

Global Pro Bono Guide 2026

Pro Bono Practices and Opportunities in Austria

Introduction

In Austria, there are no specific rules relating to the provision of pro bono services, only rules that relate to the provision of legal aid services. A number of the larger commercial law firms will operate pro bono programmes. However, these are not as advanced or widespread as in US law firms. Further, university law clinics have offered students the opportunity to offer pro bono advice.

At a glance

| Minimum pro bono hours requirement for lawyers? | Specific pro bono licence required? | May foreign lawyers practice pro bono? | Insurance required for law firm pro bono? | Insurance required for in-house pro bono? | Rules to limit advertising pro bono work? | Does pro bono work count to CLE credit? | Limitations for in-house lawyers to do pro bono? |
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| No | No | Yes | Yes | Yes | No | No | Yes |

The landscape

| Professional regulation | |
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| <p>1. Describe the laws or rules that regulate the provision of legal services, including any licensing required to provide legal services. Please highlight any differences for lawyers working as in-house counsel.</p> | <p>Lawyers (as attorneys (<i>Rechtsanwälte</i>)) in Austria are subject to the provisions of the professional code (<i>Rechtsanwaltsordnung</i> (the RAO)) and related regulations.</p> <p>To become a qualified attorney in Austria, the applicant must be registered with the local bar association (<i>Rechtsanwaltskammer</i>) on the list of registered attorneys. Registration essentially requires a law degree, a five-year legal clerkship (<i>Praktische Verwendung</i>), and professional indemnity insurance.¹</p> <p>Under Austrian law, a lawyer may only be employed as an attorney (<i>Rechtsanwalt</i>) if the employer is an attorney providing legal services.² Under Austrian law, corporate lawyers (in-house counsels) are therefore not “attorneys” (<i>Rechtsanwälte</i>) and cannot be registered within the list of the local bar association.</p> |

¹ See RAO § 1.

² See RAO § 21g.

| Regulatory landscape for pro bono | |
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| 2. Describe the laws or rules that regulate the provision of pro bono legal services. | <p>There are no specific rules relating to the provision of pro bono legal services (there are only rules that relate to the provision of legal aid services).</p> <p>As such, the same rules apply regardless of whether a lawyer in Austria is providing services to a paying client or a pro bono client.</p> |
| 3. Do lawyers need a license to provide pro bono legal services (beyond usual local qualification to practice law)? | No. There are no more requirements in addition to the requirements named in section one. |
| 4. Do foreign-qualified lawyers need any additional license to provide pro bono services (beyond their foreign qualification to practice law)? | <p>As a rule, only those lawyers qualified and admitted as lawyers/attorneys to the local bar are permitted to advise in relation to Austrian law — including pro bono legal matters.</p> <p>There are specific regulations and certain exemptions for qualified lawyers from European Union and European Free Trade Association Member States wishing to practise in Austria (European qualified lawyers).³ In general, these lawyers are permitted to give legal advice as well as represent clients before Austrian authorities and courts (after prior notification to the local bar association). However, where legal representation is mandated by law, assistance by an Austrian registered lawyer/attorney is required (<i>Einvernehmensanwalt</i>). This requirement can be removed by completing an eligibility test (<i>Eignungsprüfung</i>).⁴</p> |
| 5. Are lawyers required by such rules to work a minimum number of pro bono hours? If so, how many? | There are no specific rules relating to the provision of a minimum number of hours of pro bono legal services. |
| 6. Are aspiring lawyers required to complete a minimum number of hours of pro bono legal services to become licensed lawyers? | No. Aspiring lawyers/attorneys in Austria are not required to complete a minimum number of hours of pro bono legal services in order to become a licensed lawyer/attorney. While university law clinics do exist to provide a platform where students are able to provide pro bono legal advice to gain early legal experience, they are a relatively recent phenomenon. |

³ See European Lawyer Act (Europäisches Rechtsanwaltsgesetz “EIRAG”) §§ 1 et. seq.

⁴ See § 24 EIRAG.

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| <p>7. Aside from mandatory targets (if any), are there aspirational pro bono hours targets for lawyers set by the local bar association, regulatory body or other body?</p> | <p>There are no aspirational pro bono hours targets for lawyers. However, practising lawyers/attorneys are (only) required to provide legal aid (<i>Verfahrenshilfe</i>) to any natural or legal person unable to bear the expenses of the proceedings, if they are assigned a case by the local bar association.</p> |
| <p>8. Do lawyers receive any “Continuing Legal Education” (CLE) or equivalent credit for pro bono hours worked?</p> | <p>Lawyers/attorneys in Austria do not receive any CLE or equivalent credit for pro bono hours worked, though every lawyer/attorney is obliged to keep their knowledge up to date.⁵</p> |
| Insurance and advertising | |
| <p>9. Do lawyers need professional indemnity legal insurance cover for pro bono legal services they provide? Does the requirement differ for in-house lawyers?</p> <p>If insurance is required, can lawyers meet the requirement by working under the cover of another pro bono provider, e.g. in partnership with a private law firm or organization working on the same pro bono project?</p> | <p>A valid professional indemnity insurance is required to qualify for admission to the bar. Hence, a practising lawyer/attorney in Austria must have a valid indemnity legal insurance coverage of at least €400,000 per case; if the law firm is a limited liability company, the insurance has to cover at least €2,400,000. As regards additional insurance coverage for the provision of pro bono legal services, there are no rules in Austria that prohibit lawyers from working under the cover of another person. However, not all insurers will provide coverage to this extent.</p> |
| <p>10. Are there any rules that limit or prohibit advertising of pro bono successes or soliciting new pro bono clients?</p> | <p>A lawyer/attorney is permitted to advertise insofar as it provides true and factual information about his professional activities and is in accordance with his professional duties.⁶ In general, there are no rules in Austria that prohibit advertising of pro bono successes or soliciting new pro bono clients.</p> |
| Pro bono practice and culture | |
| <p>11. What are the main areas of law which require or present opportunities for pro bono? What are the major unmet legal needs?</p> | <p>The most prominent Austrian organisations that are involved in facilitating pro bono legal services are in the area of immigration and refugee law.</p> <p>The major unmet legal needs are those of low-income individuals, who cannot afford legal costs insurance (<i>Rechtsschutzversicherung</i>), but who do not meet the criteria to be able to benefit from legal aid.</p> |
| <p>12. Who are the main providers of pro bono legal services?</p> | <p>The main providers of pro bono services include:</p> <ul style="list-style-type: none"> • NGOs: Notably, certain NGOs focused on immigration and refugee issues (see (e)(2)) |

⁵ See RAO § 10 (6).

⁶ See RAO § 10 (5).

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| | <p>below).</p> <ul style="list-style-type: none"> • Law firms: A number of the larger commercial law firms will operate pro bono programs. However, these are not as advanced or widespread as in US law firms. • Governmental organisations: The provision of free legal advice clinics operated by judges outlined in (e)(1) below. • Chambers: The Austrian Chamber of Labour (<i>Arbeiterkammer</i>) and the Chamber of Commerce (<i>Wirtschaftskammer</i>) provide considerable pro bono services, most notably legal advice. These chambers are established by law with mandatory membership, thus qualifying as semi-governmental organisations. <p>Unions: The Austrian Labour Union (<i>Österreichischer Gewerkschaftsbund</i>) also provides considerable pro bono services, most notably legal advice, to their members.</p> |
| <p>13. Are there any noteworthy examples of how innovative technology or artificial intelligence is being used to enable access to pro bono or otherwise as part of pro bono cases or matters?</p> | <p>There are currently no noteworthy examples of how innovative technology or AI is being used to enable access to pro bono or otherwise as part of pro bono cases or matters.</p> |
| Sources of Pro Bono Opportunities and Key Contacts | |
| <p>14. Describe notable sources of pro bono matters or resources in your jurisdiction.</p> | <p>Pro Bono Legal Services</p> <ul style="list-style-type: none"> • In relation to civil proceedings, at least once a week, judges at the district courts have to provide free legal advice to individuals.⁷ <p>Legal Aid</p> <ul style="list-style-type: none"> • In relation to civil and criminal proceedings, a party (either an individual or a legal entity) may be granted legal aid by the court if certain requirements are met.⁸ In essence, a grant of legal aid results in the partial or full exemption from lawyers' fees and court costs in the event that the case is lost (if the recipient of legal aid wins his/her civil law case, then the other party will be liable to pay lawyers' fees and court costs). • To receive legal aid, the applicants have to prove that they do not have sufficient income and do not have sufficient assets to pay a |

⁷ See Code of Civil Procedure (Zivilprozessordnung (ZPO)) §§ 439, 434.

⁸ See ZPO §§ 63 et seq.

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| | <p>lawyer. Applicants must provide an income statement and a declaration of assets.</p> <p>Lawyers are required to accept matters assigned to them under the legal aid scheme. When a court decides that legal aid is to be granted and that a lawyer needs to be appointed, the judge will make a request to the local bar association. The board of the local bar association will then assign the matter to a lawyer that is a member of this local bar (and, to the extent possible, the board shall take into consideration requests for a specific attorney).⁹ The appointed lawyer may refuse the assignment only for good cause, such as a conflict of interest.¹⁰</p> |
| <p>15. Is there any public or private organization with which a local or foreign lawyer can register to be made aware of pro bono opportunities?</p> | <ul style="list-style-type: none"> • Helping Hands: This NGO is focused on legal aid and advice around all aspects of asylum legislation in Austria as well as cases involving discrimination and racism. The team consists of professional solicitors and aims to find specific and individual solutions to cases. They also represent people facing deportation from Austria.¹¹ • Caritas Vienna – Asylzentrum: This NGO provides legal advice and representation in asylum appeals and voluntary return assistance. The legal advice covers employment of foreigners, family reunion, citizenship law, detention, and administrative criminal cases.¹² • Diakonie Flüchtlingsberatung: This major NGO covers asylum and migration law, providing legal advice and representation in asylum cases.¹³ <p>The “Österreichische Bundesagentur für Betreuungs- und Unterstützungsleistungen Gesellschaft mit beschränkter Haftung” (Austrian Federal Agency for Care and Support Service, BBU GmbH) is a company owned by the Republic of Austria and provides legal service in particular to asylum seekers.</p> |
| <p>16. Are there any awards, lists or rankings related to pro bono work?</p> | <p>No.</p> |

⁹ See ZPO § 67.

¹⁰ See RAO § 46 (2).

¹¹ See <http://www.helpinghands.at/>

¹² See <https://www.caritas-wien.at/hilfe-angebote/asyl-integration/beratung-fuer-asylwerberinnen/asylzentrum/>.

¹³ See <https://fluechtlingsdienst.diakonie.at/einrichtung/arge-rechtsberatung-regionalstelle-wien-und-oesterreichweite-koordination>

Acknowledgements

Name of law firm: Haslinger / Nagele Rechtsanwälte GmbH

Name of lawyer: Wolfgang Berger

Learn more

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