

National Report ILAG Cologne 2025

Prepared by Dr. Anzelika Baneviciene¹

I. Country details

Country	REPUBLIC OF LITHUANIA
Population in 2024²	2 886 000
Annual GDP in 2022³	78 410 million Euro
Absolute poverty threshold (the amount of income required to fulfil the minimum consumption needs). At-risk-of-poverty threshold — the amount of income required for the household that should be considered as not living in poverty.	<p>In 2024, an individual's income was 446 euros per month, and a household consisting of two adults and two children under 14 years old had an income of 937 euros per month.</p> <p>In 2024, an individual's income was 616 euros per month, and a household consisting of two adults and two children under 14 years old had an income of 1294 euros per month.</p>
Population living in poverty⁴	<p>In 2024, 5.8 % of the residents lived below the absolute poverty line.</p> <p>In 2024, 21.5 % of the population lived below the at-risk-of-poverty threshold.</p>
Number of practising lawyers⁵	2 296
Number of lawyers providing legal aid continuously⁶	35
Number of lawyers providing legal aid in case of necessity⁷	510

II. Legal Aid Organisation / Authority

¹ Dr. Anzelika Baneviciene, Kauno Kolegija, Higher Education Institution, Lithuania.

² Website of the State Data Agency, <https://osp.stat.gov.lt/>

³ Ibid.

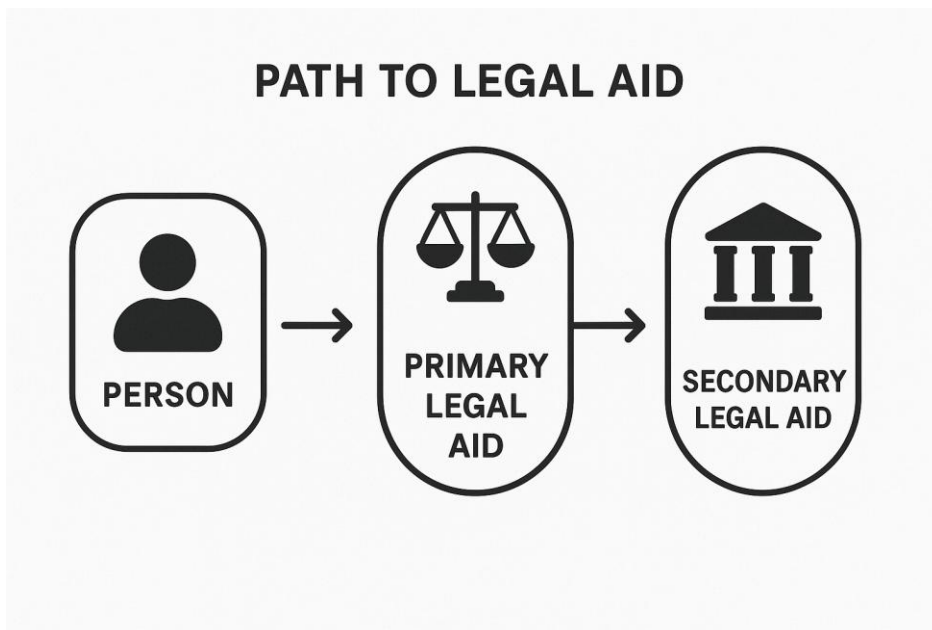
⁴ Ibid.

⁵ Website of the Lithuanian Bar Association, <https://www.advokatura.lt/>

⁶ Website of the State-guaranteed Legal Aid Service (*Valstybės garantuojamos teisinės pagalbos tarnyba*), <https://vgtpt.lrv.lt/>

⁷ Ibid.

The legal aid system in Lithuania consists of Primary legal aid and Secondary legal aid.



PRIMARY LEGAL AID

60 municipality administrations organise and/or provide primary legal aid; pay for the provision of primary legal aid, where primary legal aid is provided by lawyers (professional partnerships of lawyers) or public agencies based on an agreement concluded with the municipality; regularly inform residents about possibilities of receiving State-guaranteed legal aid and about the conditions of provision thereof in municipalities' Internet websites, through the media and during meetings with the residents.⁸

Primary legal aid is provided by staff with law degrees (jurists) of the municipality administration, or lawyers or lawyer assistants, or public agencies (NGOs) contracted by municipalities. The conditions for the provision of legal aid are defined by the order of the director of the municipality administration or by the terms of the contract.⁹

The procedure for granting primary legal aid: Municipalities do not take formal decisions to provide legal aid. To receive primary legal aid, a person applies directly to the legal aid provider - a jurist of the municipality, or an independent legal aid provider listed above with whom the municipal administration has a contract to provide the primary legal aid.¹⁰

SECONDARY LEGAL AID

The State-guaranteed Legal Aid Service (SGLAS) coordinates the provision of primary legal aid and provides methodical assistance to primary legal aid providers; organises the provision of secondary legal aid; takes decisions on the provision of secondary legal aid; concludes agreements with the lawyers providing secondary legal aid and controls the execution of these agreements; enter into contracts for mediation services; organise and administer mediation; pays the lawyers a fee for the provisions of legal aid; pays the mediators a fee for mediation; notifies residents about the possibilities and conditions of receiving State-

⁸ Lithuania, Seimas (2000), Law on State-guaranteed Legal Aid (Lietuvos Respublikos Valstybės garantuojamos teisinės pagalbos įstatymas), No.VIII - 1591, 2000, last amendment No. XIV – 3110, 12 November 2024, Article 8.

⁹ Ibid., Article 15 (3).

¹⁰ Ibid., Article 15.

guaranteed legal aid; organises training for legal aid providers to enhance legal aid provision skills; performs other functions defined by the Law on State-guaranteed Legal Aid and other legal acts.¹¹

The SGLAS is a budgetary institution established by the Ministry of Justice of the Republic of Lithuania. The main office is in Vilnius city. The SGLAS has four regional branches in Kaunas, Klaipėda, Panevėžys, and Šiauliai. A person can address the main office in Vilnius or any branch requesting secondary legal aid. Regardless of where a person requests legal aid, the decision to grant it is made by a centralised Law department. The decisions are prepared by the department's staff, who hold law degrees, and are signed by the department's head.

Procedure for granting secondary legal aid: A person who wishes to receive secondary legal aid applies to any SGLAS department by using the prescribed form and documents proving their eligibility for legal aid. The application can be submitted online via the TEISIS IT platform. Currently, there is pressure from SGLAS to apply for legal aid using the online TEISIS platform. The primary legal aid providers assist applicants in fulfilling requests for secondary legal aid online.

The SGLAS Law Department evaluates the applicant's eligibility for legal aid. If the person is eligible to receive secondary legal aid, the department decides to grant it. The decision specifies the scope of legal aid and the lawyer appointed to provide legal aid. The decision is sent to the legal aid beneficiary and the appointed lawyer. After receiving the decision, the legal aid beneficiary has to address the lawyer specified in the decision.¹²

Additionally, in criminal cases where the presence of a defence lawyer is mandatory, the Coordinator of the SGLAS selects the lawyer upon the request of a pre-trial investigation officer, prosecutor, or court and informs them about the chosen candidate. The **pre-trial investigation officer, prosecutor, or court** appoints the selected lawyer.¹³

Secondary legal aid is provided by lawyers based on the decision of SGLAS, the pre-trial investigation officer, the prosecutor, or the court. Three types of lawyers provide secondary legal aid:¹⁴

- Lawyers providing legal aid constantly;
- Lawyers providing legal aid in case of necessity;
- Lawyers providing legal aid on an *ad hoc* basis.

ADVISORY BODY

To consult the Ministry of Justice regarding the organisation of legal aid, the **State-guaranteed Legal Aid Coordination Council** is established, a collegial advisory body that functions voluntarily. The main functions of this body are to analyse the activities of primary and secondary legal aid providers and submit proposals to the ministry on the organisation of legal aid.

REMUNERATION

The remuneration of primary legal aid providers is not defined in the Law. The municipalities are free to choose a payment method and a remuneration amount. In contrast, the remuneration of lawyers for

¹¹ Ibid., Article 9.

¹² Ibid., Article 18.

¹³ Ibid., Article 21.

¹⁴ Ibid., Article 17.

providing secondary legal aid is determined by a specific regulation adopted by the Government of the Republic of Lithuania.¹⁵

Secondary legal aid providers are paid for consulting, representing, and defending a client at court, pre-trial investigation, and out-of-court settlement proceedings, drafting procedural documents, and collecting evidence. In addition to that, they can get remuneration for the preparation for the court's hearing (time normative -1 hour before each hearing), for familiarisation with the material (time normative - 1 hour for 1 volume of the documents file), for waiting in judicial and other institutions in which procedural actions are executed when such actions are started later than the time set in advance; for time spent traveling to the place of the provision of secondary legal aid or execution of procedural actions and back (the duration is set by the order of the Minister of Justice), for preparing an application to SGLAS requesting a calculation of the costs of secondary legal aid in a particular case (time normative - 0,5 hour), and for the time spent for the preparation of the notification on the termination or completion of the provision of secondary legal aid in the particular case or for the assessment of the claim reasonableness (time normative - 3 hours).

In addition to payment for the time spent, lawyers can also receive compensation for travel and other expenses related to the provision of secondary legal aid. The documents proving the costs incurred must be provided. 0.11 euros per kilometre is compensated for travelling by car. An additional 10% is added for car exploitation.

The remuneration differs for lawyers who provide secondary legal aid constantly and those who provide it only in cases of necessity or on an *ad hoc* basis.

The lawyer providing secondary legal aid must constantly provide legal aid 40 hours per week during working hours, at weekends, and on public holidays. They are not permitted to provide legal services to private clients. They must inform the SGLAS on time about their sickness, maternity, paternity, child delivery leaves, as well as other periods when they cannot provide legal aid. They receive a fixed monthly salary of 163.6 BAR,¹⁶ regardless of their workload. Additionally, lawyers are entitled to 28 days of annual holiday. The remuneration is not paid these days.

The SGLAS is responsible for providing the lawyer, constantly providing secondary legal aid, with the necessary office facilities and equipment, free of charge. This includes office premises and essential work tools such as a phone, fax machine, computer, IT programs, a lawyer's database, printer, copying machines, a desk, a chair, and a safe, all at no cost. Additionally, the SGLAS will cover all office maintenance expenses, including water, electricity, cleaning, and other related costs. Furthermore, the SGLAS must ensure that the workload is appropriate and equitable for all lawyers involved.

Remuneration for the lawyers providing legal aid in case of necessity or on an *ad hoc* basis is based on the actual time spent on the provision of secondary legal aid in one stage of proceedings. The value of the remuneration for one hour of professional work is equated to 1 BAR. The SGLAS pays the remuneration. The lawyer must submit a request for payment to receive remuneration for the legal aid provided.

III. Budget and Spending

¹⁵ Government Resolution No. 364 *Regarding the approval of the payment amounts and payment rules for the provision and coordination of secondary legal aid and mediation*, 13/04/2016, last amendment No. 705, 21/08/2024.

¹⁶ 1 BAR is equivalent to 25 EUR.

Budget for Legal Aid	In 2023, Eur			In 2024, Eur		
	State budget	Budget of municipalities	Total	State budget	Budget of municipalities	Total
Primary legal aid	730 000	578 649	1 308 649	735 000	584 999	1 319 999
Secondary legal aid (total)	7 276 531	Not applicable		9 843 483	Not applicable	
Remuneration of lawyers providing legal aid continuously						
Civil, administrative, and constitutional cases	492 765			581 902		
Criminal case	866 303			971 474		
Remuneration of lawyers providing legal aid in case of necessity						
Civil, administrative, and constitutional cases	1 248 069			1 661 520		
Criminal cases	2 625 054			4 332 666		
Other expenses:						
Mediation services	366 294			533 827		
Costs of proceedings	125 608			151 071		
Costs of maintenance of lawyers providing legal aid constantly	165 664			150 412		
Administration costs (SGLAS)	1 386 774			1 460 611		

The legal aid budget is planned on an annual basis, with projections based on the results of the previous year. This budget for legal aid has a cap. In very exceptional cases, if there are savings from other budget areas, those savings can be used at the end of the year to cover any debts. However, if any debts remain unresolved by the end of the year, additional funding will be allocated in the following year's budget to address those debts.

IV. Scope, Caseload, and Eligibility

Lithuania's legal aid system consists of primary and secondary legal aid.

Primary legal aid: Scope

Primary legal aid means the provision of legal information (general information about the legal system and laws), legal advice (advice on legal issues), drafting of the documents to be submitted to state and municipal institutions, and drafting simple court documents, such as applications for divorce by mutual consent of both spouses; agreements on the legal consequences of divorce; requests for a court order; objections to a creditor's claim; requests for a court permit to sell or mortgage real estate; requests for judicial authorisation

to accept an inheritance or to enter into transactions involving the assets of a person with mental disabilities. The legal aid also covers advice on the out-of-court settlement of disputes, actions for the amicable settlement of disputes, and the drafting of settlement agreements.¹⁷

The State guarantees and covers 100 per cent of the costs of primary legal aid in all types of cases.¹⁸ The duration of the provision of primary legal aid is one hour. A decision of the municipal authority may extend the duration.¹⁹

Primary legal aid: Eligibility

Primary legal aid is granted to all citizens of Lithuania and other EU Member States, to other persons lawfully residing in Lithuania and other EU Member States, and to persons specified in international treaties irrespective of their income they have and property they own. Primary legal aid is not provided to legal entities.²⁰

Although the means test does not apply to primary legal aid provision, the requirements foreseen in the merit test must be fulfilled. The Law on State-guaranteed legal aid defines that primary legal aid is not provided when:²¹

- The claim is manifestly unfounded.
- Primary legal aid has already been provided on the same issue.
- It is obvious that it is possible to obtain a lawyer's advice without resorting to State-guaranteed legal aid.
- The applicant requested legal aid for an issue unrelated to his own rights and legitimate interests.

Secondary legal aid: Scope

Secondary legal aid is available in all types of cases. It includes:²²

- drafting of procedural documents,
- defense and representation in court (including the process of enforcement),
- representation in the preliminary extrajudicial consideration of a dispute, where such a procedure has been laid down by laws or by a court decision,
- coverage of litigation costs (under the request of a lawyer or a court: translation of documents, interpretation, copying of documents, collection of data from registries, coverage of expenses of expertise, other costs related to the preparation of evidence; under the request of a lawyer: expenses of lawyer traveling; under the request of a legal aid beneficiary: expenses of his/her traveling to the place of proceeding when participation in the proceeding is mandatory);
- exemption from court fees;
- coverage of expenses of the bailiff for the start of the execution of the court decision;
- coverage of the costs of mediation;

¹⁷ Ibid. 8, Articles 2(6), 2(9), 2(10).

¹⁸ Ibid. 8, Article 14 (4).

¹⁹ Ibid. 8, Article 15 (4).

²⁰ Ibid. 8, Article 11 (1).

²¹ Ibid. 8, Article 11 (6).

²² Ibid. 8, Article 2 (1).

Article 2 (3) of the Law on State-guaranteed Legal Aid defines that *the defense and representation in court* mean defending the rights and interests of a suspect, accused, or convicted in criminal matters, or representation of other person's rights in criminal, civil (except arbitration) and administrative matters as well as representation of rights of the person at the international judicial bodies whose jurisdiction or competence to decide on the violation of the rights of the persons has been recognised by the Republic of Lithuania.

When the legal aid beneficiary loses the case, he does not have to pay the money back to the State for the legal aid provided. However, the State does not cover the costs of legal aid for the beneficiary when the court orders him to pay the costs of the opposite party in the proceeding when he loses the case, as well as when he is a debtor who is required to cover the costs of the execution process.²³

There are deviations from this rule. When both parties in the civil proceeding are legal aid beneficiaries, the State does not require either of them to pay the money back to the State.²⁴ For legal aid provided to the victim of a crime, a sentenced person may be obliged to pay the State even in such situations when he has been defended by the lawyer nominated by the State (when the presence of the lawyer in the proceeding is mandatory).²⁵

Secondary legal aid: Eligibility

Secondary legal aid is granted to all citizens of Lithuania and other EU Member States, to other persons lawfully residing in Lithuania and other EU Member States, and to persons specified in international treaties when the conditions for means and merit test are met.²⁶

Means test

In Lithuania, where (i) the income and property of the applicant do not exceed the threshold level or (ii) the applicant belongs to a group of vulnerable people, legal aid services are granted free of charge (100 per cent of coverage) in 1 case. For the applicant who is already granted secondary legal aid in one case by the decision of SGLAS, the State pays 30 per cent of the costs of secondary legal aid in additional cases.²⁷

The Threshold level: the annual income of the applicant does not exceed 38 x SSI²⁸ for the applicant plus 14,20 x SSI for every dependent of the applicant.²⁹

Dependent means an unemployed spouse, a child under 18 years old, a child under 24 years old who is full-time studying in a public educational institution, as well as any other person who depends on the applicant for legal aid and lives together with them.³⁰

If the annual income of the applicant exceeds the Threshold level, they cannot get legal aid.

²³ Ibid. 8, Article 14 (11).

²⁴ Ibid. 8, Article 20 (1).

²⁵ Lithuania, Seimas (2002), Criminal procedure code (Lietuvos Respublikos Baudžiamojo proceso kodeksas), No. IX-785, 14 March 2002, last amendment No. XIV-1750, 22 December 2022, Article 106 (2).

²⁶ Ibid. 8, Article 11 (2).

²⁷ Ibid. 8, Articles 14(5), 14(6), 14(7).

²⁸ SSI - State-Supported income, from 01/01/2025 – 221 Eur.

²⁹ Government Resolution 27/04/2005 No. 468 Regarding determination of personal (family) property and personal income levels for receiving secondary legal aid, last amendment No 935, 7 December 2023, Article 1.

³⁰ Ibid, Article 2.

In addition to the assessment of the applicant's income, the property owned by him is also considered. The applicant can get legal aid when the actual value of the property owned does not exceed the "normative" value.³¹

When the applicant's income and property exceed the limits established by the Government, he can request an additional assessment of his situation.³² For further evaluation, the applicant must submit documents and information that support the request. In assessing the personal situation, the applicant's living and financial circumstances, opportunities for effective self-representation, legal aid costs, the complexity of the case, the applicant's procedural position, and the potential impact of a negative outcome on the applicant are all considered. SGLAS makes an assessment decision based on the rules established by the order of the Minister of Justice.³³

There is a group of vulnerable people to whom secondary legal aid is provided, regardless of their income and the property they own.³⁴ Such people are:

- Suspects, accused or sentenced in criminal proceedings when the presence of a defence lawyer is mandatory.
- Victims of terrorist acts, human trafficking, domestic violence, violations of human sexual integrity and inviolability, crimes committed by organised groups, as well as when the crime was aimed at expressing hatred towards the victim due to age, gender, sexual orientation, disability, race, nationality, language, origin, social status, faith, beliefs or views;
- other victims of crime for recovering damages only;
- persons receiving social allowances;
- persons maintained in a residential care facility;
- persons who have a severe disability or incapacity for work or require special care;
- persons who have restrictions on using their property and funds;
- persons suffering from severe mental disorders and persons who require forced hospitalisation;
- parents of a child, on the issue of the child's eviction;
- children defending their rights and interests without their parents or guardians;
- children - victims of crime;
- persons who are requested to be recognized as legally incapable;
- journalists and other persons defending the public interest when they seek to protect themselves against an unjustified claim brought against them;
- persons in child abduction cases;
- child's parents, when the court decides on the issues of restriction of parental rights;
- adoptive parents, guardians, or carers, when the court is deciding on issues of adoption, permanent custody, or care;
- whistle-blowers or their family members in cases where the issue of protecting their interests is considered;
- persons whose right to legal aid is defined by EU Regulations and international treaties.

³¹ Ibid. 8, Article 14(5); Ibid. 29, Article 1.

³² Ibid. 8, Article 11(11).

³³ Description of the procedure for making decisions on the provision of legal aid guaranteed by a secondary state, after assessing the individual situation of the applicant, approved by the Order of the Minister of Justice, 16/07/2020 No. 1R-220.

³⁴ Ibid. 8, Article 12.

The presence of the defence lawyer is mandatory³⁵:

- when a suspect or accused is a minor;
- when a suspect or accused has a physical or mental disability;
- when a suspect or accused does not know the Lithuanian language;
- when the interests of suspects or accused in the same proceeding are in conflict and one of them has a lawyer;
- when a suspect or accused might be sentenced to imprisonment for life;
- when a suspect, accused, or sentenced does not participate in the proceeding in person;
- when the suspect or accused is arrested;
- in case of extradition;
- in the court “summary” process;
- in the appeal proceedings;
- In other proceedings when justice requires (a decision is at the judge’s discretion):
 - The criminal case is *difficult*;
 - The criminal case is *a large-scale*;
 - A person *servng a sentence* in jail;
 - A person is *low educated*;

Merit test

In addition to the means requirements, the requirements for merit tests must also be fulfilled. The secondary legal aid is not provided when³⁶:

- 1) The claim is manifestly unfounded (Does not apply in the cases of administrative offences when a person who is held administratively liable requests legal aid, and in criminal cases, except requests for renewal of the process when the statute of limitations has expired).
- 2) The representation has no reasonable prospects of success (Does not apply in the cases of administrative offences when a person who is held administratively liable requests legal aid, and in criminal cases, except requests for renewal of the process when the statute of limitations has expired).
- 3) The claim is for the protection of honour and dignity without material damage (Does not apply in the cases of administrative offences when a person who is held administratively liable requests legal aid, and in criminal cases, except requests for renewal of the process when the statute of limitations has expired).
- 4) The claim is in direct relation to the applicant’s commercial activity or self-employment (Does not apply in the cases of administrative offences when a person who is held administratively liable requests legal aid, and in criminal cases, except requests for renewal of the process when the statute of limitations has expired).
- 5) The applicant can receive the necessary legal services without addressing state-funded legal aid.
- 6) the applicant seeks to protect somebody else’s rights (exception is for legal representation);
- 7) The claim has been transferred to the applicant by another person to fulfill the requirements for state-funded legal aid;
- 8) The applicant has misused their right to state-funded legal aid.

³⁵ Ibid. 25, Article 51.

³⁶ Ibid. 8, Article 11 (7).

- 9) The applicant refuses to cover the legal aid costs when this is required under the law.
- 10) the costs of legal aid would exceed the amount of the applicant's pecuniary claims (pecuniary interests) (Does not apply in the cases of administrative offenses when a person who is held administratively liable requests legal aid, and in criminal cases, except requests for renewal of the process when the statute of limitations has expired);
- 11) The applicant has not paid the costs of secondary legal aid received in another case (Exemption applies when a person cannot access legal aid due to financial constraints, and ensuring legal representation in a criminal case serves the interests of justice.).
- 12) The applicant can represent himself or defend his rights or interests without addressing the state-funded legal aid.
- 13) The applicant did not submit all the necessary documents to the SGLAS.
- 14) The dispute is resolved in mediation, or the applicant has not submitted the mediation settlement agreement to the court for approval.
- 15) The applicant requires legal assistance for a personal bankruptcy case.
- 16) The applicant needs legal aid to appeal the decision of SGLAS.
- 17) The applicant needs legal aid in an administrative offence case that may result in a fine of up to 50 euros or an administrative penalty of a warning.
- 18) Less than a year has passed since the decision to terminate legal aid, when it was terminated due to the applicant abusing legal aid or providing incorrect data or documents.
- 19) The applicant requests legal aid on a matter for which they have already received a legal aid decision, but have not contacted the appointed lawyer or have met with him/her only once, or the provision of legal aid has been terminated at the applicant's request.

The meaning of "claim is manifestly unfounded" or "representation has no reasonable prospects of success" is not defined in the Law. The courts clarify the meaning. The SGLAS can refuse to provide legal aid when, without any doubt, the claim in court does not have any chance of success. For example, the courts have already made a final decision on the matter.

Caseload

Types of legal aid, the field of law	In 2021			In 2024		
	Number of applications/ requests	Number of grants	% of the population eligible for legal aid	Number of applications/ requests	Number of grants	% of the population eligible for legal aid
Primary legal aid	38780	38780	1.36%	37279	37279	1.29%
Secondary legal aid	33822	31665	Not available	33146	30808	Not available
Civil cases		10394			9027	
Criminal cases (decisions of SGLAS)		1626			1520	
Criminal cases (decisions of courts or pre-trial investigation institutions)		18972			19 633	
Administrative cases		339			343	
Process of execution		280			253	
Transnational cases		52			30	
Constitutional cases		2			2	

V. Quality Assurance

Primary legal aid

The responsibility for providing quality legal aid lies with the director of the municipality administration.³⁷

Activities of jurists – the staff of the municipality - are supervised by the head of the Law Department and the Director of Municipal Administration. When lawyers or public entities provide legal aid under a contract, the municipality's administration controls the provision of legal aid and analyses complaints. It resolves disputes between legal aid providers and beneficiaries.

Activities of the municipalities are coordinated and guided by SGLAS and monitored by the Ministry of Justice and the Legal Aid Coordination Council. SGLAS provides methodical assistance to the municipal administrations, analyses their annual reports, summarises them, and presents the results to the Ministry of Justice. The order of the Minister of Justice defines the form and content of the report. Additionally, SGLAS provides recommendations to municipal institutions on how to improve the organisation and provision of primary legal aid.³⁸

Secondary legal aid

For the provision of secondary legal aid, SGLAS concludes service agreements with lawyers to provide secondary legal aid constantly, in a case of necessity, or on an *ad hoc* basis.³⁹

The agreement specifies the duty of the lawyers to provide secondary legal aid; the conditions of and procedure for fulfilling the duty; the model requirements for professional activities of lawyers in criminal matters and civil/administrative matters; the right of the SGLAS to terminate the agreement in the event of nonfeasance or misfeasance of a lawyer concerning the provision of secondary legal aid; as well as the fields of law in which the lawyer undertakes to provide secondary legal aid (specialisation) and other conditions.⁴⁰

Lists of lawyers providing secondary legal aid continuously or in a case of necessity are publicly available on the website.⁴¹ The legal aid beneficiary can choose a lawyer they like.⁴²

The requirements for lawyers to become legal aid providers are defined by the order of the Minister of Justice upon agreement with the Lithuanian Bar Association (BAR).⁴³ The following selection criteria have to be fulfilled by the lawyer to be included in the list of legal aid providers:

- The lawyer has to be a BAR member.
- During the last 5 years, his contract with SGLAS has not been terminated for non-fulfilment of the contractual obligations.
- The lawyer does not have valid disciplinary sanctions.

³⁷ Ibid. 8, Article 8.

³⁸ Ibid. 8, Articles 7 (2) and 9 (3).

³⁹ Ibid. 8, Article 17.

⁴⁰ Order of the Minister of Justice 17/06/2020 No. 1R-169.

⁴¹ <https://vgtpt.lrv.lt/lt/prokurorams-tyrejams-ir-teismams/advokatu-mediatoriu-ir-psichologu-sarasai-1>

⁴² Ibid. 8, Articles 18 (5) and 18 (6).

⁴³ On the determination of the number of attorneys continuously providing secondary legal aid, the regulations for the competition of attorneys continuously providing secondary legal aid, the descriptions of the procedure for concluding contracts with attorneys providing secondary legal aid, the approval of model contracts for the provision of secondary legal aid and the descriptions of model requirements for the professional activities of attorneys, approved by the order of the Minister of Justice 17/06/2020 No. 1R-169, last amendment No 1R-206, 10/07/2024.

The lawyers who want to provide legal aid constantly have to fulfil an additional requirement. They have to pass a special selection exam.⁴⁴ The Minister of Justice establishes the examination commission, comprising five persons.⁴⁵ During the selection procedure, the lawyer's ability to provide secondary legal aid and his advantages are evaluated.

Unlike lawyers providing legal aid continuously or in case of necessity, the lawyers providing legal aid on an *ad hoc* basis do not have to fulfil the third requirement – not to have disciplinary sanctions.⁴⁶

Lawyers, while carrying out their duties, must adhere to the regulations outlined in the legal framework governing their profession, including the Law of the BAR, the Statute of the BAR, and the Code of Lawyers' Ethics. They are required to uphold principles such as the freedom to practice, independence, and others. Additionally, lawyers must comply with the established model requirements for professional conduct in providing legal aid, as approved by the Minister of Justice's order. They are also responsible for maintaining the confidentiality of the information they obtain, covering any damages resulting from unlawful actions or malpractice, and consistently enhancing their qualifications and developing professional skills.⁴⁷

The Council of the BAR has approved the order for evaluation and enhancement of the quality of all lawyers and assistants of the lawyers.⁴⁸ The order foresees that the lawyer who is practicing as a lawyer not more than 5 years has to collect at least 8 points each year and the lawyer who is practicing as a lawyer for more than 5 years has to collect at least 4 points each year, whereas, the lawyer's assistance has to collect 16 points each year. The points do not have to be collected by the lawyers who teach students in the field of law at a high school, are members of the BAR's self-governmental structures, work on preparation of legal acts, if commissioned by the BAR, and lecture in seminars organised by the BAR at least twice per year.

The points can be collected for participation in seminars, conferences, discussions, round table discussions, or other events in various fields of law (as participant or speaker); for writing articles in media, monographs, textbooks for students, and other publications in various law field; for organising the events of the BAR; for *Pro Bono* practice; for other activities approved by the BAR Council. Activities have varying point values.⁴⁹

Supervision of legal aid providers is carried out by:

- SGLAS resolves beneficiaries' complaints regarding the actions of legal aid providers. It assesses whether the lawyer breached the agreement on the provision of secondary legal aid.
- Lithuanian BAR resolves beneficiaries' complaints regarding the quality of legal aid. It verifies whether the client was provided with quality secondary legal aid.

According to the agreements with the lawyers providing secondary legal aid, the SGLAS, performing supervision of the activities of lawyers, has the right:

⁴⁴ Ibid.

⁴⁵ Ibid, Article 16.

⁴⁶ Description of the procedure for concluding contracts with lawyers providing secondary legal aid on an *ad hock* basis, approved by the order of the Minister of Justice 17/06/2020 No. 1R-169, Articles 2 and 3.

⁴⁷ Model contract for the continuous provision of secondary legal aid, Model contract for the provision of secondary legal aid in case of necessity, and Model contract for the provision of secondary legal aid on an *ad hock* basis, approved by the order of the Minister of Justice 17/06/2020 No. 1R-169.

⁴⁸ Description of the enhancement of the qualification and evaluation procedure for lawyers and lawyer's assistants, approved by the decision of the Lithuanian Bar Council of Lawyers on 3/01/2024.

⁴⁹ Ibid.

- to check out whether the lawyer, who is continuously providing legal aid, does not provide legal services to people who are not legal aid beneficiaries;
- to check whether the legal aid lawyer does not get additional remuneration from the legal aid beneficiary;
- to verify the lawyer's data about the provided legal aid;
- to handle the legal aid beneficiaries' complaints regarding the activities of the legal aid lawyer, to request the lawyer to provide clarification regarding the circumstances detailed in the complaint, to request the lawyer to provide other information needed for handling the complaint;
- to change the lawyer in case of malpractice or disagreement with a client and transfer the complaint to the BAR for consideration;
- to terminate the agreement signed with the lawyer in case of a breach of contractual obligations.

The BAR analyses the complaints of legal aid beneficiaries, applying the same rules used to resolve complaints against private lawyers.⁵⁰

Three bodies of the BAR are involved in the disciplinary proceeding: (i) the BAR Council, (ii) the Disciplinary Committee, and (iii) the Court of Honour of the BAR.

The Disciplinary Committee receives and analyses a complaint (or other information) against lawyers' actions and submits a conclusion to the BAR Council. The BAR Council decides on the initiation of the disciplinary proceeding. When the BAR Council chooses to initiate a disciplinary proceeding, it refers the disciplinary case to the Court of Honour. The Minister of Justice can also initiate disciplinary proceedings. In such a case, the Lithuanian Bar, upon receiving the minister's order, forwards it to the Court of Honour for examination.⁵¹

The Court of Honour analyses the case and makes one of the following decisions:⁵²

- to terminate a disciplinary action because there are no grounds for liability or because of the statute of limitations;
- to close the case without imposing the disciplinary penalty;
- to prohibit temporarily the lawyer's activity;
- to impose one of the following disciplinary penalties:
 - Remark
 - Reprimand
 - Public reprimand
 - To recommend that the BAR Council revoke a lawyer's license to practice law.

In addition to that, the legal aid beneficiary can submit to the SGLAS an anonymous opinion about the quality of legal aid. All legal aid beneficiaries are informed about the Client Satisfaction questionnaires available online.⁵³

Since 2024, a specialisation for lawyers has been introduced, which can be acquired by completing special training. At the moment, there are four groups of specialisation: 1) Representation of persons in matters concerning their involuntary hospitalisation and treatment, mandatory hospitalisation and/or mandatory

⁵⁰ Description of the procedure for examining lawyers' disciplinary cases, approved by the decision of the General Meeting of Lawyers of the Lithuanian Bar on 15/04/2016, last amendment 28/08/2020.

⁵¹ Lithuania, Seimas (2004), Law of the Bar (Lietuvos Respublikos advokatūros įstatymas), No. IX-2066, 18 March 2004, last amendment No. XIV-1360, 30 July 2022, Article 52 (2).

⁵² Ibid., Article 53.

⁵³ <https://vgtpt.lrv.lt/lt/ivertinkite-suteiktas-paslaugas/advokatu>, <https://vgtpt.lrv.lt/lt/ivertinkite-suteiktas-paslaugas/tarnybos>

isolation, and limitation of legal capacity; 2) Representation of child victims of crimes against human health, freedom, freedom and inviolability of sexual self-determination, the child and the family, morality; 3) defence of child suspect and accused in criminal cases; 4) representation of victims in criminal proceedings.

VI. Public Legal Education

Initiatives in 2023 and 2024 to increase public awareness about the availability of State-funded legal aid:

- Awareness-raising articles in the newspapers and on the internet;
- Awareness-raising releases on Facebook;
- Information on the SGLAS webpage <https://vgtpt.lrv.lt/> and webpages of municipalities;
- Awareness-raising information on TV and radio broadcasts;
- Consultation of people by phone, email, and face-to-face;
- Information on various awareness-raising boards;
- Distribution of leaflets and booklets;
- Meetings with people in various public places (courts, Cultural Centres, Community Centres, etc.)
- The IT system TEISIS allows individuals to submit requests for legal aid online, choose a lawyer, receive a legal aid decision, and monitor the process of providing legal aid from the moment of application to its completion. The system provides general information about the conditions and procedures for providing legal aid, as well as answers to the most frequently asked questions. The IT system TEISIS continues to be developed. In the future, the system will provide answers to the most common legal questions for all people.⁵⁴

VII. Alternative Sources of Legal Services

Several universities have legal clinics that provide free legal consultations, both in-person and online.

The Law Clinic of Vytautas Magnus University⁵⁵ provides free legal consultations to small and medium-sized businesses, non-profit organisations, and citizens.

The Law Clinic of Vilnius University⁵⁶ provides free legal consultations to young, emerging companies and startups, non-governmental organisations, socially vulnerable individuals, employees and students of Vilnius University, and primary legal aid to residents of Vilnius city (under the framework of state-guaranteed legal aid).

Clinics provide consultations in different fields.

Various trade unions offer consultations to their members on various labour issues, as well as defend their rights against employers.

However, it is difficult to determine the extent of legal aid they provide, as they do not offer comprehensive statistics.

⁵⁴ <https://teisis.lt/external/home/main>

⁵⁵ <https://teisesklinika.vdu.lt/>

⁵⁶ <https://teisesklinika.lt/>

VIII. Holistic legal services

*The Law on Legal Aid*⁵⁷ stipulates the involvement of a psychologist in questioning minors. Article 13 foresees that a psychologist must be invited to help interviewing the child who is under the age of 14, who are victims of offense against human life, health and freedom, sexual self-determination and integrity, the child and the family, commercial sexual exploitation of a minor, encouragement of a minor to provide sexual services as well as in other cases where the process participants request or a pre-trial investigation officer, prosecutor or pre-trial investigation judge decides that it is necessary. Whereas for the minor with special needs, mentally disturbed after a criminal act, etc., the report recommends inviting a psychologist in other types of cases to avoid repeated trauma during legal procedures.

Other laws foresee the cooperation of non-lawyers with legal services providers.

*The Law on Social Services*⁵⁸ envisions the social worker's assistance to vulnerable individuals in various areas, including collaboration with legal aid providers.

*Law on the Assistance of Victims of Crime*⁵⁹ seeks to ensure that natural persons who have suffered from a crime receive assistance before the criminal proceeding, during and after it, and in cases where criminal proceedings are not initiated. According to this law, information, consultations, and/or services are provided to the victims of crime, taking into account the individual needs of the victim. The Law foresees cooperation among state institutions and NGOs. The Ministry of Social Security and Labour's website provides a list of NGOs offering assistance to crime victims.⁶⁰

The law defines the duties of the first contact authority. The institution of first contact is the institution to which the victim of a crime or his legal representative applies first: pre-trial investigation institution, prosecutor's office (prosecutor) or court, General Assistance Centre, municipal administration, social service institution, any educational or health care institution, or the State Children's rights protection and adoption service.

*Law on Protection against Domestic Violence*⁶¹ foresees cooperation among state institutions and NGOs in the provision of specialized complex assistance to persons in a dangerous environment and persons who have experienced domestic violence.

IX. UN SDG Standard 16.3

Policy developments

⁵⁷ Ibid. 8, Article 14.

⁵⁸ Lithuania, Seimas (2006), Law on Social Services (*Lietuvos Respublikos socialinių paslaugų įstatymas*), No. X-493, last amendment No. XIV-952, 17 March 2022.

⁵⁹ Lithuania, Seimas (2021), Law on the assistance of victims of crime (*Lietuvos Respublikos pagalbos nuo nusikalstamos veikos nukentėjusiems asmenims įstatymas*), No. XIV-169, 14 January 2021.

⁶⁰ <https://socmin.lrv.lt/lt/veiklos-sritys/socialine-integracija/pagalba-nuo-nusikalstamos-veikos-nukentejusiems-asmenims/>

⁶¹ Lithuania, Seimas (2011), Law on protection against domestic violence (*Lietuvos Respublikos apsaugos nuo smurto artimoje aplinkoje įstatymas*), No. XI-1425, 26 May 2011, last amendment No. XIV-934, 15 March 2022.

*The Program of the 19th Government of the Republic of Lithuania*⁶² outlines the goals that the Government of Lithuania aims to achieve during its term of governance (2024-2028). The Program states that the government seeks to ensure that quality legal aid is available to everyone. It is planned to increase the availability of state-guaranteed secondary legal aid. Professional, quality legal aid must be accessible to all individuals in need, regardless of their socioeconomic status. The government plans to combat gender-based violence and strengthen legal measures to address domestic violence and gender-based violence. Particular attention is intended to be paid to assisting persons with disabilities and those who have experienced violence or are at risk of domestic violence.

*2021-2030 National Progress Plan*⁶³ establishes that when implementing the Plan and preparing national development programs, it is mandatory to consider the needs of the disabled, women and men, different age groups, national minorities, and other groups that may experience discrimination, and provide measures and indicators that implement the principle of equal opportunities.

*2024-2026 Action Plan for the prevention of domestic violence and the provision of assistance to victims*⁶⁴ establishes the measures for the year 2024-2026 aimed at strengthening the assistance to persons affected by domestic violence.

Public Security Development Program for 2015-2025,⁶⁵ among other goals, aims at creating suitable conditions for the victims to exercise their rights.

Legislative developments

*The Law on Legal Aid*⁶⁶ foresees that primary and secondary legal aid is available on equal terms to all citizens of Lithuania and other EU Member States, to other persons lawfully residing in Lithuania and other EU Member States, and to persons specified in international treaties.⁶⁷

*The Law on Social Services*⁶⁸ provides for the assistance of a social worker in helping vulnerable persons access justice.

*Law on the Assistance of Victims of Crime*⁶⁹ foresees the assistance of State institutions and NGOs to victims of a crime in accessing justice.

⁶² Lithuania, Seimas (2024), Decision on the Program of the 19th Government of the Republic of Lithuania (*Nutarimas dėl Devynioliktos Lietuvos Respublikos Vyriausybės programos*), No. XV-54, 12 December 2024.

⁶³ Lithuania, Government (2020), Resolution on the Approval of the 2021-2030 National Progress Plan (*Nutarimas Dėl 2021–2030 metų Nacionalinio pažangos plano patvirtinimo*), No. 998, 9 September 2020, last amendment No. 797, 29 September 2021.

⁶⁴ Lithuania, Minister of Social Security and Labour (2022), On the approval of the 2024–2026 Action Plan for the Prevention of Domestic Violence and the Provision of Assistance to Persons at Risk of Domestic Violence, Those Who Have Experienced Domestic Violence, and Those Who Pose a Risk of Domestic Violence, A1-602, 13 September 2023, last amendment No. A1-654, 4 October 2024.

⁶⁵ Lithuania, Seimas (2015), Resolution On the approval of the public security development program for 2015-2025 (*Nutarimas Dėl Viešojo saugumo plėtros 2015–2025 metų programos patvirtinimo*), No. XII-1682, 7 May 2015.

⁶⁶ *Ibid.* 8.

⁶⁷ *Ibid.* 8, Articles 11(1) and 11 (2).

⁶⁸ *Ibid.* 60.

⁶⁹ *Ibid.* 61.

*Law on Protection against Domestic Violence*⁷⁰ foresees cooperation among state institutions and NGOs in the provision of specialised complex assistance to persons in a violent environment and persons who have experienced domestic violence.

⁷⁰ Ibid. 62.