

1972

## Practice of Law in Yugoslavia and Bulgaria

Michael W. Evanoff

---

### Recommended Citation

Michael W. Evanoff, *Practice of Law in Yugoslavia and Bulgaria*, 6 INT'L L. 337 (1972)  
<https://scholar.smu.edu/til/vol6/iss2/11>

This Article is brought to you for free and open access by the Law Journals at SMU Scholar. It has been accepted for inclusion in International Lawyer by an authorized administrator of SMU Scholar. For more information, please visit <http://digitalrepository.smu.edu>.

## Practice of Law in Yugoslavia and Bulgaria†

I just read Professor Gray's article concerning legal education in the Soviet Union and Eastern Europe in the October issue of the *International Lawyer*, (Vol. 5, page 738). This was very interesting to me inasmuch as I do a substantial amount of foreign heirs work and either have direct contact or see the result of the work of attorneys in the Soviet Union and some of the other countries he has mentioned.

I am of Yugoslav descent having been born in Macedonia and am a graduate of University of Michigan Law School.

The article does not touch upon legal education and lawyers in Yugoslavia and Bulgaria, nor does it cover the matter of "bar exams" and licensing to practice. I have been to Bulgaria and a couple of times back to Yugoslavia, including last year, and visited with lawyers and in court-houses in both countries.

In Yugoslavia, the legal profession seems to be one of the most popular along with medicine and architecture. I have relatives who are going to law school and some who are lawyers, and I visited the law school at the University of Belgrade.

My understanding is that after graduating from law school, they go into legal practice as "pravniks" by working in some factory, institution, in the courts, consular offices, as judges and other areas where they spend at least two years of practical work, then they take the bar exam which would entitle them to become full-scale lawyers.

This seems like a rather strange procedure from our point of view and I am wondering how many of us would be able to pass a bar exam after being two years away from academic study. One of the Yugoslav Consuls in Chicago is a pravnik and handles his matters in a very lawyer-like fashion. Also, I wish my Yugoslav were as good as his English.

The courts I visited in a number of cities seemed very well appointed, even in Tetovo, Macedonia, which is a small city of some 25,000 people

---

\*B.A. and J.D., Univ. of Michigan; Member of the State Bar of Michigan.

†Revision of letter to Professor Whitmore Gray.

and which is my birthplace. They have a nice courthouse with six court-rooms. I believe that two of the judges were women. All the judges are chosen by the legislative bodies at the respective levels.

They usually have one professional judge and two lay judges who have equal voice in the determination of a case. Sometimes these lay judges would be the *pravniks* I mentioned earlier. The cousin who escorted me around in the courthouse in Tetovo was a lay judge at one time, also a priest, then a judge professionally and now a private lawyer. I did not ask whether he felt he was going up or down in the scale of eminence.

I visited lawyers' office in several cities in Yugoslavia and some in Bulgaria and I was impressed with the very economical library demands. It seems they do not have our common law or *stare decisis* system and need very few books. I brought with me a copy of the Code of Criminal Law of Yugoslavia and it is just a little book, not much bigger than the small size edition of the Episcopal Book of Common Prayer.

The lawyers in Yugoslavia tend to engage in private solo or small offices, mostly on ground floor store fronts in the business districts. A cup of Turkish coffee is in order anytime. In Bulgaria they tend to work in large cooperative firms and tend to locate around the interior court yards of apartment or business buildings.

While in Belgrade at the law school there, I visited the law library and was amazed to find a great many references to English and American law and several law school reviews. Alas, they did not have the Michigan Law Review. For some peculiar reason they had the law review of the University of North Carolina.

In discussing their education with lawyers, students, and teachers, I found they learn much more about our legal system than we do about theirs.

One might be interested in an example which I came across of an application of their laws and lawyers. While visiting a monastery near Ohrid, Yugoslavia the lady attendant and a woman were discussing some problem in Macedonian, which I understand, and as I came to the desk to sign my name as a visitor, they asked me what my line of work was. I told them that I was an attorney. So the attendant proceeded to tell me about a case which involved a suit against her husband by a neighbor lady, on an allegation that he picked up a stone which had fallen from the crumbling stone line fence, and tossed it in her direction, to her injury.

They had had a trial in the municipal court and the plaintiff won. This was then appealed to the superior court in Skopje and remanded for a new trial. Now the parties were preparing for the new trial and the lady won-

dered if the Plaintiff's son-in-law could testify and also whether they would be able to really get a fair trial since the son-in-law was an auto mechanic who fixed the judge's car. I tried to comfort her with the expression that a judge would be above being prejudiced by this circumstance but she was very concerned about it!

I then inquired how much was involved and how long the case had been in process. "Two years," she said, and the judgment was for 5,000 "old" dinars. A moment for translation into American money and I exclaimed, "Oh, Gospode Moi! (Oh, My God) That is only \$4." Then I said, "Why don't you pay the \$4 and get it over with?" "Oh, no," she said, "it is the principle of the thing. We will appeal to the Supreme Court in Belgrade if necessary." "But is not all this costing you a lot of money in lawyer fees?" She replied, "Oh, we don't have to pay the lawyer. He is a friend of ours."

So I shook my head and said to myself where have I heard this before. I then bought a souvenir icon of St. George slaying the dragon, crossed myself in the Eastern Orthodox manner, and left, still shaking my head!

May I say again that I enjoyed reading Professor Gray's article and hope that the experiences which I have related prove to be of some interest.