal counsel, and
- is not bankrupt and has full legal capacity.

A lawyer has the sufficient acquaintance with the work if he or she:

- has passed the advocate's examination
- has completed his or her court practice
- has served at least one year as a prosecutor, or
- after having received the degree has served at least one year in other assignments that acquaint him or her with the work of a lawyer and legal counsel.

A person is not deemed honest if within the preceding:

- five years he or she has been sentenced to imprisonment on the basis of a legally final judgment or
- three years he or she has been sentenced to a fine for an offence that demonstrates that he or she is unsuitable for work as a lawyer or legal counsel.

A person who, as a disciplinary sanction, has been struck from the membership of the national general association of attorneys or struck from the EU register kept by the Bar may not be granted the licence until three years have elapsed from when he or she had been struck from membership or the register. A person whose licence to serve as lawyer or legal counsel has been revoked as a disciplinary sanction may not be granted a new licence until three years have elapsed from the beginning of the period the licence was revoked.

In addition to exclusion from the proceedings, there is also a specific procedure in place to be applied in the supervision and direction of the lawyers. The courts monitor the appropriateness of the procedure also by way of active process management. As the fees of the public legal aid lawyers are paid from state funds, it is particularly justified to evaluate the quality of their work. It is possible, by virtue of the effective legislation, to reduce the lawyer's fee or even to leave it altogether undetermined, if the quality of the work has not met the set requirements. The courts shall, actively and justifiably, use this opportunity to make sure that the lawyers' work is of high quality.

The need to monitor the quality of public legal aid has been recognized. A client satisfaction survey was initiated in February 2017. The response rate has been around 26%. The survey also includes a self-evaluation questionnaire for lawyers.

A research project was initiated in April 2018 to examine the accessibility and quality of legal aid. The objective of this project is to collect and analyse data on the impacts that legislative amendments and changes in the operating environment of legal aid have had on the accessibility and quality of legal aid. Its other aims include collecting and analysing information about the current status of legal aid. The project will collect an extensive set of interview and survey data from applicants, actors in the process, and experts. The final report of the project will be completed in October 2019.

6. Public legal education

In the assessment of the coverage of legal aid, attention must be paid to the geographical coverage as well as to the coverage in respect of different groups of parties and matters. The case law of the European Court of Human Rights concerning a person's right to public legal aid during a criminal investigation must be taken into account in this assessment. The same applies to the case law of the Court of Justice of the European Union concerning a legal entity's right to legal aid. Furthermore, the grounds for receiving legal aid in different administrative judicial matters, including tax matters, must be assessed.

Basically, legal aid can be applied for either by submitting a legal aid application directly to the legal aid office or by completing an online legal aid application form. The basic procedure before completing the legal aid application is to book an appointment with the legal aid office and bring the necessary documents regarding income, expenses, wealth and debt. In most cases, the applicant's first contact is the lawyer of his or her choice, who then draws up the application for legal aid. The client may choose whether he or she wishes to be assisted in judicial proceedings by a public legal aid lawyer, an attorney, or a licensed lawyer. In the event of a rejected application, the applicant may appeal by filing a re-submission after which the legal aid office can itself rectify the decision or forward the re-submission to the court.

It has been possible to apply for legal aid online since 2010. The case management system for legal aid cases, Romeo, is a national information system used by legal aid offices and courts. The introduction of e-services at legal aid offices has brought significant changes to the procedure for applying for legal aid and the related practices. Thanks to the online legal aid application, it is possible to centralise the processing of legal aid decisions to certain legal aid offices.

Legal counselling has been developed into a more customer-oriented service that is easier to use. Legal advice may be requested at a legal aid office anonymously through an electronic chat service. A meeting or a telephone appointment with a legal aid office may also be booked online. Remote services will be used more extensively especially in situations where a legal aid office is disqualified from handling a case and where the realisation of the linguistic rights of a client so require. If a legal aid office cannot provide a service, the client may be provided legal aid as a remote service from another legal aid office. Moreover, the staff of a legal aid office may be contacted through a remote connection from a home computer or a joint service point or through a mobile device.

All citizens shall have easy access to legal counselling services through various channels. These channels include different forms of online counselling, electronic services, remote services, a telephone service and personal consultations. The objective regarding online legal counselling is that citizens have easy and fast access to information in accordance with their respective life situations. The information should also be written in clear language. Citizens may flexibly transfer from general information sources to a more individual approach and electronic services, and also to consultation over the telephone or personal meetings.

Authorities, companies and organisations provide a multitude of different free and commercial legal counselling services. Counselling services are mainly one-way information channels that provide general information. From a citizen's perspective, the challenge is finding the right service and assessing its quality and reliability. The focus of the service should be shifted to a more individual level and it should be made easier for the client to transfer between different services. One of the strengths of the administrative branch of the Ministry of Justice is its renewed oikeus.fi website which is well used.

However, general advice in everyday legal problems is fragmentary and spread out across a number of different pages.

7. Alternative sources of legal services

The primary means for covering legal costs for individuals is the legal expenses insurance (LEI). Usually LEI is an automatic add-on product of household insurance which is why around 90% of Finns are covered by it. According to the insurance companies, it is very rare that a client would ask for the LEI to be removed from his or her household insurance. In addition, all companies do not allow the removing of LEI from the household insurance policies. The annual costs of LEI vary between EUR 20 and EUR 50 depending on the insurance company and its policy.

LEI does, however, incorporate many restrictions, which makes it suitable only for certain types of legal issues. First of all, to use LEI the person must prove that he or she has a legal dispute that can be resolved in court. In other words, out-of-court proceedings (e.g. legal advice, document drafting) are excluded from LEI policies. Also, family and inheritance issues are generally excluded, or they have to meet some strictly defined criteria. Cases between an employer and an employee are also excluded from LEI policies. On the other hand, a majority of workers in Finland are union members and union fees usually cover legal assistance in employment disputes. In criminal matters, LEI offers no coverage if there is a state prosecutor demanding a sentence. In these cases, the state pays the public defender representing the defendant. Depending on the insurance company and its policy, LEI can offer some coverage if the case is settled before the main hearing, but in such cases only 50% of all expenses are usually paid. The LEI does not cover the legal costs of the opposite party.

The usual maximum cover for legal costs under normal LEI policy conditions is around EUR 10,000, with an excess of 15% to 20% or a minimum of EUR 170–250. The criticism against the current maximum coverage is that it is sufficient only in the simplest disputes, whereas in the case of a more complicated issue, such as housing dispute, legal costs are usually much higher than EUR 10,000. Usually LEI policies are fairly similar between insurance companies, with no major differences in the terms. Basically there is just one model for everyone. However, some insurance companies have options for higher maximum coverage than the usual EUR 10,000, but these are not widely used or even marketed by the companies. The higher sum is around EUR 17,000.

State funded legal aid is secondary to the LEI. If person has LEI that covers the matter at hand legal aid will not be granted. A few exceptions still apply. A person may be entitled to state funded legal aid for costs that exceed the maximum coverage provided by LEI (of course subject to all the other conditions for state funded legal aid being met). In some cases legal aid can also be granted in order to pay the excess of a LEI policy.

8. Holistic legal services

The organisation of legal aid offices has been renewed recently. Since 1 October 2016, legal aid services have been organised into six legal aid and public guardianship districts, which function as agencies. In this structural reform, the responsibility for administrative tasks of the legal aid offices was centralised so that the administrative staff working at the districts attend to them instead of the staff of the legal aid offices. The Ministry of Justice is assessing whether it would be feasible to further cen-

tralise administrative tasks performed by the legal aid and public guardianship districts to a single administrative unit of a national legal aid and public guardianship agency. Furthermore, the Ministry of Justice is assessing whether some of the tasks related to the substance of legal aid could be performed or directed at national level.

The legal aid and public guardianship districts are also responsible for organising the guardianship services. A guardian appointed under a lasting power of attorney may be necessary when a person's mental capacity has degraded due to a serious illness or old age to the extent that he or she is no longer capable of protecting his or her interests or taking care of his or her personal affairs. The local register office or the court may appoint a public guardian to act as the guardian. The public guardian is usually a public official employed by a public guardianship office. In some regions, a public guardian employed by a provider of outsourced services may act as a public guardian. A private person such as a close relative or another close person may also act as a guardian. The local register office provides advice and guidance in the procedure for appointing a guardian. All public guardians are supervised by the local register offices.

As of 1 January 2019, financial and debt counselling services are provided by the state legal aid offices. A person may turn to any legal aid office irrespective of his or her municipality of residence. It is also possible to receive counselling services as a remote service. The services are provided free of charge. Financial and debt counsellors can assist in reviewing the person's overall financial situation, planning finances and drawing up debt settlement proposals for creditors. A counsellor may also be present at settlement negotiations conducted with creditors. Financial and debt counselling services provide assistance in applying for debt adjustment at the district court and in drawing up a payment schedule and other necessary reports and documents.

The Finnish system for alternative dispute resolution, i.e. proceedings before a matter is considered by a court, is a well-established one and consists of boards and tribunals through where citizens have a chance to have their matter considered free of charge and without court proceedings. Society already offers many different mediation systems, but the related mechanisms are not used to their full potential in early dispute resolution. The long-term objective is that a mediation process in family matters should be more customer-oriented and the process should be developed cross-sectorally in collaboration between the social welfare services and the judicial administration.

The consumer dispute process requires further development in order to make the process more effective and to streamline it in accordance with the needs of the client. Here the collaboration should include the Consumer Disputes Board (CDB) and other consumer authorities. Clients of the CDB are provided with access to electronic services with the main focus on the production of advisory services. Efficiency will be increased with an electronic case management system.

9. UN SDG Standard 16.3

In order to shorten the total length of judicial proceedings and to guarantee the quality of legal protection, a programme for the reform of the administration of justice (the legal protection programme) has been drawn up by the Ministry of Justice for 2013–2025. The legal protection programme was drawn up by a broad-based advisory board. In addition to representatives of the Ministry of Justice, the advisory board consisted of representatives of the different court instances, the prosecutors, the enforcement service, The Finnish Bar Association, and the National Audit Office of Finland. The legal

protection programme drawn up by the advisory board contains a wide range of proposals for the future development of the courts, prosecutors, enforcement and legal aid.

Under the legal protection programme, the quality of advocacy and legal aid will be improved by making supervision more effective. More effective supervision improves legal protection while also making the consideration of matters in courts more effective. In addition, the coverage, allocation and costs of legal aid will be examined and adjusted to correspond to the actual legal protection needs. The administrative reform of the legal aid and public guardianship districts will also be continued, and the use of e-services and remote services will be made more extensive.

The objective for the development of legal counselling services is to make them more customer-oriented and to provide legal advice in a more diverse manner.

- The plan is to evaluate the clarity and level of customer orientation in the general legal advice provided on the websites suomi.fi, oikeus.fi and oikeusministerio.fi, and to determine whether it is necessary to increase the clarity by gathering the information under a single service.
- Online legal aid services will be taken into wider use and their usability will be improved. The need for a structured and individual online service (e.g. rechtwijzer.nl) will be assessed in collaboration with the social welfare authorities. The need for creating online application forms (e.g. for a will, a power of attorney, an agreement on division of property) will be assessed.
- Legal aid offices will increase collaboration with local authorities in order to provide clients with smoother legal aid and mediation services.
- Legal aid offices participate in the pilot testing of the ASPA project and, should the trial be successful, other legal aid offices may agree with the municipalities to start providing legal advice at municipal service points.
- The goals for the next few years include digitalisation of legal aid services and extension of the use of remote services, including the use of videoconferencing at trials.