

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
GUIDELINES FOR DESIGNATION OF ADVOCATES
AS SENIOR ADVOCATES

ROC No.107/SO/2019

Date:20.09.2019

Notification No.17/SO/2019

In supercession of the existing guidelines on the subject, High Court of Andhra Pradesh frames the following guidelines for designating Advocates as Senior Advocates, under Section 16(2) of the Advocates' Act, 1961 (Central Act 25 of 1961).

- (1) All matters relating to designation of Advocate as Senior Advocate in the High Court of Andhra Pradesh shall be dealt with by a Permanent Committee to be known as "the Committee for designation of Senior Advocate".
- (2) The Permanent Committee will be headed by the Hon'ble the Chief Justice and consists of two senior-most Judges of the High Court; the Advocate General will be a Member of the Permanent Committee. The above four Members of the Permanent Committee will nominate another Member of the Bar to be the fifth Member of the Permanent Committee.
- (3) The Permanent Committee shall have a Permanent Secretariat, the composition of which will be decided by the Hon'ble the Chief Justice in consultation with other members of the Committee.
- (4) All applications will be submitted to the Secretariat of the Permanent Committee.
- (5) On receipt of applications for designation of Senior Advocates, the Secretariat will compile the relevant data and information with regard to:
 - (i) The reputation, conduct, integrity of the Advocate(s) concerned;
 - (ii) Number of cases in which the applicant participated in pro-bono work;
 - (iii) Reported Judgments at least in eight cases in which the concerned Advocate(s) had personally appeared and argued;

- (iv) The source(s) from which information/data is to be collected is to be forwarded by the applicant by giving the case numbers and the citations of reported judgments to enable the secretariat to verify the same;
- (v) The Secretariat will publish the proposal of designation of a particular Advocate in the official website of the High Court inviting suggestions on the proposal. Suggestions/views received within 15 days from the date of the proposal will be placed before the Permanent Committee.
- (vi) After the data-base in terms of the above is compiled and all such information as may be specifically directed by the Permanent Committee to be obtained in respect of any particular candidate is collected, the Secretariat shall put up the case before the Permanent Committee for scrutiny;
- (vii) The Permanent Committee will examine each case in the light of the data provided by the Secretariat of the Permanent Committee; interview the concerned Advocate; and make its overall assessment on the basis of a point-based format indicated below:

S.No	MATTER	POINTS
1	Number of years of practice of the Applicant Advocate from the date of enrolment. [10 points for 10-20 years of practice; 20 points for practice beyond 20 years]	20 POINTS
2	Judgments (Reported and unreported) which indicate the legal formulations advanced by the concerned Advocate in the course of the proceedings of the case; pro bono work done by the concerned Advocate; domain Expertise of the Applicant Advocate in various branches of law, such as Constitutional law, Inter-State Water Disputes, Criminal law, Arbitration law, Corporate law, Family law, Human Rights, Public Interest Litigation, International law, law relating to women, etc.	40 POINTS
3	Publications by the Applicant Advocate	15 POINTS
4	Test of Personality & Suitability on the basis of interview/interaction	25 POINTS

- (viii) All the names that are listed before the Permanent Committee/cleared by the Permanent Committee will go to the Full Court.
- (ix) Voting by secret ballot will not normally be resorted to by the Full Court except when unavoidable. In the event of resort to secret ballot decisions will be carried by a majority of the Judges who have chosen to exercise their preference/choice.

(6) Designation of an Advocate as a Senior Advocate:-

- (i) The High Court of Andhra Pradesh may designate an Advocate as a Senior Advocate, if in its opinion, by virtue of his ability and standing at the Bar, he is deserving of such distinction.

Explanation: The term "standing at the Bar" means the position of eminence attained by an Advocate at the Bar by virtue of his seniority, legal acumen and high ethical standards maintained by him, both inside and outside the Court.

- (ii) No person shall be eligible to be designated as a Senior Advocate unless he has registered in Bar Council of Andhra Pradesh and actually practiced as an Advocate for not less than ten years in the erstwhile common High Court of Andhra Pradesh, and in continuing to practice in the High Court of Andhra Pradesh and has appeared and argued in eight reported cases or cases involving important questions of law.

- (iii) He/she should not have been convicted by a competent Court, and should not have been punished for an offence involving moral turpitude or for contempt of Court or should not have been punished by the Bar Council of a State /Bar Council of India; and

(iv) Motion for designation as a Senior Advocate:-

- (1) If the Chief Justice or any other Judge is of the opinion that an Advocate by virtue of his ability, standing at the Bar or special knowledge or experience in law is deserving of such distinction so as to be designated as Senior Advocate, the Chief Justice/the Judge may, in writing, recommend the name of such Advocate for being considered for designation as Senior Advocate. Such recommendation will be submitted to the Registry.

- (2) Designation of an Advocate as a Senior Advocate by the High Court of Andhra Pradesh may be considered on the written application of an Advocate that shall be made, as far as possible, in a separate Form appended to the Guidelines.

- (3) Along with the application, the Advocate shall append his certificate that he has not applied to any other High Court

for being designated as a Senior Advocate and that his application has not been rejected by any High Court within a period of two years prior to the date of the application.

- (7) Canvassing in any form, including meeting the Judges, by advocate concerned, shall result in disqualification of the proposal.
- (8) On acceptance of the proposal by the Full Court, the Registrar General shall notify acceptance of the proposal to the Advocate concerned. Intimation shall also be sent to the High Court Advocates' Association, the Bar Council of the State, the Bar Council of India, and the Registrar, Supreme Court of India, and shall be placed on the Website of the High Court.
- (9) All cases that have not been favourably considered by the Full Court may be reviewed/reconsidered after expiry of a period of two years following the manner indicated above as if the proposal is being considered afresh;
- (10) A designated Senior Advocate shall not appear in any Court or proceeding in the absence of his instructing Counsel. He shall also not draft pleadings.
- (11) Withdrawal of designation:

In the event a Senior Advocate, according to the Full Court, is guilty of conduct, which disentitles that Advocate to be worthy of the designation, the Full Court may review its decision and recall the designation;
- (12) The Registrar General shall notify withdrawal of the designation, and communicate the decision of the Full Court to the Advocate concerned, the High Court Advocates' Association, the Bar Council of the State, the Bar Council of India, and the Registrar, Supreme Court of India, and shall place the same on the Website of the High Court.

FORM OF APPLICATION FOR DESIGNATION AS A SENIOR ADVOCATE

[Guideline 6 (iv)]

I, the undersigned Advocate, practicing in the State of Andhra Pradesh, submit my application for being designated as a Senior Advocate and give my consent to be so designated by the High Court of Andhra Pradesh.

1. Name of the Applicant :
2. Permanent Residential Address and mobile number of the Applicant :
3. Email Address :
4. Educational Qualification :
5. Date of Birth :
6. Date of enrolment as an Advocate and where Enrolled :
7. Enrolment Number :
8. Other information, if any including reported cases, legal aid work/ publication/ participation in Seminar or Conference/ association with any Faculty of Law etc.,

Date:

SIGNATURE OF THE APPLICANT

FORM OF CONSENT

I hereby express my consent for being designated as Senior Advocate.

ADVOCATE.

FORM OF BIO-DATA

- 1) Name:
- 2) Father's/husband's name:
- 3) Address:
- 4) Permanent Address:
- 5) Age/Date of Birth:
- 6) Date of Enrolment:
- 7) Name of the Bar Association of which he/she is a member:
- 8) Number of years of practice, and in which Court/s:
- 9) If specialized in any branch of Law:
- 10) Whether he/she is, or has been, in the panel of Advocates of the State or Central Government, or a public sector undertaking, or a statutory body, or institution. If so, details thereof:
- 11) Particulars of important matters in which he/she appeared and particulars of at least eight citations of reported cases:
- 12) Names and particulars of Advocates associated with him in his/her chambers/office:
- 13) Particulars of cases in which he/she appeared as an arguing Counsel, on behalf of another Advocate, (not being an advocate from his chambers/office), during the preceding three years, and the name and particulars of the Advocate on whose behalf he/she appeared:
- 14) Particulars of articles, if any, published in any journal or books, if any, authored:
- 15) Whether associated with any faculty of Law (If so, the particulars thereof):
- 16) Particulars of the cases in which he/she provided free legal aid:
- 17) Whether his/her name was earlier proposed for being designated as Senior Advocate of the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, or any other High Court, or of the Supreme Court of India. If so, the decision thereon:
- 18) Whether involved in any Criminal Case, or disciplinary proceedings before the State Bar Council. If so, the particulars, the result/the stage of the proceedings:

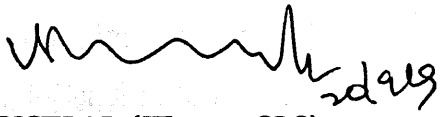
DECLARATION

I, Son/Daughter
of, Advocate hereby declare that the
above stated particulars are true and correct.

Place:
Date:

Sd/-
(NAME OF THE ADVOCATE)

Amaravati,
Dated: 20.09.2019


REGISTRAR (IT-cum-CPC)
I/C REGISTRAR GENERAL