

Annex 5: Access to Allied Professional Services

Lawyers	Enforcement Agents	Public Notaries	Expert witnesses	Interpreters	Mediators
Is there a registry for these services?					
Bar Associations keep attorneys and legal trainees membership records.	The MOJ maintains a register of Enforcement Agents, Enforcement Agent deputies and Enforcement Agent partnerships, while Association of Enforcement Agents maintains a subsidiary register.	According to the Law on Public Notaries ⁹⁶⁵ , Chamber of Notaries keeps a register of notaries, notarial assistants and notarial trainees MOJ keeps evidence of persons who have passed notarial exam.	MOJ keeps separate registries of expert witnesses for natural and legal persons.	There is no electronic version of register ⁹⁶⁶ of permanent court interpreters on MOJs web site at the moment.	According to the Law on Mediation in dispute resolution ⁹⁶⁷ a registry of mediators is to be maintained by MOJ.
Is it publicly available? Easily accessible? Online? How do you find it?					
Bar Associations have their own websites with publicly available information, which can be easily accessed ⁹⁶⁸ . Alternatively, citizens can look into yellow pages and search either for Bar Association or individual lawyer contact details.	Information from the registry is public and can easily be accessed on following websites: http://www.komoraizvrstielja.rs/pocetna and http://www.mpravde.gov.rs/court-executives.php Alternatively, citizens can look in the Yellow Pages and search either for Association of Bailiffs of	Currently there is no publicly available information on notarial registries due to fact that introduction of notarial services into Serbian legal system has been postponed until September 1, 2014.	Registry is publicly available and can be easily accessed on the MOJs website. ⁹⁶⁹ Some courts such as Basic court in Pozarevac have published lists of registered expert witnesses on their websites. ⁹⁷⁰ Courts keep records on registered expert witness	Information on interpreters is accessible on Association of Interpreters websites, individual websites or in the case of Vojvodina on the website of Provincial Secretariat for Education, Administration and National Communities Alternatively, citizens can	Registry is going to be publicly accessible on MOJ website.

⁹⁶⁵ Official Gazette of the Republic of Serbia number 31/2011, 85/2012, 19/2013.

⁹⁶⁶ According to Article 19 of Ordinance on Permanent Court Interpreters (Official Gazette of Republic of Serbia number 35/2010) MOJPA keeps records on interpreters in electronic form.

⁹⁶⁷ Official Gazette of the Republic of Serbia number 55/2014.

⁹⁶⁸ For example: Bar Association of Serbia - <http://www.advokatska-komora.co.rs/>; Bar Association of Belgrade - <http://www.advokatska-komora.co.rs/>; Bar Association of Vojvodina - <http://www.akv.org.rs/>; Bar Association of Nis - <http://www.advokatskakomoranis.rs/>

⁹⁶⁹ <http://www.mpravde.gov.rs/court-experts.php>

⁹⁷⁰ http://www.osnovnisudpozarevac.com/index.php?option=com_content&view=article&id=32:sudskivestaci&catid=7:vodi-kroz-sudski-postupak&Itemid=34

	individual Bailiff contact details.		on their territory.	look into the yellow pages and search for interpreter contact details.	
What info is included in the registry? Is the info adequate to make a decision about who to choose?					
Name, phone number, email, address. When deciding on whom to hire as their attorney, citizens mostly rely on recommendations from their friends.	Name, address, phone number, email. Information provided in the registry is insufficient to make decision. Citizens have an option either to contact bailiff directly or rely on recommendations from friends.	Currently unknown, however it is to be expected that the registry will besides personal information contain publicly accessible information on penalties for minor injuries (written warning), and on penalties for a disciplinary offense (written reprimand).	Name, date of birth, degree level in respected field, mailing address, general expertise, special area of expertise, cell and land phone. Published information is adequate to make preliminary choice on expert witnesses.	In case of Provincial Secretariat for Education, Administration and National Communities: Name, address, phone number, profession. Information provided is a decent basis for a pre-selection of potential interpreters.	Name, date and place of birth, educational background, information on profession, completed training for mediators, street address, email address, telephone number, date of license issuance.
How do you know what this service is going to cost? Are the fee schedules available? If so where?					
Lawyer fees are regulated in the Tariff on rewards and reimbursements for attorneys' work. Document is adopted by the Serbian Bar Association, published in Official Gazette and contains a very complex point based system of fee calculation. Some lawyers and Bar Associations create and publish tables on rewards and reimbursements ⁹⁷¹ with already calculated fees.	MOJ adopts a Tariff on rewards and reimbursements for enforcement agents. Document contains a complex point based fee structure. It can be accessed and downloaded on Association of Enforcement Agents website ⁹⁷² . Simplified tables on rewards currently cannot be found on the internet.	Public Notary is entitled to remuneration for their work and reimbursement of expenses incurred in connection with work done in accordance with the Notarial Tariff. MOJ determines Notarial Tariff after obtaining an opinion from Chamber of Notaries.	The Ordinance on remuneration of expenses in court proceeding contains conditions, amount and method of remuneration of expenses. Detailed and understandable fee schedule, which is in accordance with the above mentioned Ordinance, can be found on the website of Association of Vojvodina's	The Ordinance on remuneration of expenses in court proceeding contains conditions, amount and method of remuneration of expenses. The Ordinance on permanent court interpreters regulates amount of remuneration for their work. Some websites include costs of services. (http://www.tumaci.rs/ind)	Amount of remuneration for mediators work and reimbursement of mediator's costs is determined by the Tariff on rewards and reimbursements in mediation, which is going to be adopted by the Minister of Justice. Parties can also agree otherwise.

⁹⁷¹ Good examples can be found on the following websites: http://www.advokatsimic.rs/html/tarifa_cene.html and http://www.advokatskakomoraris.rs/index.php?option=com_wrapper&view=wrapper&Itemid=54

⁹⁷² <http://www.komoraizvrsitelja.rs/propisi/podzakonska-akta>

Total cost of services is freely negotiated between attorney and client and may vary on case to case basis.			expert witnesses. ⁹⁷³	ex.swf)	
Is the registry/information organized by region /location? How many per region?					
The Registries (membership records) are organized in line with the territorial organization of Bar Associations: i. Serbia ii. Vojvodina iii. Belgrade iv. Čačak v. Zaječar vi. Šabac vii. Požarevac viii. Niš ix. Kosovo and Metohija	The number of Enforcement Agents is determined by Minister of Justice. General rule is that one Enforcement Agent comes on every 25.000 inhabitants. Registries follow territorial organization of the courts.	The number of public notaries is determined by Minister of Justice after obtaining opinion from Chamber of Notaries. Similar to enforcement agents, there should be one notary per 25,000 inhabitants, and each municipality, city and city municipality must have at least one notary.	The Registries are organized according to territorial organization of the courts and area of expertise. Presidents of the courts of first instance determine the need for experts in particular areas and have to notify the Ministry. Court expert witness is appointed based on his place residence in connection with the court territory.	The presidents of Higher courts determine the need for interpreters for certain languages and have to notify the Ministry. Permanent court interpreter is appointed for the court in whose territory has residence. The Provincial Secretariat for Education, Administration and National Communities is organized in accordance with the territorial organization of Autonomous Province of Vojvodina.	The MOJ shall adopt ordinance in order to regulate content and method of maintaining a registry of mediators in more detail.
If you have a complaint about your service, where do you go?					
Complaints can be filed with the Bar Associations. Disciplinary proceedings are initiated and carried by	Supervision is divided between the MOJ and Association of Bailiffs.	Complaints can be filed with the Chamber of Notaries. Law defines persons who can submit	Article 18 ⁹⁷⁵ of the Law on court experts stipulates that the court or the authority conducting the	During court proceedings parties can complain directly to the judge, who will take appropriate	The mediator will be liable for the damages caused to the parties by acting contrary to the Code of

⁹⁷³ <http://www.forensicexp-vojvodina.org.rs/docs/UVcenovnik.pdf>

⁹⁷⁵ Official Gazette of Republic of Serbia number 44/2010.

<p>the disciplinary bodies of each of the Bar Associations. For violations of duties and violation of the reputation of the legal profession, an attorney-at-law may be imposed with the following disciplinary measures:</p> <ol style="list-style-type: none"> 1) warning; 2) fine; 3) removal from the list of attorneys-at-law. 	<p>Disciplinary commission⁹⁷⁴ is formed by the Ministry and includes five members (two from Association of Bailiffs, one judge with experience in enforcement matters nominated by High Judicial Council and two civil servants from the Ministry). All committee members are elected for a 4 year term.</p>	<p>initiative to commence the disciplinary proceedings. It is important to notice that only Disciplinary Council has the capacity to file a formal proposal, when it finds that there are grounds for believing that the notary public committed minor violation of public notary duties or disciplinary offense.</p>	<p>procedure shall inform the Ministry about their objections and imposed fines on expert witness.</p> <p>The citizens can address to competent authorities with an explained proposal for dismissal of expert witness on grounds of incompetent, irregular or unconscionable expertise.</p>	<p>procedural steps in order to eliminate irregularities.</p> <p>The President of the Higher Court supervises the work of interpreters and notifies the Ministry on interpreter's unconscionable conduct.</p> <p>Interpreter can be dismissed if he performs his services in irregular or unconscionable manner.</p>	<p>Ethics (unlawful conduct, intentionally causing damage or acting with gross negligence) in accordance with the general rules of liability for damages.</p> <p>Mediators license shall be revoked in the procedure conducted by the three members Commission (one judge, one mediator and one civil servant from the MOJ) in cases of violation of mediators duties.</p> <p>Proposal to revoke mediator's license may be filed by Court, other authority or MOJ.</p>
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⁹⁷⁴ Disciplinary sanctions include: 1) warning; 2) public reprimand; 3) a fine of 50,000 to 500,000 dinars; 4) suspension of operations for a period from three months up to one year; 5) a permanent ban on performing enforcement activities.