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МЕТОДОЛОГІЧНІ ЗАСАДИ РЕФОРМУВАННЯ ЮРИДИЧНОЇ ОСВІТИ В УКРАЇНІ: НАУКОВА ПАРАДИГМА ТА СУЧАСНИЙ КОНТЕКСТ

Анотація. У статті досліджено сучасний стан і визначено методологічні засади удосконалення практичної підготовки юристів в умовах реформування юридичної освіти шляхом встановлення особливостей правового регулювання юридичної освіти та її ролі у системі державотворення, виявлення основних проблем сучасної юридичної освіти, а також аналізу іноземного досвіду практичної підготовки фахівців у галузі права. У статті використано загальнонаукові та спеціально-юридичні методи наукового пізнання, серед яких: порівняльно-правовий, філософський і функціональний методи, діалектичний і формально-юридичний методи пізнання, метод аналізу та синтезу. Встановлено, що на сьогодні професійна підготовка майбутніх фахівців у галузі права характеризується диспропорцією між теоретичними знаннями та практичними навичками випускників-юристів, що зумовлює складнощі в їх адаптації до практичної роботи. Обґрунтовано, що реформування системи підготовки правників шляхом підвищення її практичної орієнтованості, визначення державних потреб правничих кадрів різних освітніх рівнів, інтернаціоналізації вищої освіти, впровадження нових спеціалізацій відповідно до потреб різних сфер правничої практики, має стати основою розвитку юридичної освіти в Україні. Акцентовано увагу на необхідності оптимізації системи підготовки юридичних кадрів переважно завдяки запровадженню нових методів навчання, затвердженню нових освітніх стандартів, з урахуванням відповідного прогресивного іноземного досвіду в цій сфері за умови збереження накопиченого досвіду, традицій і принципів української вищої юридичної освіти, що забезпечить формування в майбутніх фахівців стійких практичних навичок правозастосовної діяльності. Встановлено, що в умовах реформування юридичної освіти, важливим є встановлення таких вимог до навчального процесу, які б забезпечували оволодіння студентами не тільки мінімальним обсягом знань, але і практичними навичками, адже практична підготовка студентів є обов'язковим компонентом освітньо-професійної програми для здобуття ступеня освіти. Зокрема, необхідною є переорієнтація змісту та спрямованості навчальних робіт здобувачів юридичної освіти, які мають бути зорієнтованими не тільки на повторення чи відтворення теоретичного матеріалу, а й на вирішення спеціально розроблених практичних ситуацій. Важливим є також питання збільшення строків проходження практики та ефективної співпраці між навчальними закладами та роботодавцями). Підвищення ефективності підготовки фахівців у галузі права шляхом пропорційного співвідношення теоретичного та практичного наповнення навчального процесу на правничих спеціальностях спрямоване на модернізацію моделі вищої юридичної освіти в Україні

Ключові слова: вища освіта, фахівці у галузі права, практичні навички, правнича практика, компетентнісний підхід підготовки юристів

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METHODOLOGICAL FOUNDATIONS OF LEGAL EDUCATION REFORM IN UKRAINE: SCIENTIFIC PARADIGM AND MODERN CONTEXT

Abstract. *The study investigates the current state and defines the methodological foundations for improving the practical training of lawyers in the context of reforming legal education by establishing the features of legal regulation of legal education and its role in the state system, identifying the main problems of modern legal education, as well as analysing foreign experience in practical training of specialists in the field of law. The study uses general scientific and special legal methods of scientific cognition, including comparative legal, philosophical and functional methods, dialectical and formal legal methods of cognition, method of analysis and synthesis. The paper established that the professional training of future specialists in the field of law is currently described by a disparity between the theoretical knowledge and practical skills of law graduates, which complicates their adaptation to practical work. The authors of this study proved that the reform of the legal training system through increasing its practical orientation, determining the state needs of legal personnel of various educational levels, internationalisation of higher education, introduction of new specialisations in accordance with the needs of various spheres of legal practice, should become the basis for the development of legal education in Ukraine. Attention was focused on the need to optimise the system of training legal personnel mainly through the introduction of new teaching methods, the approval of new educational standards, considering the corresponding progressive foreign experience in this field, provided that the accumulated experience, traditions, and principles of Ukrainian higher legal education are preserved, thereby ensuring the development of future specialists with stable practical skills of law enforcement activities. It was found that in the context of the reform of legal education, it is important to establish such requirements for the educational process that would ensure that students master not only a minimum amount of knowledge, but also practical skills because practical training of students is a mandatory component of the educational and professional programme for obtaining an educational degree. In particular, it is necessary to reorient the content and orientation of educational works of applicants for legal education, which should be focused not only on repeating or reproducing theoretical material, but also on solving specially developed practical situations. The issue of increasing the duration of internships and effective cooperation between educational institutions and employers is also important. Improving the effectiveness of training specialists in the field of law through a proportional ratio of theoretical and practical content of the educational process in legal specialities is aimed at modernising the higher legal education model in Ukraine*

Keywords: *higher education, specialists in the field of law, practical skills, legal practice, competence-based approach to training lawyers*

INTRODUCTION

Education is a strategic resource for improving people's welfare, ensuring national interests, and strengthening the authority and competitiveness of the state in the international arena. At the same time, one of the most important keys to success in the process of building a state governed by the rule of law in Ukraine, humanising socio-economic relations, forming new life orientations of the individual,

is a high-quality legal education, that is, the training of educated, highly moral, highly qualified practising specialists in the field of law, who have a deep sense of responsibility for the fate of the country and its socio-economic prosperity. Thus, there is currently next to no sphere of functioning of society and the state that could do without specialists in the field of law.

In recent years, the leading approach to determining the quality of education has become the competence approach, which allows fully focusing on the identification of the results of training of a future specialist, including in the field of law. At the same time, the competence approach to understanding the quality of higher education is most often combined with the development concept, which helps develop the criteria for the quality of higher education that meet the modern goals of professional education, as well as the requirements of society, the individual, and the labour market [1, p. 43-44]. Thus, according to the Standard of Higher Education in Speciality 081 "Law" for the First (Bachelor's) level of Higher Education, approved by the Order of the Ministry of Education and Science of Ukraine No. 1379 dated 12.12.2018¹, the general competences of a graduate of legal specialities include, among other things, the ability to apply knowledge in professional activities in standard and individual non-standard situations, the ability to work independently, as well as work in a team of colleagues in the speciality. For its part, special (professional, subject) competences in the field of law according to the Standard include, in particular, the ability to apply knowledge in practical activities when modelling legal situations, the skills of logical, critical, and systematic analysis of documents, consulting on legal issues.

The specific feature of legal science as a field of professional activity is that theoretical knowledge and practical skills in it are interrelated and closely intertwined. Practical training of students is a mandatory component of the educational and professional programme for obtaining an educational degree [2, p. 15]. Immersion in a particular professional reality becomes an important experience on the path to obtaining a higher legal education. However, the problem of professional training of future lawyers is manifested in the disparity between theoretical and practical frameworks in favour of the former, while practical skills are increasingly valued, and the adaptation of a graduate lawyer to practical work is becoming increasingly more difficult.

The analysis of recent research and publications demonstrates constant attention to the issue of legal education from the standpoint of its development in the context of modern challenges, functions performed, and defining the main tasks. Scholars such as Yu.H. Barabash [3],

O.A. Bilichak [4], I.B. Ivankiv [5], K.O. Kalachenkova [6], V.V. Komarov [1], N.S. Kuznetsova [7], R.A. Maidanyk [8], O.V. Petryshyn [7], V.S. Ryzhykov [2], O.Ya. Rohach [9], V.Ya. Tatsii [1], and others, have devoted their studies to the issues of modernising the model of higher legal education and training of professional lawyers. Therewith, considering the close interrelation between legal theory and practice, their influence on the development of the professional culture of bearers of the legal profession, further scientific study requires the issue of practical content of the educational process in legal specialities in order to increase the effectiveness of training specialists in the field of law.

The purpose of this study was the identification of methodological foundations for improving the practical training of lawyers in the context of reforming legal education, which is a mandatory component of the corresponding educational and professional programme, by establishing the features of legal regulation of legal education and its role in the state system, identifying the main issues of modern legal education, as well as analysing foreign experience in practical training of specialists in the field of law.

1. MATERIALS AND METHODS

The research methodology was determined by its purpose and involved identification of the methodological foundations for improving the practical training of lawyers in the context of reforming legal education, which is a mandatory component of the educational and professional programme for obtaining an educational degree. For this study, the regulatory framework was drawn up by the Law of Ukraine "On Education"², the Law of Ukraine "On Higher Education"³, the Law of Ukraine "On Scientific and Technological Activities"⁴, Standard of Higher Education in Speciality 081 "Law" for the First (Bachelor's) level of Higher Education, approved by the Order of the Ministry of Education and Science of Ukraine⁵, Draft concept of legal education development, published by the committee of the Verkhovna Rada of Ukraine on Education, Science, and Innovation⁶ etc. The study used general scientific and special legal methods of scientific cognition. The main method was comparative legal method, which allowed identifying and analysing various approaches to the practical training of specialists in the field of law. Philosophical and functional

1. Order of the Ministry of Education and Science of Ukraine No. 1379 "On Approval of the Standard of Higher Education in Speciality 081 "Law" for the First (Bachelor's) level of Higher Education". (2018, December). Retrieved from <https://mon.gov.ua/ua/npa/prozatverdzhennya-standartu-vishoyi-osviti-za-specialnistyu-081-pravo-dlya-pershogo-bakalavrskogo-rivnya-vishoyi-osviti>.

2. Law of Ukraine No. 2145-VIII "On Education". (2017, September). Retrieved from <https://zakon.rada.gov.ua/laws/show/2145-19/ed20170905#Text>.

3. Law of Ukraine No. 561556-VII "On Higher Education". (2014, July). Retrieved from <https://zakon.rada.gov.ua/laws/show/1556-18#Text>.

4. Law of Ukraine No. 848-VIII "On Scientific and Technological Activities". (2015, November). Retrieved from <https://zakon.rada.gov.ua/laws/show/848-19/ed20151126#Text>.

5. Order of the Ministry of Education and Science of Ukraine No. 1379 "On Approval of the Standard of Higher Education in Speciality 081 "Law" for the First (Bachelor's) level of Higher Education", op. cit.

6. Draft concept of legal education development. (2020, November). Retrieved from http://kno.rada.gov.ua/news/main_news/75465.html.

methods allowed outlining the prerequisites for the development of an effective mechanism for improving the professional training of lawyers and identify the interrelation of its elements.

The dialectical method of cognition accompanied the entire research and enabled the consideration of trends in the development and improvement of educational standards, expanding opportunities for cooperation, and exchanging experience between Ukrainian and foreign educational structures in the context of reforming legal education. The use of the dialectical method of cognition allowed considering the main features of the most effective teaching methods that develop the future lawyer's creative thinking, ability to solve complex practical situations, analyse current legislation and the practice of its application. The formal legal method was applied upon the analysis of general and special competences of a graduate of legal specialities, which provide an opportunity to apply knowledge in professional activities.

Among other methods of research of the subject under study, the method of analysis and synthesis was used, which helped investigate the correlation of theoretical and practical content of the educational process in legal specialities in order to increase the effectiveness of training specialists in the field of law. The presented scientific ideas of the authors in the context of the modern development of legal education include targeted, methodological, content, legal, and effective components.

2. RESULTS AND DISCUSSION

2.1 Legal regulation of legal education and its role in the state system

The legislation of Ukraine on higher education is based on the Constitution of Ukraine¹ and consists of the laws of Ukraine “On Education”², “On Higher Education”³, “On Scientific and Technological Activities”⁴ and other regulations, international treaties of Ukraine concluded in accordance with the procedure established by law. Thus, in particular, the Law of Ukraine “On Higher Education” establishes the main legal, organisational, financial grounds for the functioning of the higher education system, creates conditions for strengthening cooperation between state bodies and business with higher education institutions on the principles of autonomy of higher education institutions,

combining education with science and production to prepare competitive human capital for high-tech and innovative development of the country, self-fulfilment of the individual, ensuring the needs of society, the labour market and the state in qualified specialists.

According to Paragraph 5, Part 1, Article 1 of the Law of Ukraine “On Higher Education”⁵, higher education constitutes a set of systematised knowledge, competences and practical skills, ways of thinking, professional, ideological, and civic qualities, moral and ethical values, other competences obtained in a higher educational institution (scientific institution) in the corresponding field of knowledge for a certain qualification at the higher education levels, which are higher in complexity than the level of full general secondary education. For its part, the foundation of the legal profession and the key to the professional competence of a lawyer is a legal education. As O.Ya. Rohach fairly noted, law is a social regulator of public life, which is developed and functions through the consciousness and will of the people [9, p. 26]. Therefore, the level of development of any legal system is largely determined by the legal awareness of the people who create it professionally [7, p. 424; 10, p. 266]. The main basic source of professional legal consciousness in modern civilised society is higher legal education.

The social importance and role of legal education in the state system was further emphasised by the judicial reform. The Constitution of Ukraine considers higher legal education as qualification requirements for candidates for judicial positions. In particular, Article 127 of the Constitution of Ukraine⁶ indicates that a citizen of Ukraine, not younger than thirty and not older than sixty-five years, who has a higher legal education and at least five years of professional experience in the field of law, is competent, virtuous, and speaks the state language can be appointed to the position of a judge. Similar requirements for higher legal education are established in Article 148 of the Constitution of Ukraine⁷ for judges of the Constitutional Court of Ukraine. That is, the Fundamental Law of Ukraine clearly linked legal education, predominantly its content, with an important constitutional function – the function of justice, which constitutes a virtual confirmation of the special mission of legal universities for the functioning of the state mechanism in terms of implementing the principle of justice [3].

1. Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80/ed19960628#Text>.

2. Law of Ukraine No. 2145-VIII “On Education”. (2017, September). Retrieved from <https://zakon.rada.gov.ua/laws/show/2145-19/ed20170905#Text>.

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5. Law of Ukraine No. 561556-VII “On Higher Education”, op. cit.

6. Constitution of Ukraine, op. cit.

7. *Ibidem*, 1996.

2.2 Main problems of modern legal education

Admittedly, in the conditions of modern transformations, an important task is to ensure the quality of legal education [11, p. 68]. This is evidenced by the draft concept for the development of legal education published by the Committee on Education, Science, and Innovation of the Verkhovna Rada of Ukraine¹. In particular, it notes that the goal of legal education includes the development of competences necessary for understanding the nature and functions of law, the content of theoretical foundations (doctrines), principles, and basic legal institutions, the application of law, as well as the limits of legal regulation of public relations.

Although in many cases purely theoretical training at law faculties is critically disconnected from the content and level of practical knowledge that should be useful to a young lawyer, provided that he or she holds their first position, as well as the fact that representatives of legal professions are in no way involved in the formation of curricula, determining the content and methods of teaching academic disciplines and certifying applicants for a master's degree in law, the authors of the Draft Concept for the Development of Legal Education focus on the practical orientation of legal education, which is consistent with the provisions of the Constitution of Ukraine² on professional legal aid (Articles 131-132), professional activity in the field of law (Article 127) and the legal profession (Article 131). Therefore, the main task should be to ensure that the state standard of the speciality is filled with such content that would meet the above constitutional requirements. When developing the standard of education and the standard of educational activity, one should consider both the amount of knowledge and competences that persons engaged in professional legal activities should possess, and the requirements for the personal qualities of such persons in terms of the ability to freely shape their professional position in difficult legal situations [3].

Notably, in 2018, the expert group on legal education of the Directorate for Human Rights, Access to Justice and Legal Awareness of the Ministry of Justice of Ukraine conducted a study aimed at determining the knowledge, skills, and abilities of graduates of law faculties or higher educational institutions. The results of this study are important in for the development of the national policy of the Ministry of Justice of Ukraine and the Ministry of Education and Science of Ukraine, and can also serve as the basis for higher education institutions to change their educational programmes and curricula, increase the requirements for the functioning of the internal system of ensuring the quality of education [12]. 41 law firms, 2 non-legal companies, and 33 central state executive authorities took part in this survey. One of the main problems of legal education, according to experts, is the discrepancy between the knowledge and skills of graduates of law faculties and

higher educational institutions to the needs of the legal market [12], since a considerable number of respondents expressed dissatisfaction with the quality of training of young lawyers.

A number of legal education issues were also highlighted in the so-called “White Paper on the Reform of Ukrainian Legal Education” [13], including, most importantly, the lack of a unified state standard in the legal field, imperfect curricula, organisation of lectures and seminars, writing scientific papers, including dissertations, unsatisfactory (insufficient) practical component of the educational process.

Thus, the development of a high-quality and practical aspect of legal education is hindered by the current presence of numerous theoretical courses and at the same time the lack of disciplines that teach students practical skills in the curriculum of training specialists in the field of law and a low degree of cooperation between institutions of professional legal education and enterprises (institutions, organisations). This leads to one of the constant problems for graduates – the lack of practical skills acquired. Representatives of the legal business also focus on the problem of training lawyers [14, p. 614], stating that graduates of legal institutions of higher education mostly do not even have primary practical skills. Thus, in higher educational institutions for training specialists in the field of law, which are non-profit organisations created to engage in educational activities in accordance with curricula and state educational standards [15], conventional forms of training usually take place, that is, lectures and seminars (practical) classes, which, however, are not always filled with information reflecting trends and processes that take place in the field of law enforcement [8, p. 112].

Although teaching has started engaging students in direct discussion with the teacher, this is not yet an established practice in educational institutions, where “as usual” lectures are held with an article-by-article breakdown of regulations, and then – a survey on theoretical issues at a seminar. Notably, the material on certain legal subjects is better absorbed upon modelling problem situations, preparing corresponding documents, reviewing the practice of activities (decisions) of national and international courts, summarising the legal conclusions of the Supreme Court, as a result of which practical law enforcement skills are developed in students along with skills for critical and systematic thinking. It is quite obvious that the article-by-article theoretical study of legislation is better learned independently; at the same time, the teacher is responsible for explaining the nuances, existing problems in certain areas, as well as monitoring the assimilation of the material. After all, education should focus on the development of skills and abilities, and not just knowledge, but with the caveat that narrowing the role of education exclusively to meet

1. Draft concept of legal education development. (2020, November). Retrieved from http://kno.rada.gov.ua/news/main_news/75465.html.

2. Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80/ed19960628#Text>.

the requirements of the employer should also be evaluated critically [5, p. 75].

Admittedly, a lawyer should receive a basic foundation of essential legal knowledge and skills that should be inherent in both a lawyer and a judge or a civil servant [16, p. 803]. At the same time, it is necessary to understand that in Ukrainian universities, for the most part, based on the results of training, a graduate has broad universal knowledge, but, at the same time, lacks mastery of specifics in a particular field of law enforcement. This, for its part, does not meet the requirements of the legal services market, the main need of which nowadays is the presence of an in-depth special legal knowledge and professional competences [17].

2.3 Foreign experience in practical training of specialists in the field of law

One of the means to solve these issues is to borrow progressive foreign experience in this area, provided that the accumulated experience, traditions, and principles of Ukrainian higher legal education are preserved. Thus, in Germany, the system of professional training of lawyers makes provision for the development of legal practitioners [18]. For this, students study law in two stages: after the first (theoretical) stage, they take an exam to test their knowledge in the most important professional disciplines, and the person is awarded the qualification “Candidate of Legal Science”; after the second (practical) stage, students take an exam that demonstrates the knowledge and skills acquired during practice, and according to its results, the graduate gets the opportunity to apply for the position of a judge. After the exam, a young specialist in the field of law can also choose to work as a prosecutor, notary, lawyer, etc. At the same time, the term of study at the university is usually four years, and the training programme makes provision for practical training in the judiciary, mastering basic negotiation skills, conducting conciliation procedures, mediation, interrogation techniques. The duration of practical training in the civil or criminal court, in the prosecutor's office, in the executive authority should not be less than three months, and for an advocate lawyer – not less than nine months [6]. In the UK, higher legal education is also two-stage: three-year university studies and one-year or two-year practical training (LPC) to obtain the status of a lawyer. Studying at the university is practical in nature, students are focused on future work in certain firms. Furthermore, after receiving diplomas, one must complete an internship in a law firm (*training contract/pupillage*) [6]. In other words, obtaining a legal education in European countries is more practically oriented, compared to studying in legal specialities in Ukraine.

Legal education in the United States is also considerably focused on instilling sustainable law enforcement skills in future professionals. For this purpose, special teaching methods proven by practice – the methods of Langdell and Socrates – are widely used. Most often, the Langdell method is chosen (the method of considering a court case),

which lies in focusing on the primary sources of legislation, methods of analysing a court case, and legal interpretation of case law [19]. The Socratic method is also used, when a student is invited to discuss a court case, express their thoughts on the order of its consideration and the court's decision. Having completed the cycle of such classes, lectures are held that allow summarising the theoretical knowledge gained during the training [4, p. 64].

The development of practical law enforcement skills in the United States is ensured by attracting students to work in law clinics. Furthermore, it is common practice for law school students, mostly senior students, to get a job in law firms as a “summer lawyer” during the holidays. The most successful students of law schools are engaged in preparation of reviews of judicial practice. As a rule, every law school has a periodical that publishes such reviews. Therefore, gifted students are often invited to the editorial boards of such journals. After completing their training, such specialists are in great demand in the labour market [20, p. 148].

Thus, the development of legal education in Ukraine by reforming the system of training lawyers, considering the experience of training specialists in the field of law in the USA and European countries, should focus on increasing its practical orientation, developing scientifically sound forecasts of state needs of legal personnel of various educational levels, internationalisation of higher education, introduction of new specialities in accordance with the needs of various areas of legal practice, etc. It is appropriate to improve the practical training of lawyers by approving new educational standards, expanding opportunities for cooperation, exchanging experience between Ukrainian and European educational structures, etc.

2.4 Main areas for improving the level of practical training of lawyers

As an effective model for acquiring practical skills, applicants for higher legal education can use the experience of the National School of Judges of Ukraine in training judges, employees of court offices, in particular regarding the active use of interactive teaching methods (mini-lecture, discussion in small groups, role-playing game, etc.). In this aspect, it is advisable to introduce binary classes more widely in higher education institutions, which would be conducted together by a teacher and a part-time practitioner. Such a combination of the practical experience of one of the teachers and the deep theoretical knowledge of the second teacher would help increase the level of practical training of applicants for higher legal education. Thus, in particular, in the Draft Concept for the Development of Legal Education¹, it is assumed that to ensure that students obtain practical skills, the scientific and pedagogical staff of law schools should be equipped with at least 20% of teachers-practitioners.

An important area for improving the level of practical training of specialists in the field of law is also the

1. Draft concept of legal education development. (2020, November). Retrieved from http://kno.rada.gov.ua/news/main_news/75465.html.

introduction and activation of legal clinics in higher education institutions, which provides an opportunity for law students to directly apply and assimilate the acquired knowledge in all areas of legal practice and teach them to navigate the legal profession. At the same time, as a rather progressive trend, one can also consider the organisation of various law schools of a purely practical designation, which provide practical training for young lawyers to work in a particular field of legal practice. Thus, one of the most successful projects in Ukraine in this area, according to the general recognition of the legal market, is Legal High School – a project created by legal business specialists who know exactly all its needs, first of all the requirements for the quality of personnel training [17]. Only the best lawyers-practitioners, specialists in their field – experienced partners of law firms, restructuring specialists, judicial lawyers, tax consultants, chief lawyers of multinational and large Ukrainian companies – are involved in teaching at Legal High School. However, the responsibility for high-quality training of future lawyers should admittedly be assigned primarily to higher education institutions that are licensed by the state to train specialists in the speciality 081 “law”.

An important vector of reforming legal education, in particular in terms of its organisational component, is the problem of passing academic and pre-graduate internships because in most cases students must independently take care of the place of internship, and the requirement to submit reports on passing is often just a formality. Therefore, to strengthen the practical component during the master's programme, it is mandatory to complete an industrial internship of at least 30 credits of the unified credit transfer system, which in time terms is approximately one academic semester. Thus, it is currently important to introduce some elements of dual education in the training of lawyers, combine the efforts of higher education institutions and practical structures in the reform of higher legal education by concluding cooperation agreements with law offices, law associations, notaries, etc. and engage in on-the-job training and internships on their bases.

When preparing applicants for higher education at the Master's level of higher education, it is also apt to form a selective block of academic disciplines for a particular speciality in educational and professional programmes, giving preference to those academic disciplines that would contribute to the development of practical skills and abilities. In general, as for the list of academic disciplines that are taught at law faculties, it is worth noting that their number and diversity is a positive indicator. However, this can be considered as a positive feature, provided that the student has the right, at their discretion, to choose both a speciality in the subject area and particular training courses of interest to them. In this context, the problem of imperfection of working curricula, which are compiled and approved based on curricula by educational institutions, and thanks to which the educational process is organised, becomes of particular importance.

In the end, the curriculum is a statutory document that defines the scope of disciplines, the sequence of their

teaching/study, the forms of conducting training sessions, and the forms of monitoring the assimilation of material. As noted in studies of the state of higher legal education in Ukraine, the curricula of law faculties are currently “overloaded” with non-legal disciplines, i.e., those that have nothing to do with law and the practice of its application. The problematic nature of this situation manifests itself upon comparing the curricula of European legal educational institutions with the curricula of the corresponding Ukrainian universities (institutes, faculties). The authors of the study pointed out that the curricula of European, in particular German universities comprise mandatory and optional disciplines, which are 100% purely legally oriented. But the curricula of Ukrainian educational institutions contain exclusively compulsory subjects, and 58% of them do not have any or have a very indirect relation to law [13]. Therefore, the need to fill the educational process with disciplines that are maximally related to law would considerably increase the effectiveness of training specialists in the field of law, who would not only be in demand by employers, but would also be capable of performing any tasks in the field of law.

CONCLUSIONS

The process of development of the rule of law state should be based on the dynamic development and close interrelation of legal theory and practice, their impact on the development of the professional culture of the bearers of the legal profession. To date, Ukraine experiences some issues concerning the practical training of future lawyers, primarily caused by the specific features of the organisation of the legal education system, the specific features of recognising their professional “suitability” for practical work, as well as the low level of interaction between educational institutions and employers.

Overcoming the substantial gap between legal education and social practice should be carried out based on a competence model for training lawyers. Strengthening the practical orientation of training is associated with combining the training of applicants for legal education with professional activities in the formats of volunteering, providing free legal aid, legal clinics, internships, etc. At the same time, the modernisation of legal education based on a competence-based approach and the strengthening of the practical component in the training of lawyers should not lead to the rejection of fundamental higher legal education. In any case, the main focus in the process of reforming legal education in Ukraine should be placed primarily on changing approaches to teaching academic disciplines, using the most effective teaching methods that develop the future lawyer's creative thinking, ability to solve complex practical situations, analyse current legislation and practice of its application.

To introduce an effective component of the educational process in the training of specialists in the field of law, it is necessary to reorient the content and aim of educational works of applicants for legal education, which should be focused not only on repeating or reproducing theoretical material, but also on solving specially developed practical

situations that are as close as possible to the realities of law enforcement activities. The issue of increasing the duration of internships or introducing two-stage training of lawyers and effective cooperation between educational institutions and enterprises (institutions, organisations), following the example of European countries, also remains important. In any case, in the context of reforming legal education, it is

important to establish such requirements for the educational process that would ensure that students master not only a minimum amount of knowledge, but also practical skills. It is the search for a balanced approach to the ratio of theoretical and practical content of the educational process in legal specialities that will considerably increase the effectiveness of training specialists in the field of law.

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