

THE CONTRIBUTION OF THE LEGAL CLINICS IN ACCESS TO JUSTICE IN MACEDONIA

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Free Legal Aid - Legal Framework

01

Law on Free Legal
Aid (2009)

(imprecision in the legal text, weak institutional setup,
dysfunctionality and inconsistency with the legal needs
of the citizens)

02

Law on Free Legal
Aid (2019)

applied since October 2019

News introduced by the Law (2019)

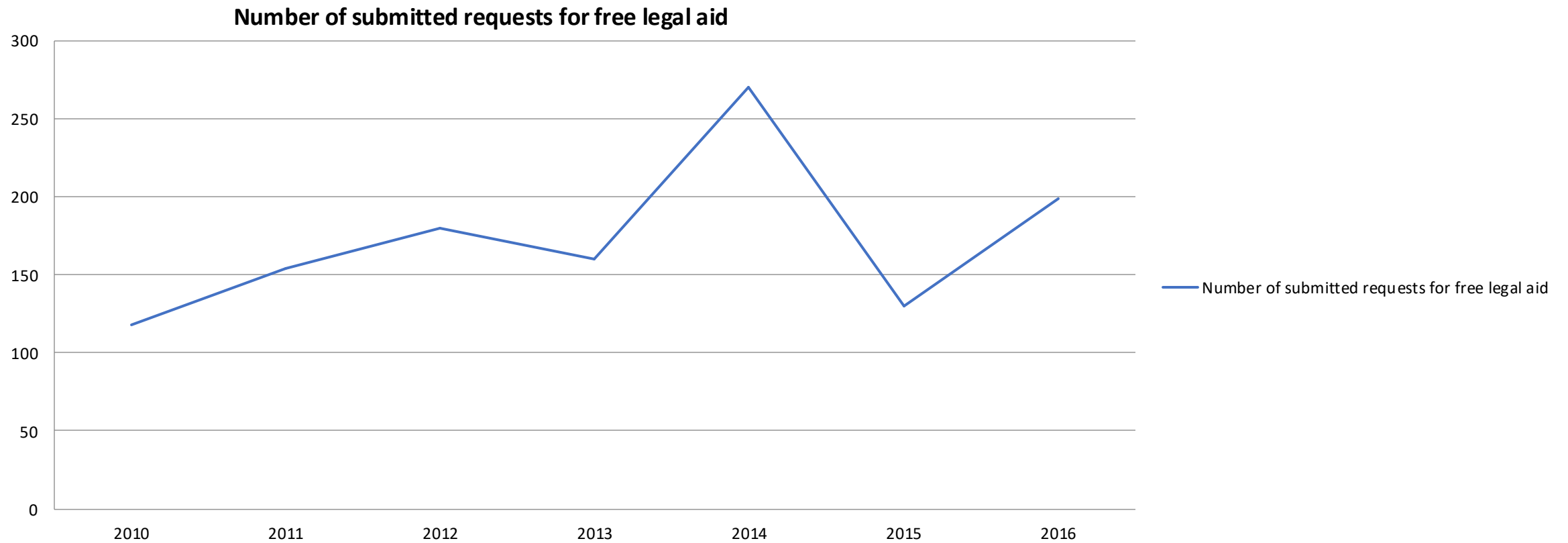
- **Primary Legal Aid**

- Extended scope of Primary Legal Aid: All natural persons who reside in the country's territory can receive free legal aid.
- Expanded range of primary legal aid providers - Legal Clinics are officially recognized as providers of primary legal aid
- Introduced a new way of funding Associations and Legal Clinics through direct support from the Ministry of Justice for projects concerning free legal aid

- **Secondary Legal Aid**

- Professional legal assistance from a lawyer and financial support provided by the country. It also includes exemption from court or administrative fees and costs for proceedings, and expertise costs that must be realized through the Bureau of Judicial Expertise.
- Simplified conditions for acquiring the right to secondary legal aid in terms of material, financial, property, and family status, but still tied to the civil status as a citizen with permanent residence, or foreign citizen with a temporary residence permit, or a person without citizenship, but with legal residence in the country, a person entitled to legal aid and asylum seeker.

	2010	2011	2012	2013	2014	2015	2016	Total
Submitted Requests	118	154	180	160	270	130	199	1211



Primary Legal Aid

	2019 (01.10-31.12)	2020	2021	2022	Total:
Total Number of People who received Free Legal Aid	133	2.727	3.266	5.972	12.098


Secondary Legal Aid



	No. of Submitted Requests for Secondary Free Legal Aid	No. of Approved Requests	No. of Rejected Requests	No. of Adopted Decisions terminating the approved secondary legal aid	Approved / Rejected Proportion
2019	77	46	28	5	1,6/1
2020	207	132	49	14	2,7/1
2021	295	203	65	13	3,1/1
2022	291	231	40	15	5,7/1
Total:	870	612	182	47	

Challenges of the Legal Framework:


Not functional funding yet (only in 2022, the Ministry of Justice granted funding to 7 subjects in total amount of 1.050.000,00 MKD (17.500 EUR) - (each grant was 2.500 EUR).



The Law is restrictive regarding the notarial and bailiff proceedings.



A potential victim of domestic violence who is not registered at the Centre for Social Affairs does not have the opportunity to receive free legal assistance.



There is an open discussion and unfavorable practice that only the party that succeeds in the dispute shall have the right of reimbursement of costs (according to the Civil Procedure Law rules).



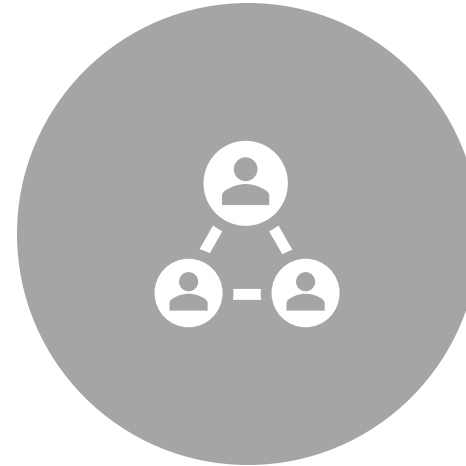
Legal Clinics

- Legal Clinic for Free Legal Aid (working directly with clients)
- Legal Clinics only for Legal Education (not working with clients)

Legal Clinics for Free Legal Aid

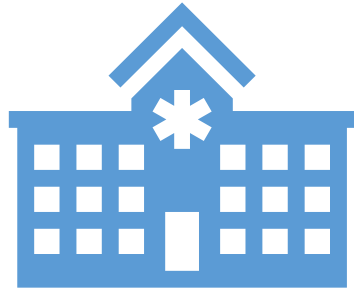


PRACTICAL SKILLS FOR LAW
STUDENTS



SOCIAL RESPONSIBILITY FOR
PEOPLE-IN-NEED

Establishment and Structure

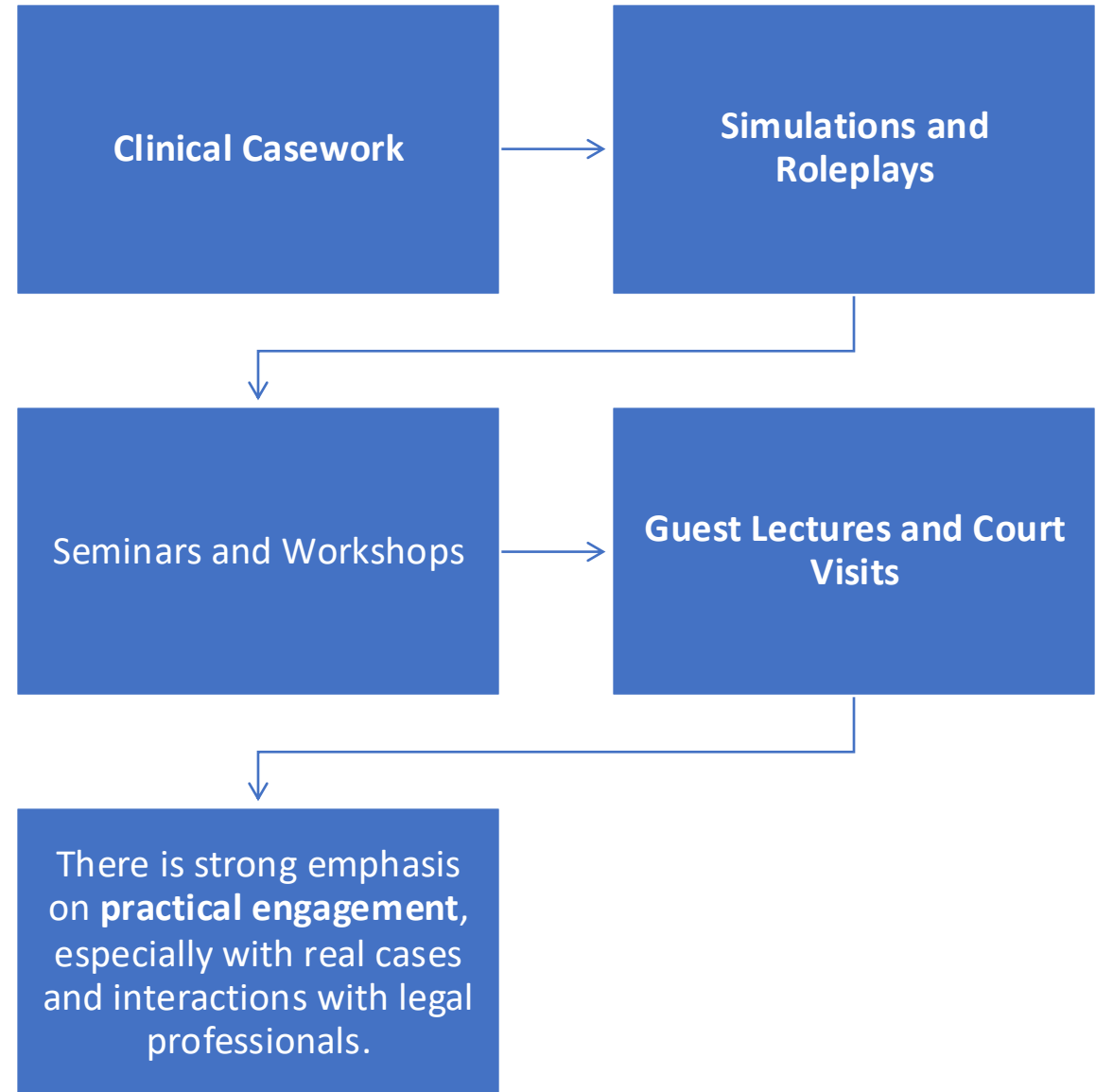


Eight (8) Legal Clinics are registered as **Free Legal Aid providers** within the Ministry of Justice, and most of them were established in 2020.

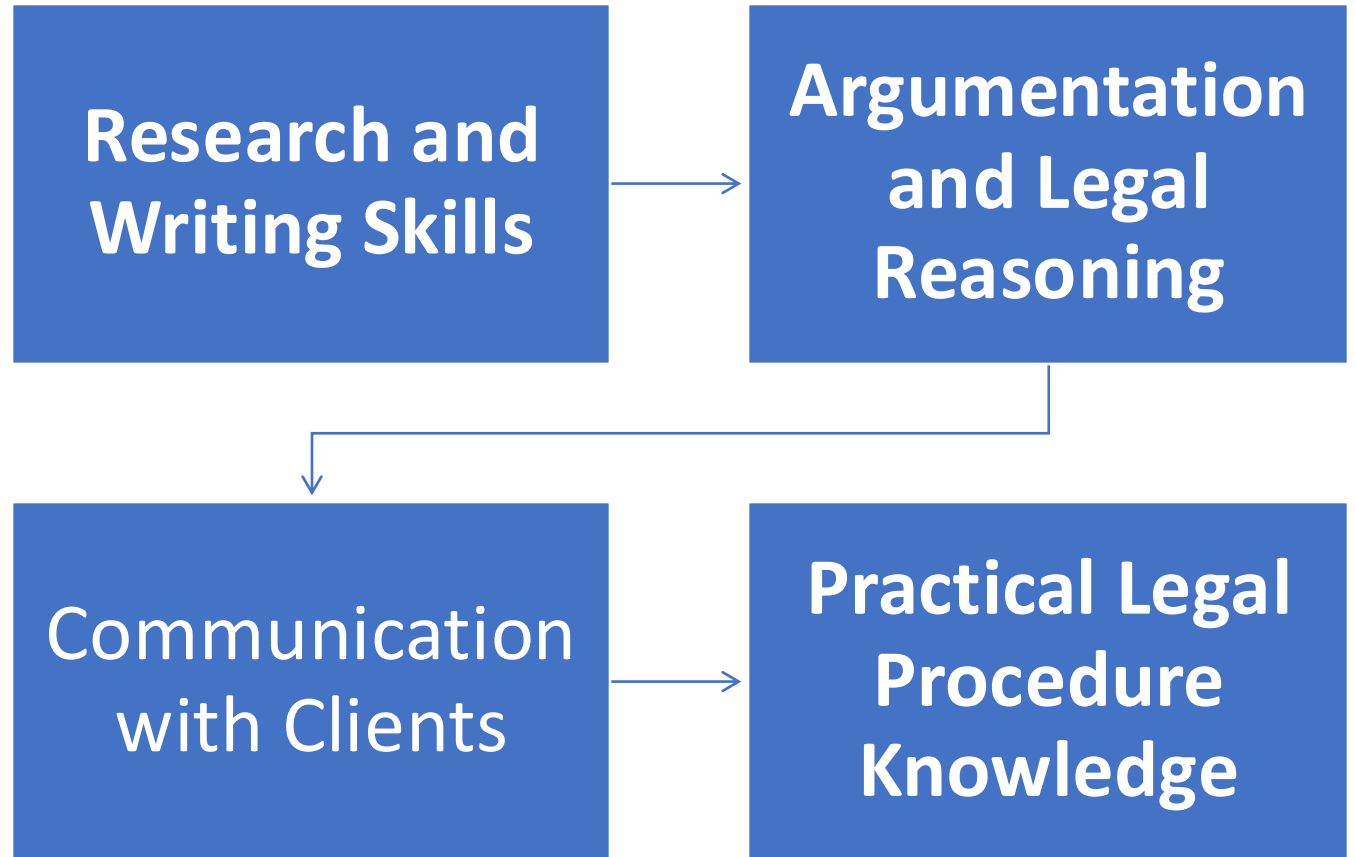


Four (4) additional Legal Clinics **specialized in Criminal Law** (not working directly with clients)

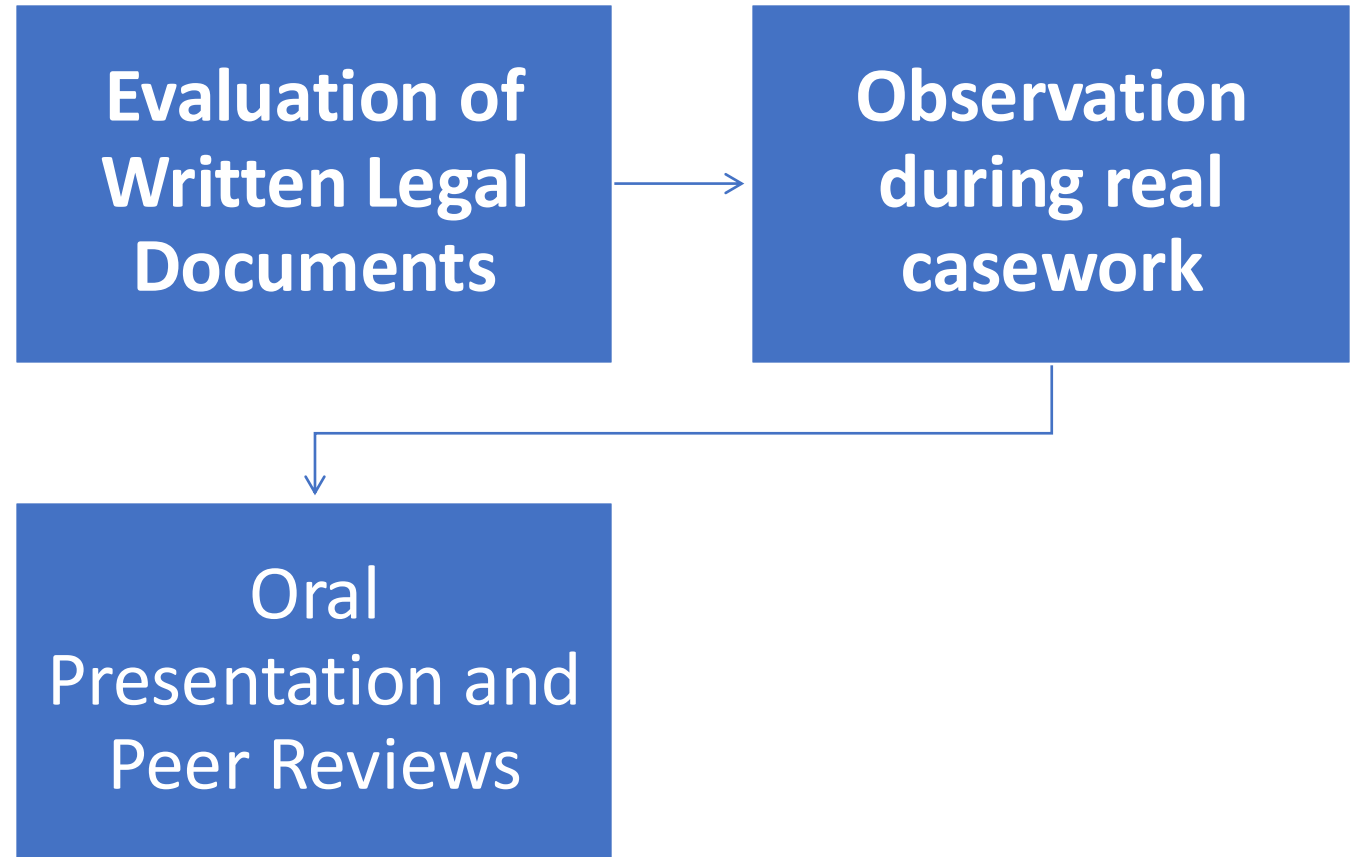
Teaching and Learning Methods



Skills Development



Methods of Students' Assessment



Main Challenges Legal Clinics Face

Lack of trained clinical staff

Funding and Institutional Limitations

Lack of student motivation or time

Legal limitations (e.g., not included in the formal state aid system – for Legal Clinics specialized in Criminal Law)



Thank you for
your attention!

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