

In order to work as a lawyer in court proceedings in the Archduchy of Austria below the Enns, one had to report to the Lower Austrian Court of Appeals and submit an application for a licence. In accordance with the **General Court Order** of 1781 the applicant had to have a doctorate from a university in the Habsburg Hereditary Lands and provide evidence of having completed an internship with an already licenced lawyer. The latter was to write a job reference to the Lower Austrian Court of Appeals commenting on the “experience” of the applicant, and his “thereby displayed diligence, aptitude and integrity”. The court order also stipulated that both a written and an oral exam had to be passed. The Lower Austrian Court of Appeals was required to “strictly test the applicants in both theory as well as in the application of the court order, as well as in all territory laws.”

Before a lawyer assumed responsibility for the representation of a client he was, according to the General Court Order, supposed to examine “whether or not the dispute was just and equitable, and therefore qualified to be represented”. Once the lawyer agreed to take a case he was not allowed to terminate his representation without “substantial cause” before the end of the legal proceedings. In addition to this it was also not permitted to represent both parties in the same cause. If the lawyer had represented one of the parties in previous proceedings, he was not permitted to take up the representation of the opposing party in further proceedings.

*Georg Tschannett, 2016, translation Jennifer Blaak*

### **Next: Lawyers (1857-1868)**

Citation: Georg Tschannett, Lawyers (1783-1850) » Start » Lawyers, in: Webportal. Marriage at Court 3.0, 2024,

<[http://ehenvorgericht.univie.ac.at/?page\\_id=10552&lang=en&pdf=10552](http://ehenvorgericht.univie.ac.at/?page_id=10552&lang=en&pdf=10552)>. [Date of access: 2024-04-26]