

Annual Report of the Swiss Bar Association (SBA) for the attention of the European Presidents' Conference 2025 in Vienna

Professional secrecy

Professional secrecy forms a central pillar alongside independence within the judicial system. During the reporting year, politicians and media professionals regularly had to be made aware of this. They tend to perceive professional secrecy as a privilege of the legal profession and fail to recognize that professional secrecy covers not only the forensic but also the advisory activities of the legal profession.

How can a lawyer successfully conduct proceedings if the client withholds important facts from them during the preliminary consultation because these are not subject to professional secrecy? How can a lawyer advise a client against taking legal action during the consultation if they have not been provided with all the facts?

During the deliberations in parliament on the Russia sanctions and the Draft Federal Act on Combating Money Laundering and Terrorist Financing, the SBA vigorously advocated not only the defence of professional secrecy but also an efficient and target-oriented solution.

Diversity/Wellbeing

Who will replace the baby boomers? An in-depth discussion of this topic was held at the 2024 Bar Association Conference in Solothurn, under the heading “What perspectives does the legal profession offer?”. In the panel discussions, the young colleagues explained that ultimately the employment conditions in a law firm have a major influence on whether they will remain in the legal profession.

In response, the Executive Board of the SBA has approved a rough concept for implementing measures that will ultimately enable law firms to offer a modern, efficient and economically attractive environment. On the other hand, young colleagues should receive the support they need at the very beginning of their careers, in the form of flexible, modern employment conditions and, if necessary, accompanying measures such as mentoring.

Last but not least, such services should also be offered to colleagues who find themselves in a crisis at a later stage in their professional lives, so that supportive measures are available in a timely manner.

Digitisation

The latest **survey conducted by the SBA** showed that digitisation in law firms is continuing to advance.

At the end of the year, the Federal Act on the Platform for Electronic Communication in the Justice System (**ECJA**) was passed in parliament with the support of the SBA. The SBA consistently raised the concerns of the legal profession and successfully fought in parliament for improvements in favour of the legal profession.

The **Justitia 4.0** project (creation of a central platform through which submissions to the court and vice versa can be processed electronically) has progressed so far that pilot projects have been launched in various cantons to test the application. The introduction of mandatory electronic legal transactions is expected for all actors in the justice system (lawyers and courts) in 2027.

As a result, all colleagues are under considerable pressure to review their internal office processes and digitise them where possible. Client expectations are high, and the opportunities for law firms in the context of digitisation are almost unlimited. The market is constantly offering new solutions that comply with professional law. In order to educate, prepare and promote this development, the SBA continuously organizes regional **awareness-raising seminars**, which are always fully booked. This shows how high the interest of law firms regarding this topic is. It can therefore be assumed that with Justitia 4.0 (J40), the digitisation of the industry will receive a further boost.

While individual digitisation projects are researched from time to time, there is a lack of comprehensive studies on the **costs that digitisation entails for law firms**. In order to enable law firms to estimate their costs of digitisation, the SBA, through an external institute and in collaboration with ETH Zurich, conducted a quantitative survey of Swiss law firms shortly before the summer holidays in 2024. The study had three objectives: Swiss law firms can now use an online calculator to estimate their digitisation costs and compare their costs with an individual summary report. The final report, which is available on the website of the SBA, provides an overview of the digitisation and digitisation costs of law firms in Switzerland. The final report and the online calculator are available in three languages on the SBA website www.sav-fsa.ch. Besides the cost issue, the study provides an interesting insight into which processes in law firms are already digitised, i.e. which activities are

solved digitally, hybrid (digital and analogue) and analogue. Overall, it is clear that the vast majority of processes are mainly solved digitally or at least partially digitally (i.e. hybrid) and that a veritable trend towards digital has emerged and will continue. Nearly all law firms, regardless of size and cost, report that they will continue to pursue digitisation either as a matter of principle or as a high priority. The fact that highly digitised firms prioritise digitisation the most is obvious when considering the benefits of digitisation: highly digitised firms benefit more from digitisation than less digitised firms. Accordingly, they experience the advantages and continue to prioritise digitisation.

The SBA is using this study as an opportunity to emphasise its support in the area of digitisation. The next event will be the **Lawyers' Congress from 19-21 June 2025 in Lucerne** on the topic of **“Between tradition and transformation”**.

Conclusion

The defence of the law governing the legal profession, satisfied employees and efficient working conditions are essential requirements for the legal profession to remain successful in the future.

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