

Rules of Professional Conduct for Lawyers

Minister of Justice Decision No (3453)

24/12/1442 AH

*This is unofficial translation provided for guidance. The governing text is the Arabic official text.

Decision No. (3453) of 24/12/1442 AH

The Minister of Justice,

By virtue of the powers duly vested in him, pursuant to Article (forty-two) of the Code of Law Practice issued by Royal Decree no. (r/38) on 28/07/1422 AH which states that: “The Minister of Justice shall issue the implementing regulations for this Code, and these regulations shall be published in the Official Gazette. He shall also issue any decisions necessary for their implementation,”

Upon reviewing the Minister decision no. (4649) of 08/06/1423 AH regarding the approval of the implementing regulations of the Code of Law Practice, and in coordination with the Saudi Bar Association,

Hereby decides:

First: To approve the Rules of Professional Conduct for Lawyers in the version attached hereto.

Second: To amend the implementing regulations of the Code of Law Practice as follows:

- 1- Amending Article (4/10) so it reads as follows: “It is not permissible for lawyers involved in litigation or consultancy services to represent parties of conflicting interests in the same case, unless the parties relevant to the case have expressed written consent, and it is possible to practice competently and professionally.”
- 2- Repealing Article (1/11)
- 3- Repealing Article (6/13)
- 4- Repealing Article (2/14)
- 5- Adding an article under no. (4/15) that reads as follows: “The prohibition stipulated in this article shall not apply if there is a written consent from the principal or client and it was possible to practice competently and professionally.”
- 6- Repealing paragraphs (a) and (d) of Article (2/23).

Third: This decision shall be published in the Official Gazette and shall go into effect as of the day of its publication.

May Allah grant Success.

Minister of Justice

Walid Bin Mohammed ALSAMAANI

Rules of Professional Conduct for Lawyers

Table of Content

Chapter I: General Provisions and Rules	1
Chapter II: Lawyer - Client Relationship.....	3
Chapter III: Consultation	5
Chapter IV: Litigation.....	5
Chapter V: Lawyer Dealings with Non-Clients.....	6
Chapter VI: Lawyer Dealings with the Media	6
Chapter VII: Law Firms	7
Chapter VIII: Final Provisions.....	8

Rules of Professional Conduct for Lawyers

Chapter I: General Provisions and Rules

Rule 1

The following terms and expressions shall refer to the corresponding meanings, unless otherwise stated in the context

- Law: The Code of Law Practice
- Rules: Rules of Professional Conduct for Lawyers.
- Profession: Legal profession.
- Ministry: Ministry of Justice.
- Minister: Minister of Justice.
- Legal work: Every work performed by a lawyer in the exercise of his profession in accordance with the provisions of the Law, including representation of third parties, and rendering consultancy services based on the principles of Sharia and the rule of law
- Law firm: a law office or a professional law firm.

Rule 2

The Rules aim to achieve the following:

- 1- Develop and raise the standards of the legal profession.
- 2- Regulate the responsibility of lawyer in the practice of his profession and define his responsibilities towards clients, colleagues, judicial authorities and society.
- 3- Bolster the legal protection of lawyer, their clients, and other concerned parties.
- 4- Promote the principles of transparency and accountability in the lawyer' professional practices.
- 5- Improve the efficiency of the justice system's performance by enhancing the level of legal professionalism and promoting its preventive aspects.

Rule 3

The Lawyer shall maintain the honor and dignity of the profession and shall not act in any way that undermines the people's trust in them or the profession.

Rule 4

During the practice of the profession, the lawyer shall be suitably dressed, in full respect of the general professional appearance, and without breaking with customs.

Rule 5

Lawyer shall conduct himself with honor, honesty, and integrity on a personal level, even outside the scope of the legal practice.

Rule 6

The lawyer shall strive to continuous learning and development. He shall follow up on the new laws, regulations, rules, decisions and the like in relevance to the profession, in what enables him to practice it with the highest degree of professionalism, and to avoid mistakes and negligence.

Rule 7

The lawyer contributes to serving the community and those in need through volunteer work and community initiatives as required by the relevant laws.

Rule 8

- 1- The lawyer shall not act in any way that represents an actual or potential conflict of interests with his current or former clients, except after obtaining the written consent of the concerned client.
- 2- The lawyer shall not act in any way that represents an actual or potential conflict of interests with former employers, except after obtaining the written consent of the concerned employer.
- 3- Providing legal services against former employers shall not be considered a conflict of interest, if five years have passed since the expiration of the relationship between both parties.
- 4- Providing legal work against former clients shall not be considered a conflict of interest, if three years have passed since the expiration of the relationship between both parties or since the last legal work were provided.

Rule 9

- 1- The lawyer may not represent third parties in any case or consult on any incident to which he was previously privy, which he considered, or about which he expressed his opinion in his capacity as an arbitrator, mediator, expert, conciliator, third party, judge, prosecutor, employee, lawyer, or attorney of the other party.
- 2- An exception to paragraph 1 of this rule: The lawyer may represent a client and consult on a case or incident to which he was previously privy, which he considered, or about which he expressed his opinion in his capacity as a lawyer or an attorney of the other party, if all parties to the case or incident express their consent in writing.

Rule 10

A lawyer may not practice if a definitive decision of suspension was issued against him.

Chapter II: Lawyer - Client Relationship

Rule 11

Before agreeing to exercise a legal work, the lawyer shall ensure the following:

- 1- His ability and readiness to perform tasks in a timely manner.
- 2- There is no conflict of interest between the client involved in the case or the incident, subject matter of the contract, and his former or current clients.
- 3- Client's identity and eligibility.

Rule 12

Subject to the guidance contract templates issued by the competent department, the lawyer shall, before proceeding with any legal work, and in agreement with his client, draft a written contract that includes the following:

- 1- The parties' personal information
- 2- The legal work, subject of the contract, its thematic scope and expected timeframe.
- 3- The fees or method of calculation of fees.

Rule 13

The fees shall be determined according to the contract concluded with the client, and the lawyer shall take into account the following:

- 1- The time, effort, skills, and capacities required to perform the legal work.
- 2- The fees charged by his counterparts in the local market.
- 3- The impact of the contract on his relationship with other clients.
- 4- The nature and duration of the professional relationship.
- 5- The lawyer's professional experience and reputation.

Rule 14

The lawyer shall not undertake activities that are not required for the implementation of the contract for the purpose of increasing the costs incurred by the client.

Rule 15

The lawyer shall take into account the social and financial situation of his client through the course of their relationship.

Rule 16

- 1- The lawyer shall commit to the terms of the contract concluded with the client.
- 2- The lawyer shall exercise due diligence, reasonable effort, accuracy, and expediency in performing his work, in accordance with the scope of the contract and principles of the profession.
- 3- The lawyer shall not promise an outcome that lies beyond his control or which cannot be guaranteed.

- 4- Paragraphs 2 and 3 of this Rule Shall not prejudice the lawyer's duty to achieve the outcome naturally required of the legal work, or stipulated in the contract, such as the lawyer's obligation to attend sessions and submit documents on time.

Rule 17

The lawyer shall only act on his client's written instructions unless those instructions violate laws, rules, or principles of the profession.

Rule 18

The lawyer shall not deceive or exploit the ignorance or trust of his client in any way, including making illegal personal gains, using the client's personal information against them, disposing of the disputed rights in favor of the lawyer and making illegal profits from the contractual relationship with the client.

Rule 19

The lawyer shall be trustworthy and honest, and act with integrity regarding his clients, and shall express his professional opinion candidly and clearly, and explain all the client's available options.

Rule 20

The lawyer shall inform the client of all developments affecting the legal work, subject of the contract.

Rule 21

The lawyer shall protect the client's information and documents. He shall not disclose or divulge their contents in any way, even after the termination of the contract, except in the following cases, and to the extent that satisfies the purpose:

- 1- Preventing a crime.
- 2- Suspecting crimes of money laundering or terrorism funding.
- 3- What is needed by the lawyer to defend himself against any proceedings or complaint.
- 4- The client's written consent to the disclosure.
- 5- Based on a legal text or a judicial order to do so.

Rule 22

- 1- Without prejudice to civil liability, a lawyer ceasing legal work before its completion shall not be considered professional misconduct, if the continued undertaking of such legal work would lead to violating laws or rules, or if the resignation is for a legitimate reason.
- 2- The lawyer who wish to withdraw from the legal work before its completion shall inform the client in sufficient time before withdrawing to spare the client the potential resulting damage.

Rule 23

- 1- Once the legal work is completed, the lawyer shall return the original documents and papers to his client upon the latter's request, within five years from the termination of the contractual relationship. Once this period elapses, the client forfeits this right.

- 2- The lawyer is not bound to deliver to his client the papers drafted during the exercise of legal work or proceedings, or any documents pertaining to the practice he provided and for which he has yet to be remunerated.

Rule 24

The lawyer shall not collect or accept his fees from anyone other than his client, unless the client gives a prior informed consent, confirmed in writing.

Rule 25

The lawyer shall respect the deadlines.

Chapter III: Consultation

Rule 26

The lawyer shall offer consultation autonomously and objectively. When setting the fees, he must take into consideration the relevant factors affecting the situation of the person seeking consultation, such as the financial and social situation.

Rule 27

The lawyer may not offer legal consultation that would assist the client in breaking or violating the law.

Rule 28

Subject to the exceptions stipulated under Rule 21, the lawyer must not break the confidential consultation offered, or violate the privacy of the concerned parties in any way.

Chapter IV: Litigation

Rule 29

- 1- In civil proceedings, the lawyer shall abide by the ethics and principles of the profession. He shall abstain from acting in a manner that would obstruct justice or delay adjudication of the proceedings.
- 2- The lawyer shall abide by court orders and refrain from exercising influence through illegal means.

Rule 30

The lawyer shall respect the judges as well as their assistants. He shall refrain from any illegal action that would affect the course of the case or the court's opinion.

Rule 31

Without prejudice to the stipulations of relevant laws, the lawyer is prohibited from communicating directly or indirectly with the judge on an ongoing case except during a court hearing or in the presence of the other party to the proceedings.

Rule 32

The lawyer is prohibited from altering or contributing to the alteration of any documents or statements, and from relying on repealed legal provisions, incomplete rulings, or legally prohibited or false statements.

Rule 33

- 1- The lawyer shall respect human rights and treat all people - including the accused in criminal cases - on the basis of respect without personal judgment.
- 2- The lawyer shall defend the client and enable him to enjoy all their lawfully guaranteed rights regardless of his or any other party's opinion.

Chapter V: Lawyer Dealings with Non-Clients

Rule 34

The lawyer shall treat clients and non-clients with respect. He shall not use his profession to cause any form of harm, including abuse or blackmail.

Rule 35

The lawyer shall treat colleagues in the profession with courtesy, respect and cooperation in accordance with the principles of the profession. He shall not engage in any form of abuse, be it physical or emotional, verbal or in writing, in the media or communication media, among others.

Rule 36

- 1- Subject to relevant laws, the lawyer may not communicate about the case with the opposing party except through opposing counsel, unless otherwise requested by the client.
- 2- Should opposing counsel ask the lawyer to deliver a message or information to the client, he must oblige and not refrain from doing so.

Chapter VI: Lawyer Dealings with the Media

Rule 37

The lawyer while participating in social media or advertisement including electronic broadcasting shall abide by the following:

- 1- The relevant laws, rules and decisions.
- 2- Preserve the privacy of his clients or others, and protect their confidential information and data.
- 3- Refrain from practicing any form of misleading, forgery or deception, and any action unbecoming of the profession.
- 4- Preserving the integrity of the judiciary and its members, without questioning it in any way.
- 5- Refrain from publishing facts of the investigations and trials without the competent authority's permission.

- 6- Refrain from providing a detailed answer to specific questions in an ongoing case or a case that may be brought before the judiciary, with the aim of attracting clients on that case or being hired for representation.
- 7- Dress appropriately without breaking with customs and in full respect of the general professional appearance.
- 8- Adhere to the advertising controls stipulated under Rule 38 of these Rules.

Rule 38

When a lawyer advertises for himself directly or indirectly, he shall take into account the following:

- 1- The advertisement shall not be misleading, false or deceptive, such as misleading in reference to his qualification and experience.
- 2- The advertisement shall not violate these Rules or the principles and dignity of the profession.
- 3- The lawyer shall not violate the privacy of his clients or others and their confidential information and data.
- 4- The advertisement shall not impugn the profession or the judiciary in a way that contributes to shaking or undermining trust.
- 5- The advertisement shall not violate any instructions or controls set by the competent department.

Chapter VII: Law Firms

Rule 39

Law firms must have offices befitting the profession and must show the firm's register in a visible place.

Rule 40

The lawyer and law firm shall abide by these Rules and take the necessary procedures, policies and the like to guarantee compliance and awareness by all employees, including lawyers and trainees in the firm, while monitoring and ensuring their observance of the Rules.

Rule 41

The lawyer shall fulfill the rights of trainee in his law firm and set a good example; giving advice and guidance, sharing knowledge and experience, fostering their capacities, and helping them improve their performance. He shall observe the relevant laws and instructions in his interaction with them.

Rule 42

Without prejudice to the relevant accounting standards and laws, the law firm shall keep all records, papers, documents, and data for all financial transactions, for a period of no less than five years from the date of termination of the transaction or the closing of the account.

Chapter VIII: Final Provisions

Rule 44

The provisions of Article 29 of the Law shall apply to anyone who breaches the Rules.

Rule 45

Without prejudice to civil and criminal liability, the lawyer shall be responsible for the violation of the Rules, whether he committed, directed or commissioned the violation.

Rule 46

The Rules shall be published in the Official Gazette and shall come into force (thirty) days after its publication.

-End of Rules -