

**By the Judgement of 10 November 2022 No. 49-II the Constitutional Court of the Russian Federation assessed constitutionality of Article 17, item 3, paragraph 2 of the Federal Law “On Advocacy and Legal Profession in the Russian Federation”**

This provision was subject to examination insofar as it resolves the issue of the right to be a representative in court in respect of a person whose attorney status was terminated before 1 March 2021, the date this statutory provision came into force, due to the entry into legal force of the judgment finding that person guilty of an intentional crime.

The challenged legal provision was found not to contradict the Constitution of the Russian Federation insofar as it provides, as a consequence of the decision to terminate the status of an attorney in connection with the entry into legal force of a court judgment finding a person guilty of committing an intentional crime, the prohibition on that person being a representative in court (except for his participation in the process as a legal representative)

The challenged legal provision was also found to be inconsistent with the Constitution of the Russian Federation to the extent that it introduces an indefinite prohibition on being a representative in court for that person.

Until appropriate legislative changes are made, the period of validity of the prohibition on being a representative in court for this person should be recognized as equal to the period of criminal record, but not less than five years from the date of the decision to terminate the status of an attorney. In case of termination of the status of the attorney on other listed grounds in the Article 17, item 3, paragraph 2 of the Federal Law “On Advocacy and Legal Profession in the Russian Federation” – within the period specified in the decision on termination of the status of the attorney, after the expiration of which the person is allowed to take the qualification exam to acquire the attorney status.