



How to cite this article:

Mohamadi, R., Ashrafy, M., & Heidari, M. (2026). Fundamental Legislative Innovations in Disciplinary Violations of Attorneys. *Journal of Historical Research, Law and Policy*, 4(6), 1-11. <https://doi.org/10.61838/jhrp.306>



Article history:
Original Research

Dates:

Submission Date: 20 January 2026

Revision Date: 11 April 2026

Acceptance Date: 18 April 2026

First Publication Date: 23 April 2026

Final Publication Date: 01 November 2026

Fundamental Legislative Innovations in Disciplinary Violations of Attorneys

1. Roohollah. Mohamadi¹: Department of Law, Isf.C., Islamic Azad University, Isfahan, Iran
2. Mahmoud. Ashrafy²: Department of Law, Isf.C., Islamic Azad University, Isfahan, Iran
3. Masoud. Heidari³: Department of Law, Isf.C., Islamic Azad University, Isfahan, Iran

*corresponding author's email: mahmood.ashrafy@iau.ac.ir

ABSTRACT

Most members of society are aware of the rights they possess; however, the problem lies in the fact that they do not know how to vindicate those rights when they are violated, or, despite being aware, they are unable to reclaim them. This phenomenon—namely, the enforcement of rights—is a technical and specialized matter that is carried out by professionals, namely attorneys. Given that the conduct of attorneys is directly or indirectly connected to people's life, property, honor, and reputation, the sensitivity of this profession becomes even more evident. This very sensitivity has historically allowed the disciplinary institutions of bar associations, in cases of deficiency or ambiguity in the legal provisions governing attorneys, to fill legislative gaps based on unwritten professional norms through codes of conduct, circulars, and the establishment of disciplinary practices. The significance of this role, along with the efforts and dedication of earlier generations of attorneys, ultimately led the legislator, in the Executive By-law of the Legal Bill on the Independence of the Bar Association adopted in 2021, to adopt a legislative policy capable of addressing many contemporary needs. Consequently, this by-law contains notable innovations, the identification, examination, and analysis of which—specifically within the scope of disciplinary violations—constitute the subject of the present article. The research method is descriptive-analytical, and the study has been conducted using library-based sources.

Keywords: *Innovation, Legislation, Disciplinary Violation, Attorney-at-Law*

Introduction

According to many thinkers, the ultimate aim and primary value of law is **justice**, a value that has, since ancient times, exercised the greatest attraction for humanity, especially for jurists (1). Yet this ideal and desirable value has always been accompanied by conceptual complexity, to the point that justice has become an essentially contested concept (2), and various spheres of social relations may fall within its scope. Justice derives meaning alongside the discipline of law; the field of law is like a tree whose fruit is justice, and just as fruit cannot be conceived without the tree, it is equally difficult to imagine a tree capable of bearing sound and enduring fruit if it is deprived of water, poison control, pruning, and protection against repeated assaults, the axe's wounds, and the greed of carpenters, papermakers, and firewood sellers. In this context, the fruit of justice—namely, the vindication of rights—is what



ultimately benefits society, and the attorney may be seen as a caring and knowledgeable gardener who supervises the stages of planting, nurturing, and harvesting. This, indeed, is the true mission of the attorney and of bar associations. The principle of the rule of law requires that everyone be subject to the law, and this includes the architects of the justice system, among them the legislator, the judge, and the attorney. Accordingly, legislation and norm-setting at every level, including within professional and *صنفي* systems such as the legal profession, have established rules for attorneys that, in accordance with the principle of legality, they too must obey. The rules governing the legal profession must be accompanied by enforcement guarantees so that the legal norm may retain its effect, nature, and essential substance rather than becoming a paper tiger. The following discussion analyzes the fundamental legislative innovations concerning disciplinary violations of attorneys in the Iranian legal system.

The Historical Origins of the Institution of Advocacy

The institution of legal advocacy is as old as humanity itself. In Athens, during antiquity, individuals were required to appear personally before the courts, but they could bring one of their friends or relatives with them, and even in Greece there were famous and skillful orators who appeared before tribunals as forensic speakers and defenders, among the most renowned of whom was Demosthenes, who lived from 384 to 322 BCE (3). In ancient Iran as well, a land long associated with eloquence and rhetoric, surviving evidence indicates that even five thousand years ago, in Sumerian civilization, defense advocates represented people in judicial proceedings (4). In Iran during the Sasanian period, one also finds relatively detailed regulations concerning attorneys, or, in the terminology of that era, *datak-guyan*—that is, those who speak of the law (5).

The first legendary dynasty of Iranian kings was called the Pishdadians because they were regarded as pioneers in lawmaking and in the expansion of justice. In the Avesta, whenever Hushang is mentioned, he is accompanied by the epithet *Prathata*, meaning “Pishdad,” or the first lawgiver (6). In the view of the Aryans, especially Darius, loyalty and the pursuit of justice formed the basis of world order, and the German author Amsted referred to Darius's final proclamation as the program of Aryan world governance. In the Behistun inscription, Darius declares: “O you who shall read this inscription after me, do not think it false... I acted in accordance with justice... I rewarded the good and punished the wicked... I do not desire that in my kingdom the strong should oppress the weak” (7). The exact date of the establishment of bar associations is not clearly known, but what is certain is that in ancient Rome, by the fourth century CE, advocates considered themselves bound to observe a set of rules and regulations governing the performance of their professional duties and their conduct toward colleagues (8).

The Most Important Innovations in the Disciplinary Regulation of Attorneys

As a preliminary point, it should be stated that this Regulation may be regarded as progressive because, by prohibiting judicial authorities from depriving individuals of access to counsel, imposing counsel upon them, or restricting freedom of choice of counsel, and by restoring for attorneys respect and guarantees equivalent to those accorded to the judiciary, it requires judicial, administrative, and law-enforcement authorities to preserve the dignity of attorneys. It also expressly affirms the independence of attorneys in defending their clients, recognizes their right to access documents and records necessary for the defense, and declares that attorney-client relations are confidential. In the adoption of these new rules, the innovations may generally be divided into four categories: (a) the creation of new disciplinary offenses; (b) the introduction of novel rules inspired by general principles of criminal law; (c) the modification of certain rules in the field of disciplinary violations; and (d) the enactment of new rules in

the area of disciplinary procedure. Given the breadth of these innovations, it is not possible to discuss all of them here; accordingly, this study addresses only the most significant changes within the foregoing framework.

New Forms of Disciplinary Offense

The Teacher-Student Relationship

In drafting the Executive By-law of the Legal Bill on the Independence of the Bar Association, adopted in **2021**, the legislator took into account the potentially harmful consequences of a teacher-student relationship between a judge and an attorney, as well as the suspicion of improper influence, especially where the student holds judicial office and the teacher acts as attorney. Since the student may come under the teacher's dominance and thus be susceptible to abuse, the legislator innovatively treated this situation, under Article 125(11), as a disciplinary violation punishable by the severe sanction of Grade 5, namely, demotion in professional rank. Several explanatory points are necessary here. First, not only the direct participation of an attorney in a case before a judge with whom such a teacher-student relationship exists constitutes a violation, but also any indirect or intermediary participation is covered, thereby closing the door to interpretive abuse. Second, the relationship constitutes a violation only when it exists between the attorney and the judge actually handling the case. For example, if the attorney has such a relationship with the chief judge of a branch, but the case is being handled by another judge of that branch, or in an appellate court where two judges usually decide the matter, if the relationship exists only with one appellate judge who has no role in adjudication or in issuing the judgment, the situation does not amount to a violation. Third, the teacher-student relationship must exist at the time of adjudication. Thus, if the attorney and the judge had such a relationship in the past, or if it arises only after the proceedings and judgment, no disciplinary violation occurs. A practical issue arises here: if an attorney's case is referred to a branch whose judge happens to be the attorney's teacher or student, what should be done? In the present author's view, the attorney must withdraw from the case by resigning, and the matter is straightforward. Difficulty arises, however, when the case is already pending and the attorney has already entered an appearance, or when a case is referred to a branch where no such relationship existed, but on the hearing date, due to happenstance, the presiding judge is on leave and the substitute judge is the attorney's teacher or student, or when the branch chief is replaced and the new chief has such a relationship with the attorney, and this fact becomes apparent only as the hearing begins. If the attorney resigns at that moment, the client's rights may likely be prejudiced. It appears that, given the legal basis and the fact that the issue emerged at the first hearing, the attorney's resignation may justify an adjournment. Fourth, this statutory restriction applies only when the attorney enters the case in a representative capacity, whether directly or indirectly. Therefore, if the attorney appears in a case as a principal party for the vindication of a personal right, the existence of a teacher-student relationship between the attorney and the judge does not constitute a disciplinary violation. It should also be noted that the final part of Article 99 of the Regulation treats the existence of a teacher-student relationship between the investigating disciplinary official or disciplinary judge, on the one hand, and the complainant, respondent, or their attorney, on the other, as a ground for recusal. In such a case, the disciplinary official or judge must refrain from hearing the matter, and the case is referred to another disciplinary authority. Significantly, here the legislator went even further than Article 125(11), extending the rule not only to the attorneys of the complainant or respondent, but also to the complainant and respondent personally.

Failure of the Prosecuted Attorney to Respond to Complaints and Notices of the Bar Association and Refusal to Appear before the Prosecutor's Office or Court

Another newly defined disciplinary violation is the failure of an attorney under prosecution to respond to complaints and notifications issued by the bar association, as well as refusal to appear before the disciplinary prosecutor's office or the disciplinary court when appearance has been declared necessary. Under Article 121(3), these acts constitute a disciplinary violation separate from the substantive misconduct under investigation and carry a Grade 2 disciplinary sanction. It should be noted, however, that under this provision mere failure to respond to disciplinary complaints and notices is itself a violation, but failure to appear before the disciplinary prosecutor's office or court constitutes a violation only where the necessity of appearance has previously been communicated to the attorney with explicit notice to that effect.

Rules Relating to the Attorney's Letterhead

The legislator requires the letterhead of attorneys and trainee attorneys to include information such as first name, surname, office address, telephone number, email address, license number, and the name of the relevant bar association, and under Article 121(4), the use of letterhead lacking even one of these elements constitutes a Grade 2 violation. This emphasis reflects the idea that the dignity of the profession requires the attorney's full identifying information to appear clearly on the letterhead so that, where necessary, communication and formal notice may be effected through various means.

Rules Relating to the Establishment of the Attorney's Office

The preservation of the attorney's dignity and standing has always been of concern to the legislator, to the extent that establishing an office in an inappropriate place, sharing the management of the office with non-attorneys, or failing to supervise compliance with legal and ethical standards within the office are classified under Article 122(1) as Grade 3 disciplinary violations. In other words, while respecting other occupations, the dignity of the legal profession requires the attorney's office to possess all the characteristics of a proper office and to be a place where clients may seek legal assistance in complete security and without the presence of non-attorneys. In addition, all legal and ethical norms must be observed in the office under the attorney's supervision, and clients must know that their statements, documents, and records are secure so that they may discuss their matters and problems with peace of mind.

Promoting Settlement between the Parties

The important goals of restorative justice are achieved through the creation of peace and compromise between the parties (9). Litigants and members of civil society seek to meet and influence one another and, as active members of civil society, must contribute to repairing and compensating existing harms (10). For the parties, especially for injured persons, the effectiveness and impact of the justice process in resolving disputes is thereby increased. In sum, these are the principal sides of the triangle of restorative justice and, in other words, its active actors. At the apex of this hierarchy, unlike the criminal justice system in which punishment alone was the principal concern, emphasis is placed on the persons involved in the process. Given the capacity for growth, popular support, and responsiveness embedded in restorative justice, it is possible to achieve its essential aims, including settlement. In Iran, people generally tend to resolve their disputes through formal judicial proceedings. One even encounters

cases in which a client tells an attorney: “I am prepared to spend more than the amount I seek to recover, so long as I obtain my claim through the court.” This tendency has caused many difficulties, including the large number of cases filed in courts and the resulting delays in adjudication. Since judicial proceedings are generally lengthy and costly, resort to other peaceful means of dispute resolution, such as compromise, can reduce recourse to the courts (11). One of the primary legal and ethical duties of an attorney is to strive to establish settlement between litigants. Article 31 of the Law Amending Certain Laws of the Judiciary, adopted on 15 June 1977, expressly emphasized this legal duty and required attorneys, in civil cases and in criminal matters where prosecution may be terminated upon the complainant’s withdrawal, to attempt reconciliation before filing suit, to state that they have performed this duty in the petition or in their defense, and to continue such efforts even after the filing of the action and during the proceedings. The importance of this matter is so great that Article 23 of the Regulation on Attorneys’ Fees, Consultation Fees, and Travel Expenses, adopted on 18 May 2019, grants the attorney the full fee for the case in the event of settlement. Furthermore, Article 76(1) of the new Regulation identifies the pursuit of peace and compromise before filing suit and throughout all stages of proceedings as one of the attorney’s duties and obligations, and on that basis Article 122(7) classifies obstruction of settlement between the parties at any stage of the proceedings as a Grade 3 disciplinary violation. The separate classification of failure to perform this legal and ethical duty as an independent disciplinary offense is one of the innovations of this Regulation.

Failure to Renew the License for More than Six Months

Under the new Regulation, failure to renew the attorney’s license for more than six months has been defined as a disciplinary violation. Thus, under Article 122(11), failure to renew the license for more than six months and up to one year after expiration is a Grade 3 violation; under Article 124(7), failure to renew it for more than one year and up to eighteen months is a Grade 4 violation; under Article 125(5), failure to renew it for more than eighteen months and up to two years is a Grade 5 violation; and under Article 126(1), failure to renew it for more than two years is a Grade 6 violation and results in revocation of the license. The reasoning is that an attorney must always keep the law license valid in order to act, where necessary, in the vindication of rights. An attorney who has not renewed the license for more than two years has presumably either changed profession or ceased to value the profession sufficiently, and for that reason the license is revoked.

Practicing in Several Locations within the Same City

Under the former rules, if an attorney established branches or subsidiary offices in several parts of a city, although such conduct was regarded as contrary to the dignity of the profession, there was no explicit legal basis for addressing it. The legislator remedied this in the opening part of Article 130 of the Regulation by not only treating this conduct as a disciplinary violation carrying a Grade 3 sanction, but also by providing escalating Grade 4 and Grade 5 penalties for repetition of the violation. In so doing, the legislator attempted to create a deterrent against such conduct.

Violations of Supervising Attorneys in Relation to Trainees

Another factor contributing to offenses and violations in the field of advocacy is the weakness of educational and cultural foundations provided by the architects of the profession, including supervising attorneys. The principal cause of some unethical and unlawful conduct by an attorney is often not bad faith, but ignorance of the unethical

or unlawful nature of the conduct in question (12). If the attorney possesses awareness and knowledge, he or she is less likely to move toward error and violation of the law. Thus, the lack of necessary training by supervising attorneys and related institutions itself becomes a source of ignorance among attorneys, especially younger and less experienced ones, thereby creating the conditions for error. Supervising attorneys are often unable, due to heavy workloads and their own numerous professional difficulties, to manage the affairs of trainees properly and provide the necessary instruction. Therefore, the boards of directors of bar associations must move beyond mere administration and begin to create a foundation of awareness within the legal community. Supervising attorneys should place the necessary training of their trainees within their work plans and fulfill their commitments in this regard. From the very beginning of attorneys' entry into the profession, training in the laws governing advocacy and in the principles of professional conduct must begin, and these matters must be properly conveyed to young and newly admitted attorneys. They must be taught to maintain a balance between material interests and moral and collective concerns (13). One of the novel disciplinary classifications in the new Regulation is the imposition of disciplinary responsibility on supervising attorneys. Article 58 provides that failure to observe Articles 56 and 57 of the Regulation by the supervising attorney constitutes a disciplinary violation punishable by a Grade 2 sanction, and in the event of repetition, the general disciplinary rules apply. The importance of this provision lies in the legislator's belief that if the first brick, the foundation, and the basis of advocacy are not laid correctly and firmly, the structure of the profession will never stand upright. For that reason, supervising attorneys are required properly to fulfill their legal duties toward trainees, including supervision of conduct, compliance with apprenticeship obligations, professional dignity and ethics, guidance and instruction in case handling, oversight of those matters, maintenance of an appropriate active office, and continuous practice in the designated location, so that trainees may receive proper instruction and ultimately serve as the future defenders of the profession and of the people's rights.

Adoption of Novel Rules Inspired by General Principles of Criminal Law

Multiplicity of Violations

Multiplicity of violations is one of the general grounds for aggravating liability and applies where a person has committed several violations (14). Earlier laws did not recognize such a concept, but in criminal law the multiplicity of offenses has long been treated as a factor warranting aggravation, whether through cumulative punishments, non-cumulative punishment with imposition of the severest penalty, or judicial aggregation of sanctions (15). Article 136 of the Regulation accordingly provides that where an attorney commits multiple disciplinary violations, only one disciplinary sanction shall be imposed. If the violations carry different sanctions, the sanction for the more serious violation shall be imposed. If they carry the same sanction, only one sanction shall be imposed, but the court must impose the statutory maximum for that violation. In all cases, moreover, the disciplinary court may aggravate the sanction by one degree.

Repetition of Violation

Although Article 84 of the 1965 By-law to the Legal Bill on Independence had already regarded repetition of violation as a ground for aggravating punishment, the legislator in **2021**, through Article 137, made fundamental changes to the concept. Under the earlier provision, repetition required that the new violation be similar to the previous one. Under the new Regulation, however, the commission of any further violation—regardless of type or

disciplinary grade—triggers the rules on repetition. This, too, reflects the legislator’s effort to deter violations and to protect the dignity and status of the legal profession.

Modification of Certain Rules in the Sphere of Disciplinary Violations

First, under the previous rules, colleagues and disciplinary authorities often disagreed on the definition and identification of conduct contrary to the dignity of the legal profession, and this produced conflicting decisions and divergent disciplinary practice (16). In the note to Article 124 of the new Regulation, however, the legislator attempted to end these disputes by setting out criteria for identifying such conduct. Under this formulation, conduct contrary to professional dignity exists where the attorney’s act or omission either constitutes a criminal offense under law, brings disrepute upon the legal profession, or is contrary to its settled custom in such a way that most attorneys regard it as reprehensible. By doing so, the legislator made other expansive or restrictive interpretations considerably more difficult. At the same time, the Regulation extends the concept of conduct contrary to professional dignity to all physical and virtual spaces, reflecting the importance attached to the status of advocacy. Second, under earlier rules, the attorney’s failure to notify the court and the client of resignation was a Grade 4 disciplinary violation, but the vague notions of “notification” and “sufficient opportunity” left room for broad interpretation. Under Article 124(9) of the new Regulation, however, resignation now constitutes a Grade 4 violation where the attorney fails to inform the client and the authority before which the case is pending in a manner that causes adjournment, results in loss of the client’s right to appeal, or where, after a judgment against the client has been issued or when a non-final judgment is served, the attorney resigns more than five days after service of the decision. This precise determination of the time of resignation and the conditions for the realization of the violation is a novel measure aimed at securing fair proceedings. Third, although the disciplinary court under former regulations could mitigate disciplinary sanctions, the grounds for such mitigation had never been clearly defined. The legislator’s intervention in Article 135 to specify mitigating circumstances—including the absence of prior disciplinary conviction, effective service in legal aid, the complainant’s satisfaction or withdrawal of the complaint, effective cooperation in compensating the complainant’s damage, and effective cooperation with disciplinary authorities in discovering the truth—is a welcome development.

New Rules in the Field of Disciplinary Procedure

Judgments Deemed Rendered in Presence

In Article 109 of the Regulation, the legislator declares that judgments issued by the disciplinary court shall, in all cases, be deemed judgments rendered in presence, provided that the hearing time has been served on the attorney under prosecution. The converse implication of this provision is that if, after judgment, any of the persons mentioned in the article—including the disciplinary prosecutor or representative, the complainant, or the attorney under prosecution—proves that notice of the hearing was not served, that person may seek rehearing by way of objection to a default judgment, and the court, upon verifying the claim of non-service, may treat the judgment as one rendered in absence and rehear the matter. Conditioning the characterization of the judgment as rendered in presence upon service of the hearing notice is one of the innovations of this Regulation and furthers the realization of justice. Another innovation of this article is that, under the former regulations, the court was required only to summon the disciplinary prosecutor, and summoning the accused attorney and the disciplinary complainant was

not necessary. Only where the court deemed it necessary to hear explanations from the attorney under prosecution—not the complainant—would it invite the attorney to the hearing. This new approach is thus another positive step toward protecting the right of defense, because under the former regime, even if the court did not regard the attorney's presence as necessary and therefore did not notify the attorney, the resulting judgment was still treated as rendered in presence.

Retrial

The desired end of adjudication is fair judgment and the resolution of disputes in such a way that the outcome corresponds to truth. One requirement of this aim is that avenues of complaint against unjust decisions remain open to the parties (1). At the same time, sound reason dictates that, where interests conflict, public interest should prevail over private interests. Retrial is a type of extraordinary proceeding whereby a person with standing requests the court of first instance, or the appellate court that overturned the lower court's judgment on review, to reconsider its own judgment (17). Retrial is thus a special form of renewed adjudication under particular conditions and on grounds expressly provided by law, aimed at correcting judicial mistakes and remedying departures from legal rules (18). One of the fundamental innovations of the new Regulation is precisely the introduction of retrial, the absence of which had long been felt in disciplinary law. In Article 114, the legislator appropriately made retrial available under certain conditions and fixed the time limit for seeking it at one month. This is another step toward preventing damage to the dignity and standing of attorneys, because just as the commission of a disciplinary offense harms the reputation of attorneys, so too an unjustified conviction of an attorney damages the standing of this profession to the same extent.

Notification to the Judicial Authority upon Discovery during Proceedings

Another novel feature is that if, during the proceedings, the disciplinary prosecutor's office or disciplinary court becomes aware that an attorney has committed a crime, it is obliged to report the matter to the competent judicial authority for prosecution. This duty is expressly stated in the note to Article 118 of the Regulation. Given the breadth of the terms "prosecutor's office" and "court," it appears that this duty extends to the investigating disciplinary official, the reviewing disciplinary official, the disciplinary prosecutor, and all judges hearing the case.

Conclusion

In the Iranian legal system, advocacy is understood as an institution that performs functions in various spheres, including both norm creation and the contentious and non-contentious implementation of laws. From a foundational perspective, this institution may in some respects have transnational origins, while in others it draws upon Islamic jurisprudence. When advocacy is described as an institution, its formation is understood as the product of the phenomenon called the state, rooted in bourgeois and liberal-democratic traditions, with its historical development linked to earlier Anglo-Saxon practices. This institution is, in a sense, a product of civil society and occupies an intermediate position between public law and private law. For that reason, it applies rules grounded in public law to the private relations of its members. The institution of advocacy plays a key role in matters of communication that concern the public within civil society at both domestic and international levels, and one may cite, among its major functions, its role within the judicial sphere. Because these institutions are deeply connected to the lived world of individuals and are especially sensitive to emerging problems and difficulties, they are particularly capable of

articulating people's concerns directly through the language of rights. This role can be especially fulfilled through the institution of advocacy. The institution of advocacy may best be described as a network for information and viewpoints, through which public ideas develop and normative influences are exerted upon the social future. Within every social network, rules may be developed to organize the relations of members, and those rules may gradually evolve and mature.

The laws governing advocacy have undergone many transformations in recent years. In this regard, one may say that, from the perspective of substantive criminal law, new branches of criminological and criminal-law knowledge have become intertwined, rendering law an increasingly technical discipline. In the field of advocacy as well, because an attorney, like any other person, may commit negligence, fault, and ultimately even an offense, this study has explained the various dimensions of the existing innovations from a specialized perspective. Since the subject is also connected to social issues and attorneys themselves are among the founders of the criminal justice system, they cannot ultimately be treated as exceptions to the general legal order. Positive law must therefore also be capable of responding to their unlawful conduct. The principle of the rule of law likewise requires that every attorney be subject to the law and enjoy no special privilege in this regard. The matters discussed in this article constitute the most important legislative developments and innovations concerning disciplinary violations of attorneys, although the **2021** Regulation undoubtedly contains other changes as well that cannot all be addressed here. In the adoption of these new rules, the innovations may generally be classified into four broad categories: the creation of new disciplinary offenses, the enactment of novel rules inspired by general criminal-law principles, the modification of certain rules in the field of disciplinary violations, and the enactment of new disciplinary procedural rules. These categories strongly suggest increasing specialization in norm creation. Thus, in response to social transformations, attorneys are increasingly confronted with specific rules backed by enforceable sanctions, and in relation to each violation the principle of case-specific assessment is observed. This principle, which reflects the particularized nature of disciplinary classification, requires each instance to be examined separately. The selective nature of disciplinary classification means that the rule-maker places only some acts and conduct within the field of attorneys' disciplinary law, not all of them, while leaving other matters to civil law, administrative law, and, in part, to decision-making by attorneys themselves and by society.

Moreover, although the legislative criminal policy adopted has removed many of the deadlocks and disciplinary difficulties of the profession, it should be remembered that the current Regulation is not free from defect or criticism. Overall, it appears that the policy governing the conduct of attorneys has, under the influence of developments arising in judicial practice, also transformed the legislative system in this field. In the codified legislative system of the Iranian Bar Association, the traditional insistence on the absolute supremacy of statutory law over judicial practice has gradually given way to a more balanced understanding of the sources of law, and statutory law and case law have, to some extent, come to coexist peacefully. At the same time, in the recent legal tradition, the dominant pattern of legal rule creation through legislative norm-setting has gradually been moderated and, one may even say, weakened to a considerable degree, while under the influence of judicial practice new rules have been formulated within this system of criminal policy.

Some disciplinary violations arise merely from lack of awareness of disciplinary regulations. Therefore, the need to educate trainee attorneys regarding such regulations has become clear. For this reason, numerous training classes have so far been established, to the extent that, for the first time in the Central Bar Association, trainees who will obtain their law licenses in the next cycle have received the necessary training in disciplinary rules, and it

may be hoped that the rate of disciplinary violations will decrease accordingly. Interviews with senior members of the profession and the publication of those interviews in the bar association journal, together with the concretization of their ethical and value-based standards concerning advocacy, may help identify suitable models for younger colleagues and thereby serve as preventive factors against disciplinary violations. In this way, instead of relying on a purely reactive approach centered on criticism and evaluation of attorneys' misconduct, one may adopt an action-oriented or preventive approach to addressing such violations. Holding monthly lectures on professional ethics for attorneys, together with question-and-answer sessions concerning the problems and difficulties faced by members of the disciplinary prosecutor's office in relation to pending files, is another measure that should be taken into consideration.

Acknowledgments

We would like to express our appreciation and gratitude to all those who helped us carrying out this study.

Authors' Contributions

All authors equally contributed to this study.

Declaration of Interest

The authors of this article declared no conflict of interest.

Ethical Considerations

All ethical principles were adhered in conducting and writing this article.

Transparency of Data

In accordance with the principles of transparency and open research, we declare that all data and materials used in this study are available upon request.

Funding

This research was carried out independently with personal funding and without the financial support of any governmental or private institution or organization.

References

1. Katouzian N. *Philosophy of Law*. 2nd ed: Sherkat-e Sahami-ye Enteshar; 2001.
2. Mohseni H. *Advocacy and Bar Associations in Legal Systems*. 3rd ed: Sherkat-e Sahami-ye Enteshar; 2014.
3. Ensafdaran MR. *A Comparative Study of the Professional Duties of Attorneys*. 1st ed. Tehran: Jangal Javidaneh Publications; 2007.
4. Katibi H. *Advocacy*. 1st ed. Tehran: Aban Publishing; 1977.
5. Hashemi Bajegani SJ. The Position and Importance of Ethics in the Legal Profession. *Legal Thinkers Quarterly*. 2016(9).
6. Pasha Saleh A. *The History of Law: Discussions on Legal History*. 1st ed. Tehran: University of Tehran Press; 2004.
7. Amin H. *History of Iranian Law*. 1st ed. Tehran: Encyclopedia of Iranian Studies; 2011.
8. Kohandi G, Tafazzoli A. *Secrets of Defense*. Tehran: Ganj-e Danesh; 1998.
9. Wright M, Mays M. *Restorative Justice*. 3rd ed: Khalilian Publishing; 2016.

10. Samavati Pirouz A. Restorative Justice: Advancing a Victim-Centered Approach. 1st ed: Khalilian Publishing; 2005.
11. Garshasbi A. The Art and Technique of Mediation. 1st ed: Mohajer Publishing; 2009.
12. Ghahremani N. Civil Liability of Attorneys. 2nd ed: Nasl-e Nikan Publications; 2014.
13. Ahmadi Nejad Z. A Comparative Study of the Duties of Attorneys in the Legal Systems of Iran and France: Shahid Bahonar University of Kerman; 2016.
14. Baheri M. General Criminal Law. 3rd ed: Majd Publishing; 2005.
15. Mossadegh M. Commentary on the Islamic Penal Code. 1st ed: Jangal Publishing; 2014.
16. Mohammadi R. The Evolution of Legislative Criminal Policy Toward Conduct Contrary to the Dignity of the Legal Profession in the Criminal Justice System. Encyclopedia of Comparative Jurisprudence and Law. 2023;5(1).
17. Jafari Langroudi MJ. Encyclopedia of Law. 3rd ed: Amir Kabir Publishing; 1980.
18. Hayati AA. Retrial. 1st ed: Mizan Publishing; 2008.