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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