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FULLY INDEPENDENT JUDICIAL PROFESSIONAL ASSOCIATIONS

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Rationale

We have designed a system in which each judicial profession will have its own fully independent professional organization. We stipulate that these will be regulated under the Constitution as judicial professional associations. We envisage that judgeship, prosecutorship, attorneyship and notaryship will be organized at equal levels, in a self-governing and fully independent way.

These judicial professional associations will be structured by considering the development plan and objectives in parallel with the court structure, economic and demographic issues. While the judgeship and prosecutorship regulations will be limited to the jurisdiction of each regional court of appeal, attorneyship regulations will be limited to the jurisdiction of unions of regional bar associations.

The center for all judicial professional associations will be located in Ankara, the capital of Turkey. These central unions will focus on the highest representation of the professions. Professional associations will fulfill their essential functions for their members through regional chambers, or associations. In this way, it will be possible for the members of a profession to have easier access to professional associations and to be effective, and for the associations to serve their members more effectively.

The judicial professional associations will be organized as independent institutions, and their duty and responsibility will be to protect the rule of law and the independence of judicial professionals. The SAoJ will have a duty to defend, protect and develop the independence of the judicial professions. And the SAoJ's intervention in the professional associations has been

carefully prevented. Instead of the Ministry of Justice, the SAoJ will be authorized in issues such as the admission, career advancement, discipline and dismissal of judicial professionals. Professionals admitted into the profession by the SAoJ will themselves manage the professional associations of which they are members, using democratic methods that ensure diversity and inclusiveness in governance. We envisage that the professional associations, in addition to defending the rule of law, will focus on improving their professions to provide high-quality services as determined by the SAoJ. Disciplinary and supervisory organs will be restored, with a structure that will work efficiently and effectively at an optimum level to improve professional accountability in the judicial professions.

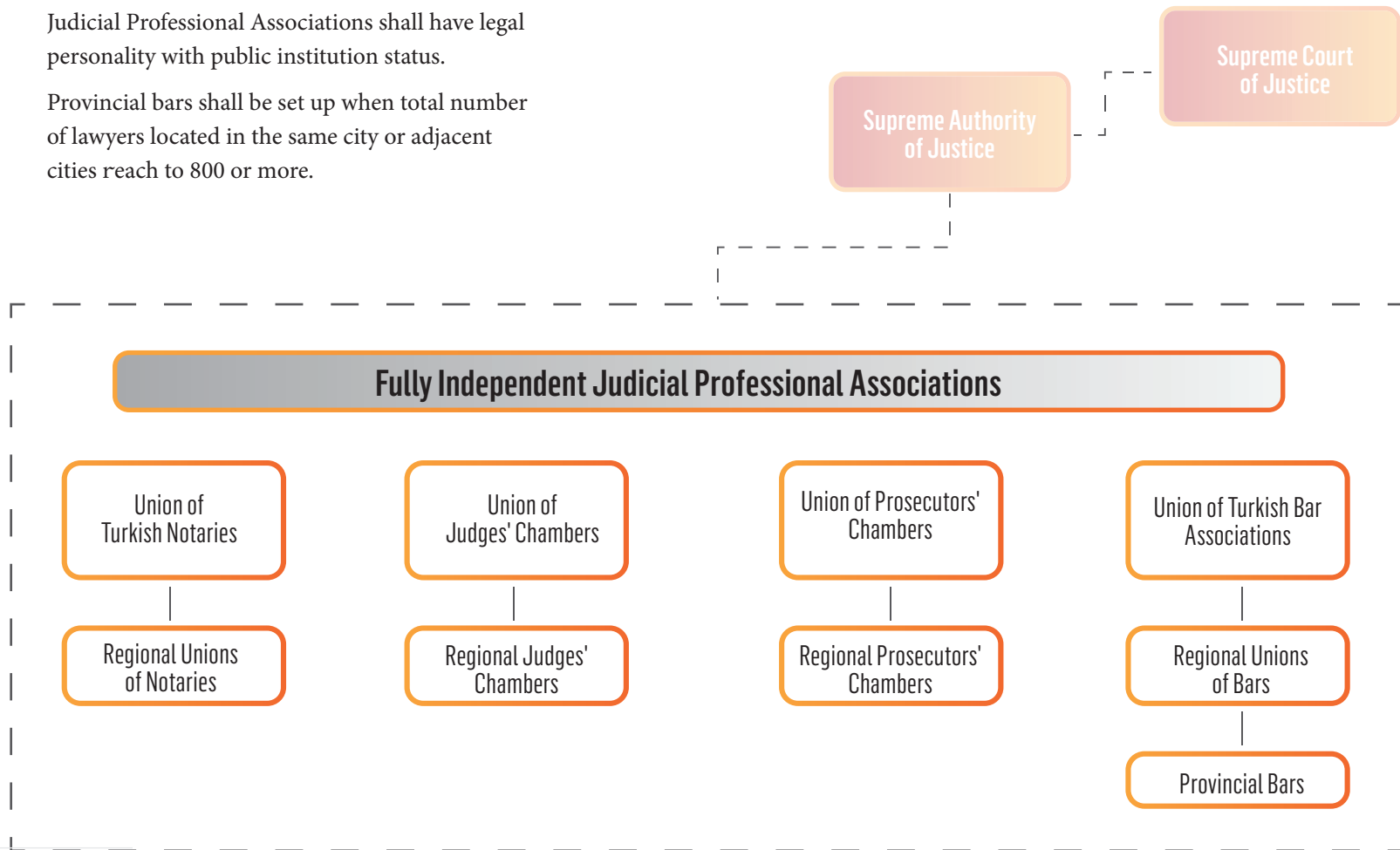
The structuring of the courts, which are considered as judicial service units, will enable the concentration of expertise in the judiciary at the centers on the one hand, and on bringing the service to the public through the end units on the other.

A single law will regulate the judicial professions, in parallel with each other, uniformly and harmoniously. An approach to career planning, including levels of admission into the legal professions, internship, supervision and assistance, has been developed with the aim of increasing the quality of service by increasing the competence of the service providers. Common career plans for the legal professions and inter-professional transition regulations aim to improve the human resources of the judiciary and to shift such resources between different roles when necessary. With this uniform career plan and inter-professional transitions, the effective use of resources and positive professional cooperation are developed. In this way, it will be possible for prosecutors to be positioned at the same level as attorneys by leaving the bench in courts.

Judicial Professional Associations

Judicial Professional Associations shall have legal personality with public institution status.

Provincial bars shall be set up when total number of lawyers located in the same city or adjacent cities reach to 800 or more.



Outline of the Proposed Judicial Professional Associations

- 1- Judges, public prosecutors, attorneys and notaries each constitute their own independent judicial professional associations.
- 2- Judicial professional associations are regulated by the judiciary and distinguished from other chambers and professional associations.
- 3- They are organised in parallel with the Regional Courts of Appeal. Their central offices are in Ankara.
- 4- The regional chambers are focused on the service provided by the profession, while the central organization is focused on its representation and essential policies.
- 5- The board of directors is the principal decision-making body. It is inclusive of different opinions in representation.
- 6- Candidacy to the bodies is transparent in a way that promotes merit-based results. It is subject to judicial review.
- 7- The election of one person is conducted by run-off voting, and the election of multiple people by proportional representation. It is prohibited to use a delegation or closed lists.
- 8- The decisions of the professional associations' bodies are subject to objection before the Supreme Authority of Justice (SAoJ) and to judicial review before the Constitutional Court.
- 9- Everyone admitted to the profession by the SAoJ is a member of the profession's registry and the professional association of the region in which he/she conducts his/her profession. Attorneys register with the professional association and bar in the region in which they set up their office.
- 10- The central organization's board of directors comprises the regional presidents of the boards of directors. The president of the central organization is elected by all members of the profession.
- 11- The Board of Discipline and Supervision carries out its activities in the regions where there is a relatively high number of attorneys, while, for judges, public prosecutors and notaries, it carries out its activities in the center.
- 12- The fundamental policymaker is a well-attended, permanent Council of Law.

Primary Purpose and Objectives

- To improve the judicial professions as a constituent element of the judiciary in order to provide a high-quality service to the public, and to restructure the judicial professions as an independent body to serve this purpose.
- All members of the judicial professions shall have their own judicial professional association.
- Judicial professional associations shall consist of all active members of the profession.
- Any external intervention to the judicial professions shall be prevented.
- Members of the profession shall be trained and progressed in accordance with their mission.
- Positive, respectable and efficient co-operation shall be established with members of other judicial professions.
- The transparency and accountability of judicial professions shall be improved.

NOTES

Professional Associations Structured in Parallel with the Localities of the Judicial and Regional Courts of Appeal

Supreme Authority of Justice, the Permanent Council of Justice and the central Union of Judicial Professional Associations (JPAs) are located in Ankara.

The regional unions of the JPAs are within the localities of the regional courts of appeal.

Regional Unions of Bars and Chambers of JPAs are established along with regional courts of appeal.

- 15 Regional Judges' Chambers
- 15 Regional Prosecutors' Chambers
- 15 Regional Unions of Bars, and 75 to 80 City Bars
- 15 Regional Unions of Notaries



Regional Courts (15 BAM)

Source: Judges and Prosecutors Council

Organisational Structure of the Judicial Professional Associations

- Each of the judicial professional associations (JPA) shall have public institution status.
- Central union, regional chambers for all JPAs and in case of lawyers provincial bars shall have independent legal entity status.
- Central unions of JPAs shall be based in Ankara. Regional chambers shall be located in the provinces where regional courts of appeal are located.
- Each of central, regional or provincial JPAs shall be totally independent, they shall be governed democratically by managements democratically elected by their active members.
- All JPAs shall be governed by a president elected by all members via run-off elections and board of directors. Presidents and the board of directors will appoint executive boards. Unions' board of directors shall be comprised of the presidents of regional chambers.
- Directors of the board for regional chambers of judges and prosecutors and the provincial bars shall be elected by all active members. The director receiving the highest number of votes serve as the president. Board of directors of the regional union of bars shall be comprised of the presidents of the provincial bar presidents.
- JPAs comply with the principles and policies set by the SAoJ by regarding and considering the recommendations by their central unions.

The Management and Administration of the Judicial Professional Associations, and the Quorums of a Meeting and a Decision

Management and Administration

- The central and regional professional associations are administrated by their respective presidents.
- The City Bars are administrated by the City Bar president.
- The Representation Offices are administrated by the representative body or the president.
- The board of directors and other bodies are called to the meeting by the president ex officio or at members' request.
- The president determines the agenda, adds members' requests and orders the items of the agenda. Any suggestions raised in the meeting are discussed at the end as any other business.

Quorum of Meeting and Decision: Board of Directors

- The quorum of a meeting is a simple majority of all full members.
- The quorum of a decision is a simple majority of the members who attend the meeting.

Quorum of Meeting and Decision: Boards of Discipline and Supervision

- The quorum of a meeting is a qualified majority of two-thirds of all full members.
- The quorum of a decision is a simple majority of the members who attend the meeting.
- If there is more than one department, the quorum is applied for each department.

The Candidacy, Determining of Candidates, and Elections to the Judicial Professional Associations' Bodies

Election of Qualified Members

- The requirements and necessary qualifications of candidates to the judicial professional associations' bodies are determined by the SAoJ in a way that promotes the merit-based results. The required qualifications and seniority for candidacy to the Board of Discipline and Supervision shall be higher and more restrictive.
- The SAoJ reviews those who are willing to be candidates and announces the candidature by determining which have fulfilled the requirements and possess the necessary qualifications.
- Those who are willing to be candidates and who accept a nomination to the candidacy should be prepared to be transparent. He/she must accept that any personal information and any information regarding his/her professional, academic and private life that may have an effect on the election may be shared with the public. He/she must disclose this information and respond to any questions about unclear issues in that regard.

Election to Bodies

- The presidency election, through which one person will be elected, is held by run-off voting. If a majority is not reached in the first run, the second run is between the two candidates who obtain the highest number of votes. There should be at least three weeks' interval between the two rounds.
- If there is more than one person to be elected, such as a board of directors, the election will be held by proportional representation. In such elections, it is prohibited to use closed lists or previously marked open lists.
- Those who obtain the highest number of votes in the proportional-representation elections are determined as full and substitute members, respectively.
- If a separate election is not held for the presidency, the member who obtains the highest number of votes is elected president. In case the boards are split up into more than one department, the member who obtains the highest number of votes shall be the president of the department. Other members shall be divided into departments in accordance with the number of votes they obtain.

NOTES

Objections and Judicial Remedies to a Judicial Professional Association's Decision

All the decisions and acts of the presidents, boards of directors, and boards of discipline and supervision of the unions and regional unions of judicial professional associations shall be subject to objection before the SAoJ and, separately, shall be subject to the judicial review of the Supreme Court of Justice. The reason for any legal action against their decisions and acts shall be their incompliance with the SAoJ's policies, preferences and principles.

- The objection against a decision of a city bar's president and board of directors shall be made first of all before the regional union of bars.
- No objection or any other judicial remedy can be recoured against the acts and decisions of a professional association's Representation Offices (which do not have legal personality). Only if the board of directors or president of the relevant unit (which/who has legal personality) acts or takes a decision, objection or other judicial remedy can there be recourse against these acts and decisions.
- Any real and legal person, whether it is related to his/her interest or not, may object or have recourse to judicial remedies against transactions and decisions that are subject to objection and judicial remedy.
- Before having recourse to judicial remedy, an objection must be made before the SAoJ.
- Any decision taken by the SAoJ regarding an objection can be recoured to the Supreme Court of Justice to request that the decision be annulled.
- The judgment of the Supreme Court of Justice is final.

THE UNION OF JUDGES' CHAMBERS AND REGIONAL JUDGES' CHAMBERS

NOTES

The Union of Judges' Chambers and Regional Judges' Chambers

The Union of Judges' Chambers and Regional Judges' Chambers comprise judges who are admitted to the judgeship profession. They are judicial professional associations having legal personality and public institution status.

The primary purpose and objectives of the Union of Judges' Chambers and Regional Judges' Chambers are as follows:

- To represent judges, advocating for their independence and accountability;
- To ensure professional unity and solidarity among prosecutors;
- To encourage the continuous development of the judgeship profession and judges themselves, and to uphold the respect for the same;
- To determine professional problems and offer solutions;
- To establish ethical rules for the judgeship profession and submit them for the approval of the SAoJ; and
- To conduct disciplinary investigations into judges' conduct, excepting the sanction of dismissal from the profession.



Saim Dursun,
"Dalda"
(On the Branch),
30 x 70cm,
oil on canvas,
spatula technique,
2011

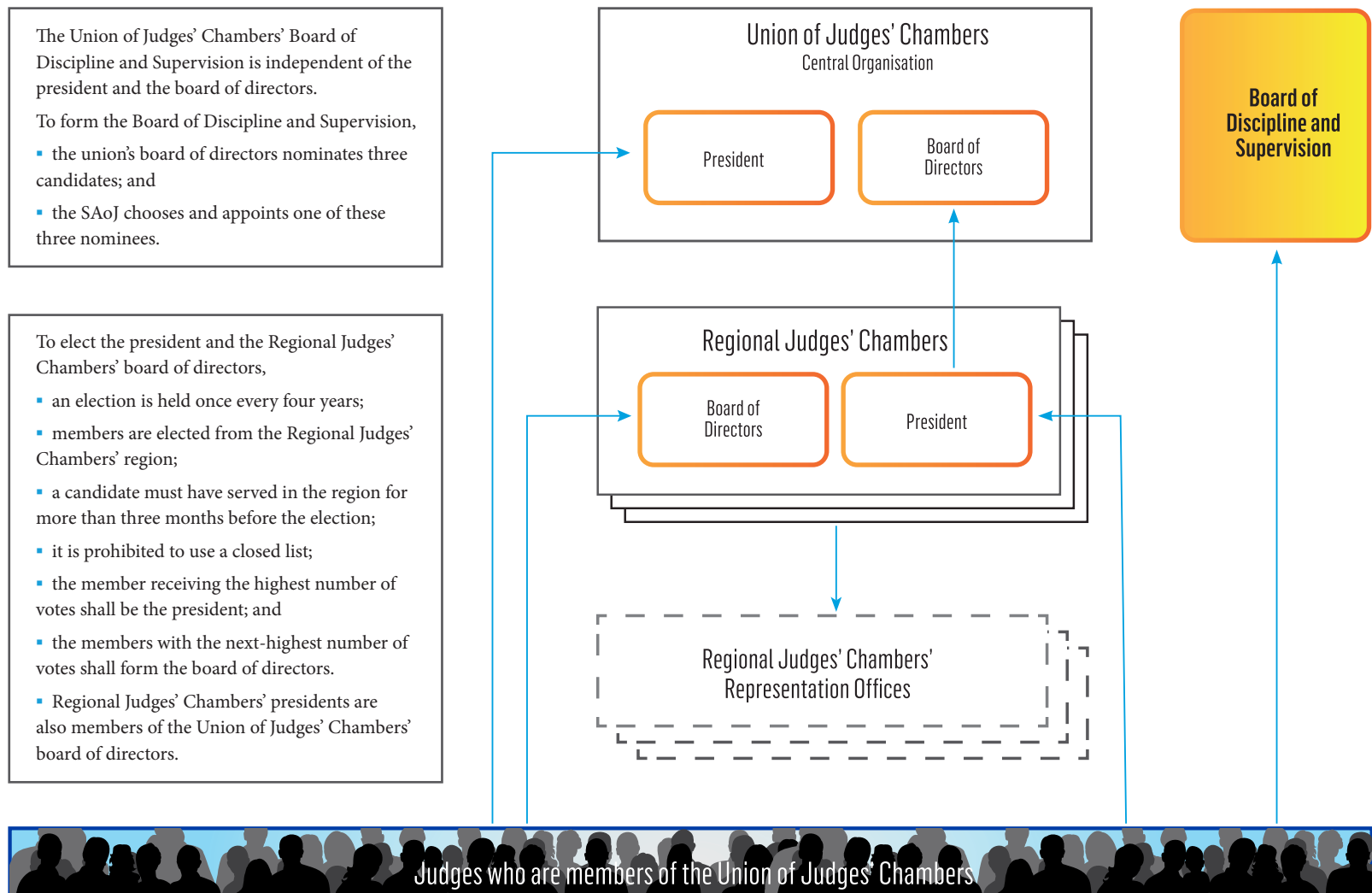
Judges' Chambers and Union Membership

NOTES

Intern, trainee and assistant judges who pass the written test and interview of the judgeship profession and enter a trainee or assistant judgeship, and those who are admitted to the judgeship profession are automatically members of the Union of Judges' Chambers.

- Judges are registered to the chambers in which they serve and in accordance with the level in their professional career.
- Judges are also registered to the relevant Regional Judges' Chambers in the region in which they serve.
- Intern, trainee and assistant judges are registered to the Regional Judges' Chambers in the region in which they serve. However, they do not have a right to vote in the election of the bodies of the Union of Judges' Chambers or the Regional Judges' Chambers.
- Intern, trainee and assistant judges can forward any requests, proposals and complaints regarding their career level or their profession to the Union of Judges' Chambers and Regional Judges' Chambers.
- Intern, trainee and assistant judges, and those who are admitted to the judgeship profession, can exercise the rights granted to them by the law. They can form groups among their career-level peers for the purposes of solidarity.

The Organization of the Union of Judges' Chambers and Regional Judges' Chambers



The Union of Judges' Chambers' Board of Discipline and Supervision

Main Objective: Ensuring and promoting the rule of law and legal security, and the development of the profession and the profession's members for this purpose; ensuring legal professionals' comply in fulfilling their duties by adhering to the policies, preferences and principles set by the SAoJ, as well as professional rules, ethical principles and values, with the purpose of promoting solidarity, harmony and co-operation with each other and members of other professions; determining incompliant conduct, imposing the necessary sanctions and conducting awareness activities.

Formation, meeting and decisions

- The board is independent of the Union of Judges' Chambers' president and board of directors.
- From the three candidates nominated by each Regional Judges' Chambers, the SAoJ appoints one member from each region.
- The members appointed by the SAoJ from each Regional Judges' Chambers form the Board of Discipline and Supervision.
- The members elect the president among themselves.
- The quorum of a meeting is two-thirds of all the members, and the quorum of a decision is the simple majority of the members attending the meeting.

Duties

- Investigate all allegations. However, the board can impose only warnings and reprimands as sanctions.
- Notify and send cases to the SAoJ that require more severe sanctions.
- Offer advisory opinion regarding professional disciplinary rules.

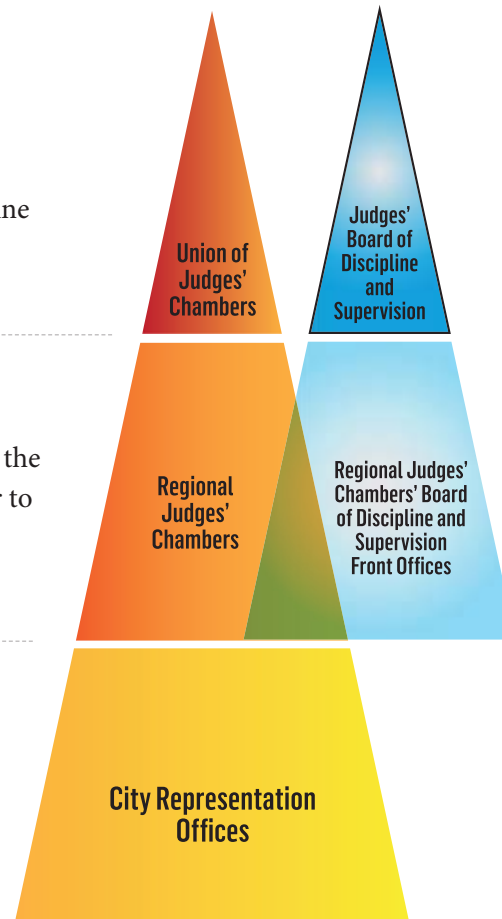
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The Hierarchical Structure of the Union of Judges' Chambers, Regional Judges' Chambers and City Representation Offices

- The Union of Judges' Chambers, and its Board of Discipline and Supervision, are in Ankara.

- Regional Judges' Chambers will be set up in the center of the city where a Regional Court of Appeal is located, in order to represent all the judges in the region.

- With the board of directors' resolution, Regional Judges' Chambers' city Representation Offices can be set up in cities or other administrative units.



THE UNION OF PROSECUTORS' AND REGIONAL PROSECUTORS' CHAMBERS

NOTES

The Union of Prosecutors' Chambers and Regional Prosecutors' Chambers

The Union of Prosecutors' Chambers and Regional Prosecutors' Chambers comprise prosecutors who are admitted to the prosecutorship profession. They are judicial professional associations having legal personality and public institution status.

The primary purpose and objectives of the Union of Prosecutors' Chambers and Regional Prosecutors' Chambers are as follows:

- To represent prosecutors, advocating for their independence and accountability;
- To ensure professional unity and solidarity among prosecutors;
- To encourage the continuous development of the prosecutorship profession and prosecutors themselves, and to uphold the respect for the same;
- To determine prosecutors' professional problems and offering solutions;
- To establish ethical rules for the prosecutorship profession and submit them for the approval of the SAoJ; and
- To conduct disciplinary investigations into prosecutors' conduct, excepting the sanction of dismissal from the profession.

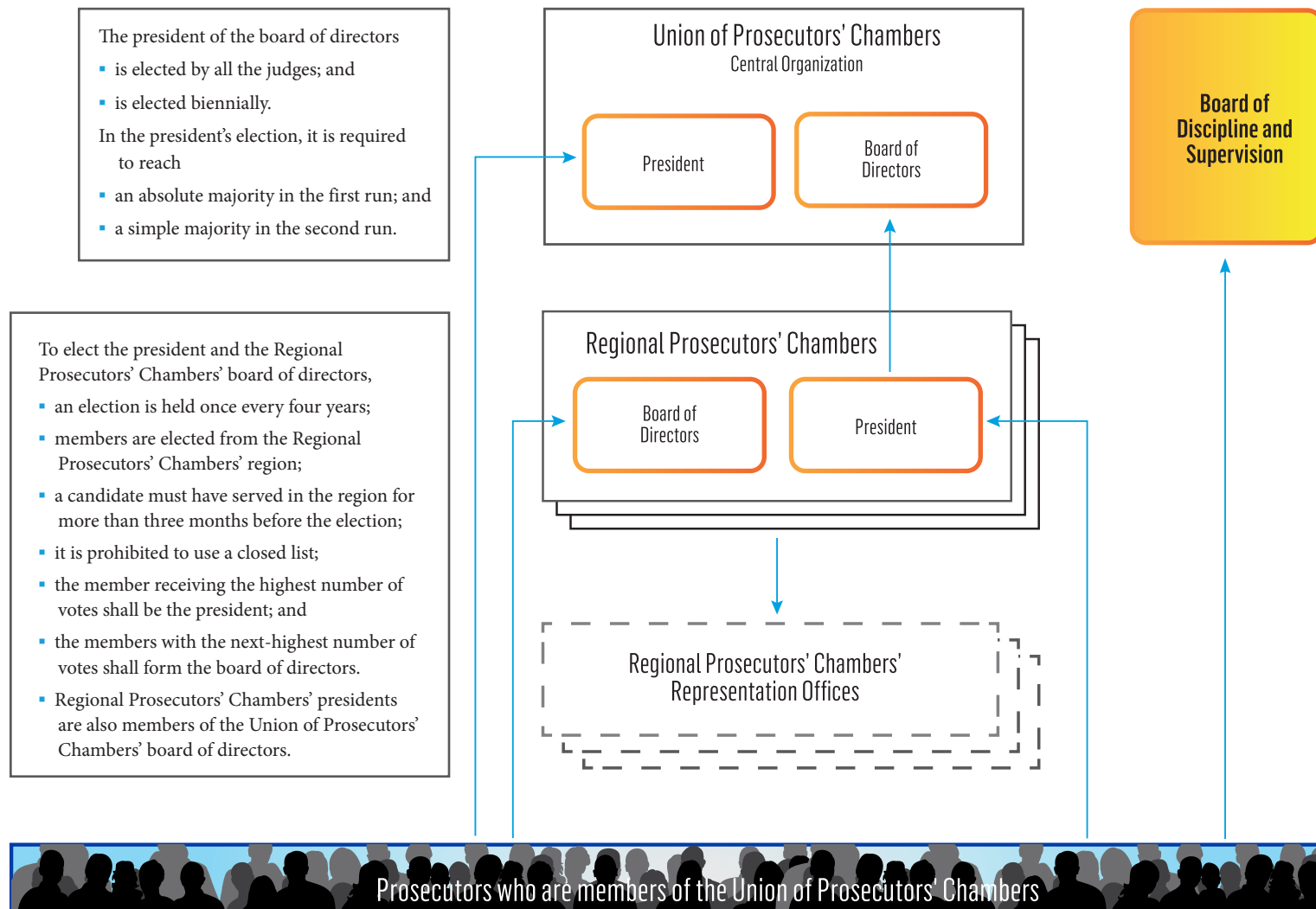
Prosecutors' Chambers and Union Membership

NOTES

Intern, trainee and assistant prosecutors who pass the written test and interview of the prosecutorship profession and enter a trainee or assistant judgeship, and those who are admitted to the prosecutorship profession are automatically members of the Union of Prosecutors' Chambers.

- Prosecutors are registered to the chambers in which they serve and in accordance with the level in their professional career.
- Prosecutors are also registered to the relevant Regional Prosecutors' Chambers in the region in which they serve.
- Intern, trainee and assistant prosecutors are also registered to the Regional Prosecutors' Chambers in the region in which they serve. However, they do not have the right to vote in the election of the bodies of the Union of Prosecutors' Chambers and Regional Prosecutors' Chambers.
- Intern, trainee and assistant prosecutors can forward their requests, proposals and complaints regarding their career level or their profession to the Union of Prosecutors' Chambers and Regional Prosecutors' Chambers.
- Intern, trainee and assistant prosecutors, and those who are admitted to the prosecutorship profession, can exercise the rights granted to them by the law. They can form groups among their career-level peers for the purpose of solidarity.

The Union of Prosecutors' Chambers and Regional Prosecutors' Chambers' Elections



The Union of Prosecutors' Chambers' Board of Discipline and Supervision

Main Objective: Ensuring and promoting the rule of law and legal security, and the development of the profession and the profession's members for this purpose; ensuring legal professionals' comply in fulfilling their duties by adhering to the policies, preferences and principles set by the SAoJ, as well as professional rules, ethical principles and values, with the purpose of promoting solidarity, harmony and co-operation with each other and members of other professions; determining incompliant conduct, imposing the necessary sanctions and conducting awareness activities.

Formation, meeting and decisions

- The board is independent of the Union of Prosecutors' Chambers' president and board of directors.
- From the three candidates nominated by each Regional Judges' Chambers, the SAoJ appoints one member from each region to form the Board of Discipline and Supervision.
- The members elect the president among themselves.
- The quorum of a meeting is two-thirds of all the members, and the quorum of a decision is the simple majority of the members attending the meeting.

Duties

- Investigate all allegations. However, the board can impose only warnings and reprimands as sanctions.
- Notify and send cases to the SAoJ that require more severe sanctions.
- Offer advisory opinion regarding professional disciplinary rules.

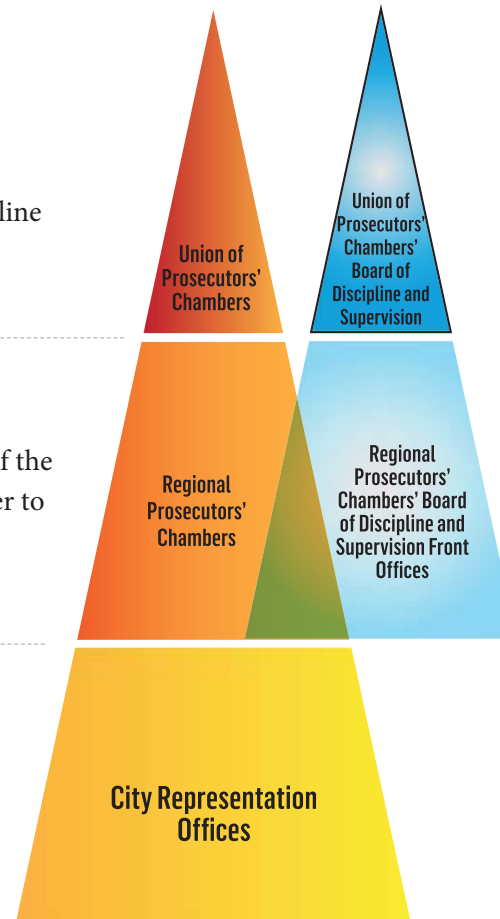
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The Hierarchical Structure of the Union of Prosecutors' Chambers, Regional Prosecutors' Chambers and City Representation Offices

- The Union of Judges' Chambers, and its Board of Discipline and Supervision, are in Ankara.

- Regional Judges' Chambers will be set up in the center of the city where a Regional Court of Appeal is located, in order to represent all the judges in the region.

- With the board of directors' resolution, Regional Judges' Chambers' city Representation Offices can be set up in cities or other administrative units.



PROVINCIAL BARS
UNIONS OF REGIONAL BAR ASSOCIATIONS
THE UNION OF TURKISH BAR ASSOCIATIONS

NOTES

The Duties and Authorities of Provincial and Unions of Regional Bar Associations and the Union of Turkish Bar Associations

Provincial and Unions of Regional Bar Associations and the Turkish Bar Association (also referred to as the Union of Turkish Bar Associations) are judicial professional associations that comprise attorneys and act in accordance with the democratic principles. Additionally, the herein-mentioned judicial professional associations are legal entities and have the status of a public institution.

The main objectives of attorneys who are working under the Provincial and Unions of Regional Bar Associations and the Union of Turkish Bar Associations are advocating for and upholding the rule of law and fundamental human rights and freedoms, and improving the attorneyship profession with this purpose in mind. Therefore, the duties and authorities of the bar associations include the following:

- Representing attorneys, advocating for attorneys' and bar associations' independence and accountability;
- Establishing and fostering professional unity, solidarity and co-operation among attorneys;
- Ensuring that attorneys are harmoniously and respectfully co-operating with other professions;
- Continuously improving the attorneyship profession and attorneys' professional order, ethics and morality, and increasing attorneyship prestige;
- Ensuring honesty and truthfulness in relationships between attorneys, with members of other legal professions, and with business owners;
- Determining the problems associated with the profession and offering solutions; and
- Carrying out necessary works to meet attorneys' common needs.

The Membership of Provincial and Unions of Regional Bar Associations and the Union of Turkish Bar Associations

Intern and trainee attorneys who are successful in the attorneyship written exam and the interview, assistant attorneys, and those who are admitted to the attorneyship profession are registered to the attorneyship registry by the Supreme Authority of Justice (SAoJ) and are automatically members of the Union of Turkish Bar Associations.

- Attorneys who are admitted to the profession and intern attorneys are automatically members of the Provincial and Unions of Regional Bar Associations in the province and region in which their office or workplace is located.
- Those who are admitted to the attorneyship profession, attorneyship vocational internship, attorney traineeship and the profession of attorney assistant are under an obligation to register to the attorneyship registry of the Provincial and Unions of Regional Bar Associations in the province and region in which their office or workplace is located, and to inform them as and when they transfer/move their office or workplace.
- Intern, trainee and assistant attorneys do not have a right to vote and cannot be nominated or elected to serve for a Provincial or Unions of Regional Bar Associations or the Union of Turkish Bar Associations. However, they can form membership groups within those associations, and can forward their requests and suggestions to their Provincial and Unions of Regional Bar Associations' or the Union of Turkish Bar Associations bodies.
- Interns are not required to pay the associations' membership fees.
- Attorneys shall exercise the rights granted to them by the law without being subjected to any restriction; interns and trainees can also exercise their rights in accordance with the attorneyship profession's purpose and within the restrictions set out for them.

Election Chart of the Union of Turkish Bar Associations and Other Bar Associations

The President of the Union of Turkish Bar Associations (UTBA) is elected by all practicing attorneys in a two rounds election:

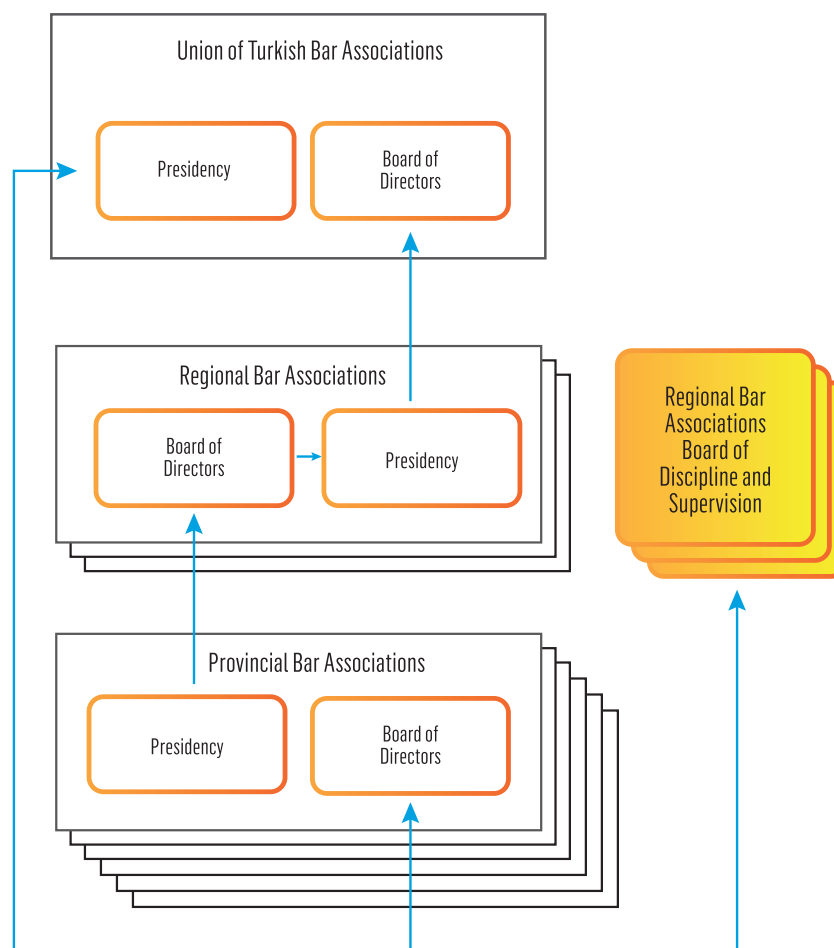
- In the first-round absolute majority is needed.
- In the second round between two most voted candidates the one who receives the majority of votes is elected as the president.
- The president is a natural member and the chairperson of the board of directors.

The president of Unions of Regional Bar Associations (URBA) is elected by the members.

- The presidents of URBA's are natural members of board of directors of the UTBA.
- For every additional 2,000 members one additional member is appointed to the UTBA board directors.

Those who receive the highest votes in elections for the board of directors for the Provincial Bar Associations (PBA) become the president, principal and substitute member of the board respectively.

- The presidents of PBAs are natural members of the board in URBA's.
- For every additional 2,000 attorneys in PBAs one additional member is appointed to the URBA's board of directors.



Attorneys who are admitted to the profession (Intern, trainee and assistant attorneys are not included)

Provincial Bar Associations and election of its organs

- Provincial Bar Associations are judicial professional associations with the status of a public institution. They are democratically managed and have independent legal personality.
- In cities where 800 or more practicing attorney have their registered offices provincial bar associations are set up. Where the number is less than 800 a joint provincial bar association is formed to cover all adjacent provinces located within the jurisdiction of the same regional court of appeal. There can be only one bar association within one city.
- In provincial bar associations with a member count of 5.000 or less, in addition to president five principal and two substitute directors are appointed to the board. President determines the number of the vice-presidents and their duties.
- When the member count exceeds 5.000 ten principal and five substitute directors are elected in addition to the president. After the president four directors who receive the highest number of votes serve as vice-president with the following duties: the first vice-president responsible for vocational education and development, the second for advisory, the third for elections and the fourth representation and press. President and vice-presidents altogether five of them represent the provincial bar association.
- President represent the PBA at the Unions of Regional Bar Associations. PBA with more than 2.000 members elect 1 additional representative for every additional 2.000 members. Additional representatives are elected by the board from among vice-presidents. In the event there is no sufficient number of vice-president then all of additional representative are elected from among members.

NOTES

The General Principles of the Bodies of the Provincial and Regional Bar Associations and the Union of Turkish Bar Associations

Board of Directors

- The highest decision-making body of the associations.
- The chairperson represents the associations both internally and externally.
- The chairperson must act in accordance with the decisions of the board of directors.

Board of Directors' Meeting

- A simple majority of the principal members of the board of directors constitutes the meeting quorum.
- The decisions can be adopted with the absolute majority of the voters that are represented during the meeting.

Chairperson

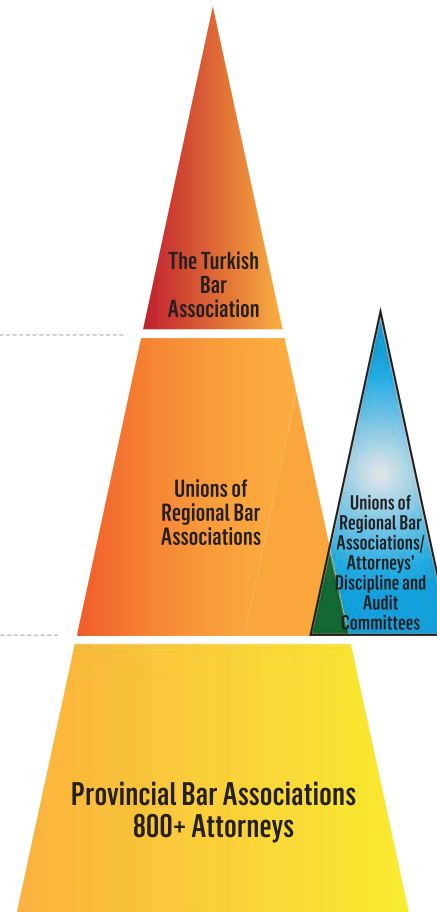
- Represents the association.
- Oversees and directs the board of directors and the executive committee.

Organization Chart of the Bars

- **The Union of Turkish Bar Associations** comprises the representatives of the Provincial and Unions of Regional Bar Associations.
- The Unions of Regional Bar Associations comprise the Union of Turkish Bar Associations.

- **The Unions of Regional Bar Association** covers all the Provincial Bar Associations located within the jurisdiction of a Regional Court of Appeal.
- Provincial Bar Associations compose Unions of Regional Bar Associations.

- **A Provincial Bar Association** is established in every city center where the offices and workplaces of more than 800 attorneys are located.
- A **Joint Provincial Bar Association** can be established to cover all adjacent provinces that are **located within the jurisdiction of the same Regional Court of Appeal** in cases when provinces do not have the required number of attorneys to establish a Provincial Bar Association individually.



PROVINCIAL BAR ASSOCIATIONS

The Organization of the Provincial Bar Associations

NOTES

Provincial Bar Associations have independent judicial professional associations with the status of public institution. They have a legal personality and are independent.

- Provincial Bar Associations are established in cities where there are at least 800 attorneys. In cases where there are fewer than 800 attorneys in a province, a Joint Provincial Bar Association can be established to cover all the adjacent provinces located within the jurisdiction of the same Regional Court of Appeal. There can only be one Provincial Bar Association in each city.
- When a Provincial Bar Association has more than 5,000 members, a sufficient number of board of directors' vice chairpersons should be appointed. It is mandatory to share vice chair duties among the vice chairpersons.
- Apart from the province where the Provincial Bar Association is located, the representative offices of the Provincial Bar Association can be found in judicial units, such as courthouses. The representative offices assist in the fulfilment of services provided by the bar associations, such as legal aid or the right of representation (as in the compulsory representation of the accused as mandated by law).
- Provincial Bar Associations operate and make decisions in accordance with the objectives of the attorneyship profession, and in accordance with the policies and principles determined by the SAoJ and the Union of Turkish Bar Associations.
- The bodies of the Provincial Bar Associations comprise a president, a board of directors and an executive committee.

NOTES

Formation of Provincial Bar Associations' Bodies

Chairperson, Vice Chairpersons and Board of Directors of the Provincial Bar Associations

- The president and the directors of the board are elected by the attorneys registered in that Provincial Bar Association by proportional representation.
- It is forbidden to use block lists or suchlike during the elections.
- The one who receives the highest votes is declared the president of the Provincial Bar Association and the chairperson of the board of directors. Following the chairperson, the top-five people who receive the highest votes become principal members of the board of directors, and the following two people become the substitute board members.
- In a Provincial Bar Association where the member count does not exceed 5,000, the chairperson of the board of directors determines the number of vice chairpersons and their duties.
- When the member count exceeds 5,000, 10 principal and five substitute board of directors' members are elected.
- Following the election of the chairperson, the top-five people who receive the highest votes during the board of directors' election serve as vice chairpersons. The one who receives the second-highest vote is declared the person who is responsible for vocational education and development, the one who receives the third-highest vote is declared the advisor/consultant, the one who receives the fourth-highest vote is declared the person responsible for elections, and the one who receives the fifth-highest vote is declared the person responsible for representation and press. All represent the Provincial Bar Associations.

Executive Committee of the Provincial Bar Associations

- The executive committee comprises the chairperson and two vice chairpersons of the Provincial Bar Associations' board of directors and the Provincial Bar Associations' secretary and bookkeeper.

UNION OF REGIONAL BAR ASSOCIATIONS

NOTES

The Formation and Organs of Unions of Regional Bar Associations

Unions of Regional Bar Associations (URBA) have independent legal personality and the status of a public institution.

The objectives of URBA's are to ensure the rule of law through out the country, especially within their region , an to protect and develop fundamental human rights and freedoms, and, with that purpose, to improve the attorneyship profession. Therefore, the duties and authorities of the URBA's include the following:

- Advocating and defending independence and accountability of the attorneys and the bar associations, and of the judiciary and the rule of law.
- Establishing and fostering unity, solidarity and cooperation among lawyers and judicial professionals
- Improving professional standards, prestige, ethics and morality
- Ensuring integrity among the professionals and in relations with the recipients of legal services and in general society
- Identifying and addressing the problems and the needs of the members

URBA's form the organisational back bone of the attorneyship profession. URBA's are independent in their decisions and operations. However they function in harmony by following the recommendations of the Union of Turkish Bar Associations and by adhering the policies and principles set by the SAoJ.

URBA's bodies comprise of the president, board of directors, executive committee and the Discipline and Supervision board.

President of the PBA form the board of directors (and the additional representatives of JBAs if any) of the URBA's which elect its own president by a simple majority of the directors.

An independent discipline and supervision board is established within every URBA having jurisdiction over all lawyers within the jurisdiction.

Attorneys' Discipline and Audit Committees within the Unions of Regional Bar Associations Jurisdiction

The Main Objectives: Ensuring and strengthening the rule of law and a legally trustworthy environment; improving the attorneyship profession; ensuring compliance with professional rules, ethical principles and values that improve and foster unity, solidarity and co-operation among attorneys, and with other professions; ensuring attorneys are fulfilling their duties in accordance with the SAoJ's policies and principles; identifying violations of said policies and principles; sanctioning such violations and raising awareness regarding such activities.

Formation and Meeting and Decision Quorums

- This committee is independent of the Union of Turkish Bar Associations, its president and its board of directors.
- The SAoJ appoints one member for each region among three candidates nominated by the Unions of Regional Bar Associations.
- The members appointed by the SAoJ comprise the judges of a Discipline and Audit Committee. The president of a Discipline and Audit Committee is elected by its members.
- In regions where the member count does not exceed 5,000, a Discipline and Audit Committee comprises seven members: five principals and two substitutes.
- For each additional 5,000 members, seven additional members are appointed to the Discipline and Audit Committee: five principals and two substitutes. In this case, the Discipline and Audit Committee operates in two chambers.
- For every additional 5,000 members, the number of Discipline and Audit Committee members likewise increases, and the committee operates by establishing an additional chamber.
- The meeting quorum is two-thirds of its members. The decisions can be adopted with the absolute majority of the voters that are represented during the meeting.

Duties

- Investigates all manner of allegations; however, this Discipline and Audit Committee is authorised only to give warnings or censure.
- Notifies the SAoJ if the complaints or allegations require severe penalties or necessitate an official disciplinary investigation.
- Provides opinions on professional ethics and disciplinary rules.

NOTES

The Union of Turkish Bar Associations and Its Duties

The Union of Turkish Bar Associations is an independent judicial professional organization that has a legal personality and the status of a public institution. The headquarters of the Union of Turkish Bar Associations is located in Ankara. The bodies of the Union of Turkish Bar Associations comprise a president, a board of directors and an executive committee. The Union of Turkish Bar Associations is fully independent in performing its duties and exercising its powers.

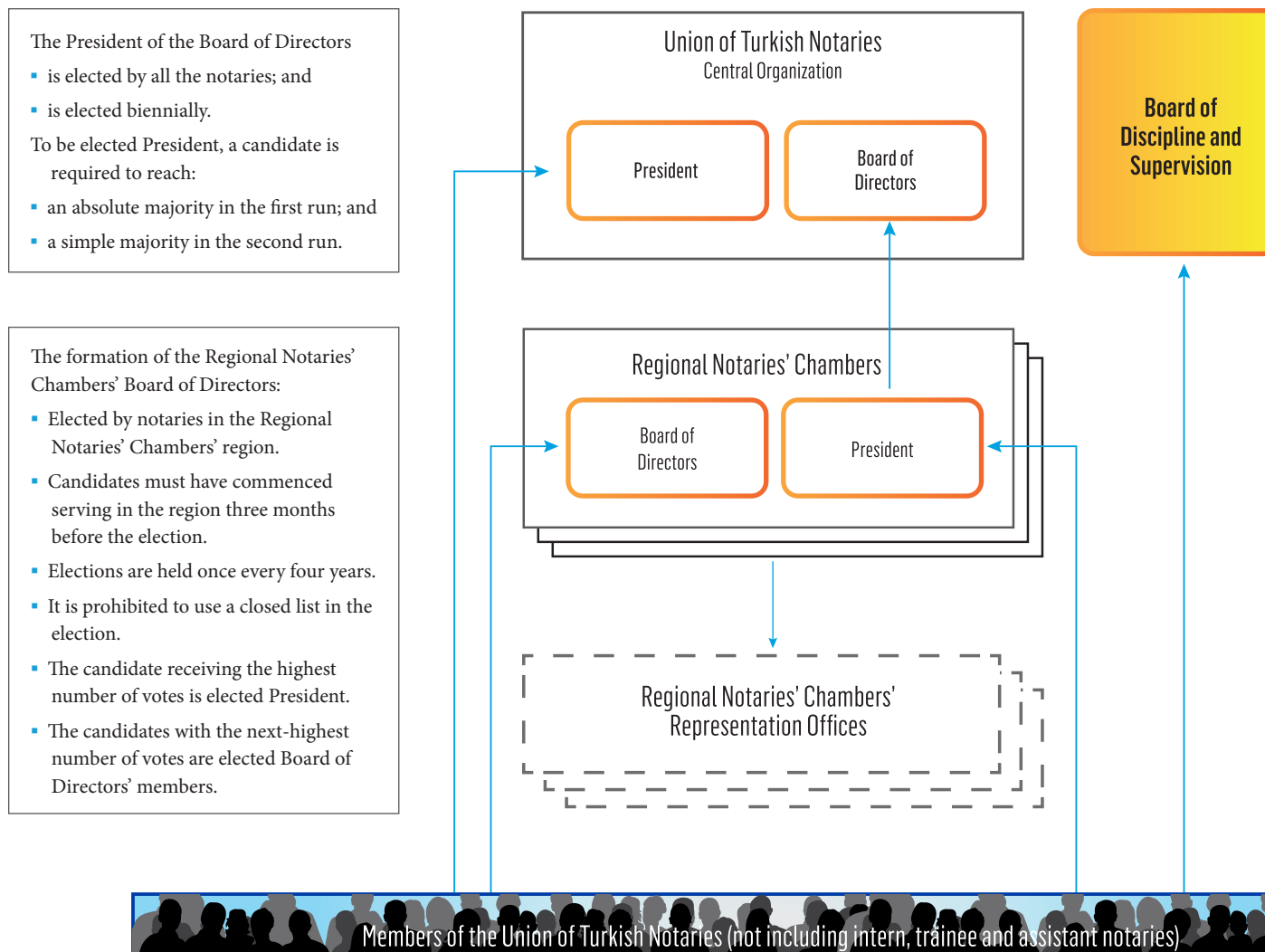
The main objectives of the Union of Turkish Bar Associations are to ensure the rule of law, to protect and develop fundamental human rights and freedoms, and, with that purpose in mind, to improve the attorneyship profession.

The duties of the Union of Turkish Bar Associations include the following:

- Developing suggestions regarding the SAoJ's policies and principles and for the improvement of co-operation and solidarity among the judicial professions;
- Advocating for attorneys', bar associations', and their bodies' independence and accountability;
- Representing all attorneys and Provincial and Unions of Regional Bar Associations at the highest level;
- Representing attorneys before the public and other relevant authorities on matters concerning the attorneys and the attorneyship profession by compiling the Provincial and Unions of Regional Bar Associations' suggestions;
- Determining the problems associated with the profession and offering solutions; and
- Establishing relations and co-operating with official and private professional institutions and associations both at home and abroad.
- The board of directors is the final deciding authority. The president of Union of Turkish Bar Associations acts in accordance with the board of directors' decisions.

THE UNION OF TURKISH NOTARIES
REGIONAL CHAMBER OF NOTARIES

The Union of Turkish Notaries and the Regional Notaries' Chambers: Organization and Bodies



The Union of Turkish Notaries and the Regional Notaries' Chambers

The Union of Turkish Notaries and the Regional Notaries' Chambers are two independent judicial professional associations that have both legal personality and public-institution status. They carry out their works in accordance with democratic principles.

Their main objective is to ensure and promote the rule of law and legal security, and to develop the notaryship profession and notaries for this purpose; to promote solidarity, harmony and co-operation between notaries and the members of other professions; and to represent notaries. They act in accordance with the policies, preferences and principles set out by the Supreme Authority of Justice.

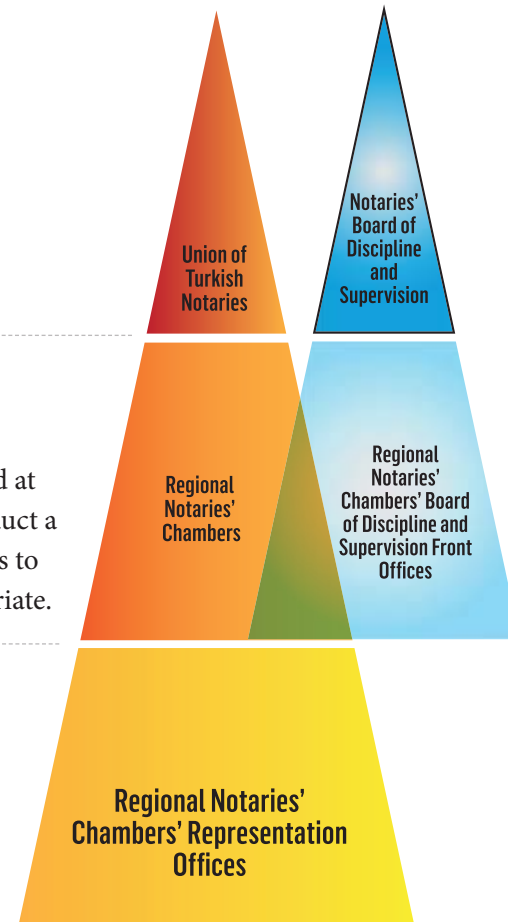
The scope of their duty includes the following:

- Advocating for the members of the profession and their independence;
- Determining professional principles, ethical values and principles and submitting these for the Supreme Authority of Justice's approval;
- Developing the competence, efficiency and accountability of and respect for the profession and its members;
- Determining notaries' professional problems and offering solutions to these; and
- Conducting disciplinary investigations into notaries – however, disciplinary investigations requiring the sanction of dismissal are conducted by the Supreme Authority of Justice.

NOTES

The Hierarchical Structure of the Notaries' Professional Associations

- The Union of Turkish Notaries comprises representatives of the Regional Notaries' Chambers.
- Regional Notaries' Chambers are established in all cities where a Regional Court of Appeals is located.
- The Board of Discipline and Supervision Front Offices are located at the Regional Notaries' Chambers. They receive a complaint, conduct a pre-examination, note the alleged deficiencies and forward details to the Notaries' Board of Discipline and Supervision, where appropriate.
- If required, and there are proven benefits, with the resolution of the Regional Notaries' Chambers' Board of Directors, city or district Notaries' Representation Offices can be set up. These Representation Offices do not have legal personality.





Saim Dursun,
“Sitem”
(Disapproval),
50 x 80cm,
oil on canvas,
spatula technique,
2011

THE UNION OF TURKISH NOTARIES

NOTES

The Notaries' Board of Discipline and Supervision

Main Objective: To ensure and promote the rule of law and legal security, and to develop the notaryship profession and notaries for this purpose; to promote solidarity, harmony and co-operation between notaries and members of other professions; and to determine any in compliant conduct, imposing the necessary sanctions and conducting awareness-raising activities, where necessary. They act in accordance with the policies, preferences and principles set out by the Supreme Authority of Justice.

Formation, Meeting and Decisions

- The board is independent of the Union of Turkish Notaries' President and Board of Directors.
- From the three candidates nominated by each Regional Notaries' Chambers, the Supreme Authority of Justice appoints one member for each region.
- The members appointed by the Supreme Authority of Justice for each Regional Notaries' Chambers form the Board of Discipline and Supervision.
- The members of the board elect the President among themselves.

Duties

- The board may investigate all manner of allegations – however, it may impose only warning and reprimand sanctions.
- If it is convinced that a case requires more severe sanctions, it refers it to the Supreme Authority of Justice and requests the initiation of a disciplinary investigation.
- The board may offer its advisory opinion regarding professional disciplinary rules.

The Regional Notaries' Chambers' Board of Directors: Formation and Duties

Formation

- The board comprises nine members elected for a term of four years by all the notaries admitted to the profession.
- The candidates must have practiced as a notary for at least five years at the time of the election.
- Any notary who has served in the region for at least three months can participate in the election.

Purpose, Duties and Authorities:

The board takes decisions and acts to uphold the rule of law, to protect and further human rights, and to develop the notaryship profession within the framework of this noble cause. The following are included within the scope of their duties and authorities:

- Advocating for the board's independence and accountability;
- Representing notaries in the region;
- Meeting the personal and common needs of the notaries in the region, such as training and development, and determining any problems, offering solutions and sharing these with the relevant institutions;
- Continuously developing the notaryship profession; maintaining professional order, ethics and morals; and upholding the respect for the same;
- Improving honesty and trust; ensuring and developing unity, solidarity and co-operation among notaries; and ensuring that relationships between notaries and other professionals are conducted with harmony and respect;
- Taking decisions and acting in accordance with the Union of Turkish Notaries' policies, preferences and principles.