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भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi - 110002

BCI:D:5383/2024

Date: 15.10.2024

To,

1. The Secretary/ies,
All the State Bar Council/s,
2. The Secretary/ies,
All the Bar Association/s

Through

The Secretary/ies,
State Bar Councils

**Sub.: Minimum Stipend for Junior Advocates associated with/assisting
Advocates/Senior Advocates/Law Firms.**

Sir(s)/Ma'am(s),

In compliance with the directions issued by the Hon'ble High Court of Delhi in W.P.(C) No.10159/2024 dated 25th July, 2024, and after taking into consideration the representation made by Ms. Simran Kumari, the Bar Council of India has deliberated extensively on the issue of financial support for junior advocates associated with/ assisting senior advocates, advocates, and law firms.

The Bar Council recognizes that while junior advocates often face significant financial challenges during the early years of their careers, it is equally important to appreciate the diverse financial capacities and earning potential of senior advocates and law firms across India. Therefore, this circular provides directory guidelines for the payment of a minimum stipend to junior advocates, with due regard to the varying economic realities of the profession.

In urban areas, the minimum stipend for junior advocates is recommended to be

The minimum stipend shall be provided for a period of at least three years from the date of engagement of the junior advocate.

To ensure transparency and accountability, it is recommended that the stipend be paid via bank transfer or any other documented and verifiable method.

The Bar Council of India acknowledges that the earning potential and financial capacity of senior advocates, as well as law firms, vary significantly based on multiple factors.

Advocates in metropolitan cities often have higher earning potential due to high-profile cases and corporate clients, whereas advocates in smaller towns and rural areas may have fewer opportunities and lower-paying cases.

Advocates practicing in high value sectors such as corporate law, intellectual property, or tax law may have greater financial resources, while those practicing in civil, criminal, or public interest litigation may face irregular or lower earnings.

Even among senior advocates, Advocates, Law Firms, there are considerable differences in financial situations based on years of experience, client base, and case load. Solo practitioners or those in less lucrative areas of law may not always be in a position to provide substantial financial support.

Given these disparities, the implementation of this guideline cannot be made mandatory across the board. Senior advocates, Advocates and firms are encouraged to comply with the stipend guidelines to the best of their ability, but the Bar Council recognizes that financial limitations should not be equated with indiscipline or a lack of responsibility.

In addition to financial support, senior advocates, Advocates, Law firms are encouraged to provide mentorship, guidance, and opportunities for junior advocates to develop their professional skills. Mentorship includes allowing junior advocates to observe and participate in court proceeding, providing guidance on legal research, drafting, and case strategy and supporting the professional growth and networking opportunities of junior advocates.

The value of mentorship should not be overlooked, as it is an essential part of a junior advocate's development and often contributes more to their long-term success than financial support alone.

Senior advocates and law firms should issue a formal engagement letter to junior advocates, outlining the terms of the stipend, duration of engagement, and the scope of mentorship provided.

Junior advocates who do not receive the stipulated stipend or face other engagement-related grievances may file a complaint with the respective State Bar Council. The State Bar Council will address these grievances in coordination with the Bar Council of India. However, grievances related to genuine financial constraints on the part of the senior advocate will be addressed with flexibility, understanding the practical limitations involved.

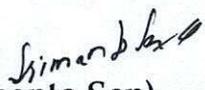
The Bar Council of India will establish a committee to monitor the implementation of these guidelines and review their effectiveness periodically. Adjustments to the stipend amounts and related policies will be made based on feedback from the legal community and the prevailing economic conditions.

The Bar Council of India urges all senior advocates, Advocates, firms, and the legal community to strive towards the financial and professional development of junior advocates. While financial support is important, the Council recognizes that earning potential varies across the profession and that mentorship and training are equally valuable to the growth of junior advocates.

These guidelines aim to nurture a balanced approach, encouraging financial support wherever possible while being mindful of the diverse financial realities within the legal profession. The Bar Council of India hopes that senior advocates and firms will embrace these guidelines in the spirit of promoting fairness, professional growth, and the overall health of the legal profession.

The Secretaries of the State Bar Councils are further instructed to widely publicize this circular among the legal fraternity.

This circular is issued in line with the order of the Hon'ble High Court of Delhi dated 25th July, 2024, in W.P.(C) No.10159/2024.


(Srimanto Sen)
Secretary
Bar Council of India