

ROUND-TABLE DISCUSSION

«ACHIEVEMENTS AND ISSUES OF DEVELOPMENT OF LEGAL SERVICES BUSINESS IN UKRAINE»

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INNOVATIVE COMPETENCY OF LAWYERS: SIGNALS FOR LEGAL EDUCATION

In the twentieth century a new innovative model of social and economic development increasingly spreads. An innovative sphere becomes the main object of a governmental policy. Executives of leading companies give advantages to stimulation of innovative processes and creative behavior of employers. Legal services firms (hereinafter – LSFs) are not exclusions.

Legal innovations are consequences of changes of customer needs, particularly in those sectors of the economy, which dynamically develops. Legal innovations include the following components:

– new legal knowledge as an intellectual product of scientific research implemented in a legal services market. New and amended laws and various normative and legal documents, which determine and regulate all types of activity of companies and organizations, are referred to as legal innovations;

– new or improved technologies of providing legal services. Lawyers think that there will be a significant gap between two components of juridical work – “work processes” (typical work based on a more or less determined algorithm) and “new approaches” (when work is rather unique and its main part consist in development of approaches and creation of something new) in the next few years (A. Rodiuk, 2016);

– new legal services and practices. Nowadays, they are formed mainly through separation from existing practices (medical and pharmaceutical law, banking law, sport law, aviation law, etc., were formed that way) or owing to an interdisciplinary approach, involving consultants from other professional fields or industries (accounting, auditing, and consulting).

Innovative development of LSFs influences the following objects: abilities of lawyers to perceive innovations (presence of creative capacities); a desire to apply own creative potential (presence of motivations and incentives); opportunities of innovative activity (presence of an innovative conducive environment, particularly effective legislation and public demand for legal services-innovations); innovative activity of lawyers (production and implementation of legal services-innovations). All these components are successive links of an innovative chain of LSFs. If at least one of them is absent, a whole chain will fall apart. A managing partner of Alexandrov&Partners D. Aleksandrov mentions that he had to change 50% of staff in order to implement innovations and to begin working in a new manner once (A. Kravchenko, 2016).

Nevertheless, to what extent are they ready for innovative activity in the educational and professional context? The point is that legal education in Ukraine is oriented towards traditional directions of sectoral law. In turn, legal services business needs experts, who are able to learn new or related professions, to carry out professional examination of entrepreneurial activity of customers, to apply a project approach to servicing. According to Legal Success magazine, a lawyer also should be *a financier, marketer, manager, and HR* (A. Kravchenko, 2016). Moreover, the author expects that boundaries between jurisprudence and IT will disappear. Automatization of lawyer work through usage of mobile applications and on-line constructors of agreements occurs now. Virtualization of a process of providing legal services contemplates formation of publicly available electronic services and Internet-platforms. Taking into consideration qualification requirements or own preferences, anyone may choose an attorney or a lawyer and receive a chargeable service. Smart-offices and virtual LSFs arise. Demand for “*network lawyers*” and “*virtual attorneys*”, which provide legal service on-line, increase.

A network lawyer provides normative and legal interaction in a network, including in virtual worlds, develops systems of legal protection of a human and ownership on the Internet (including virtual property), settles matters on intellectual property that is not subject to norms of the Civil Code (Znnonline.org/ua, 2016). A virtual attorney manages company investments in new projects

(start-ups), and supports their development from an idea to production. A virtual attorney have to know legislation of own country and a country, where he handles a case, English or a partner country language, to be able to work with particular humans, groups, staff, and requests of consumers (Moeobrazovanie.ru, 2015).

Nevertheless, experts in network law are trained by technical higher educational establishments, namely National Technical University of Ukraine «Igor Sikorsky Kyiv Polytechnic Institute», National Technical University «Kharkiv Polytechnic Institute», Lviv Polytechnic National University, Oles Honchar Dnipro National University, Odessa National Polytechnic University, rather than universities of law. Analysis of educational plans of leading juridical HEEs of Ukraine indicates that none of them proposes programs, which contain disciplines such as virtual (digital) economy, virtual law, and legal innovativeness. There is lack of educational disciplines, which would prepare future lawyers for work in a modern market of the following legal services: legal business consulting; legal marketing; legal management; strategic management of legal service business. However, the very educational disciplines form extremely essential innovative (creative), analytical, and communicative competences, system thinking, multi-culturalism, and customer-orientation.

In Ukraine, there is development of new standards of legal education. Taking into account challenges of modern professional education is one of goals of the education reform.

REFERENCES

Kravchenko A. Yuristy i IT-tehnologii: otchet o provedenii v Kieve I Mezhdunarodnoy konferentsii yuridicheskikh innovatsiy LEGAL TECH KYIV 2016, 2016. Retrieved from: <http://bca.education/yuristy-i-it-tehnologii-otchet-o-provedenii-v-kieve-i-mezhdunarodnoj-konferentsii-yuridicheskikh-innovatsij-legal-tech-kyiv-2016/>.

Perspektivnye yuridicheskie professii, 2015. Retrieved from: http://moeobrazovanie.ru/perspektivnye_juridicheskie_professii.html.

Rodyuk A. I do vorozhky ne khody: maybutnye yurydychnoi profesii, 2016. Retrieved from: http://protokol.com.ua/ua/i_do_vorogki_ne_hodi_maybutne_yuridichnoi_profesii/.

Yaki tsyfrovi profesii maybutnoho nas chekaiut, 2016. Retrieved from: <http://znonline.org.ua/news/481-yaki-tyfrovii-profesii-maibutnoho-nas-chekaiut.html>.