



Isaan Lawyers

Nakhorn Ratchasima,

Thailand, 30000

บริษัท อีสาน ลอว์เยอร์ จำกัด

จ.นครราชสีมา 30000

<http://www.isaanlawyers.com>

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Regulations of Lawyer Council (Thailand) regarding the ethic of lawyer 1986

By virtue of Section 27 (3) (e) and Section 51 and with the approval of the Honorable Chairman of the Lawyer Council under section 28 of the Lawyers Act 1985, The Board of Lawyer Committee issues the following regulation regarding ethic of the lawyer;

Chapter1 General Provisions

- Article 1** This Regulation is called "Regulations of Lawyer Council regarding the ethic of lawyers in 1986"
- Article 2** This Regulation shall be in effect after the date of its publication in the Royal Gazette.
- Article 3** This repeal the provisions on lawyer's etiquette and the dressing code of the lawyers in comply with the regulations of the Bar Association and other existing applicable law prior to this effective date.
- Article 4** A lawyer who violates or fails to comply with any following rule, he or she shall be deemed to commits an ethical misconduct.

Chapter 2 Ethic towards the Court and in court

- Article 5** A refusal to act as pro bono lawyer in a criminal case in Court when a judge asks unless there is reasonable excuse.

- Article 6** Fails to respect an authorization of the court, or is in contempt to the court or a judge either in a court house or outside of a court house, tarnishing the reputation of the court or the judge.
- Article 7** Giving a false statement or false documentation or evidence or deceived the court to reveal an order or judgment.
- Article 8** Accomplice directly or indirectly to produce false evidence or leads a witness to give a falsified testimony, conceal any evidence which should be submitted to the court, or promise to give a bribe or accomplice to give bribe to an official.

Chapter 3 Etiquette towards Client

- Article 9** To promote or incite to file any lawsuit without any probable (“valuable or reasonable”) cause.
- Article 10** To commit one of the following fraudulent acts;
- (1) To convince that such a case will win even though a lawyer obviously knows that it will lose.
 - (2) To flaunt that they know better than any other lawyer.
 - (3) To flaunt that he/she knows someone who could give a privilege. To commit a fraudulent act that he/she can persuade someone to help the case. To coerce that if he/she doesn’t have a case, and find a way to lose the case.
- Article 11** To disclose confidential information about a client unless the lawyer obtains consent from his client or by Court.
- Article 12** Commit one of the following acts and diminish the interest (“chances”) of the client
- 1) Deliberately be absent to an appointment or neglect the case.
 - 2) Deliberately neglect to perform in relation of the prosecution or obscuring any information from the client.
- Article 13** Giving consult (“legal advice”) or acknowledge the case of one party, and later on if such a person accepts to be a lawyer of the other party, use the previous information to assist the opposite party in the same case.
- Have been consulted, or have any previous knowledge of the case related to one. (?)
- Article 14** The lawyer must not use deceit in any way, for their own benefit other than agreed, without good reason.
- Article 15** Unless there is a reasonable cause, a lawyer shall not retain or possess money or property which received on behalf of client longer than an expected period and without consent of the client. Such act is fraud, misappropriation or cheating.

Chapter 4
Ethic towards the other lawyers, litigant and others.

Article 16 To compete, bid or promise to accept a case when there is other existing lawyer to the litigant except;

- (1) When obtaining consent of the existing lawyer of such case;
- (2) It reasonable to believe that the existing lawyer has withdrawn himself from the case;
- (3) The existing lawyer refuses or declines to continue the case.

Article 17 To advertise or allows others to advertise as follows;

- (1) The rate of lawyer's fee or advertise that there is no lawyer's fee with the exception of the announcement of lawyer related to the Public legal assistant and operated by the lawyer of council or another institution, association, organization or relevant government official or;
- (2) Exaggerating about name, qualification, place or office in order to persuade clients. Nevertheless a lawyer may display name, qualification or other if done reasonably.

Article 18 To conduct a profession or business or misbehave himself against the good moral or diminish the dignity and pride of lawyers.

Article 19 To agree or promise to give a commission or reward or any nature of benefit to a person, including the clerk or employee of the law office who could supply a case to the lawyer.

Chapter 5
Ethic about the dress code

Article 20 Lawyers are required to dress modestly during the legal proceeding as follows;

- (1) Male lawyers should wear informal attire, in white or other non-colorful clothes, white shirt, sailor knot of black or other non-colorful, or long or short sleeve of Thai style shirt, and white, brown or black socks and closed shoes.
- (2) Woman lawyer should wear informal attire. The dress code should be a non-colorful blouse and skirt with closed shoes.
- (3) Lawyers who are entitled to wear an official uniform, are allowed to wear this official uniform.
- (4) Lawyers who are entitled to wear a robe must put it on, while trying the case in the court room.

Chapter 6
Etiquette complies with laws and regulations

Article 21 The lawyer shall perform strictly in accordance with the order of the Honorable Chairman of Lawyer Council, board of committee, Lawyer Council and Board of Ethic Committee as well as the regulations or requirements or orders by person or group of person which applicable by the Law.

Announced on 18th February 1986

Prathan Duangrat
President of Lawyer Council

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