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# CONTENTS

## PUBLIC ADMINISTRATION

**Anisimova N.N.**

“EIN NEUES MODELL DER EIGNUNGSPRÜFUNG DER LEHRKRÄFTE BASIEREND AUF DEM EINSATZ VON EBMB” ...4

**Григорян М.А., Стадник М.С., Чернов Ю.И.**

КАДАСТРОВАЯ ДЕЯТЕЛЬНОСТЬ КАК ОБЪЕКТ АДМИНИСТРАТИВНО ПРАВОВОЙ ОХРАНЫ .....5

**Grigoryan M.A., Stadnik M.S., Chernov Yu. I.**

CADASTRAL ACTIVITY AS AN OBJECT OF ADMINISTRATIVE AND LEGAL PROTECTION .....5

## HISTORICAL SCIENCES

**Скопа В.А.**

МЕХАНИЗМЫ ВЗАИМОДЕЙСТВИЯ СТАТИСТИЧЕСКИХ УЧРЕЖДЕНИЙ

С ОБЩЕСТВЕННЫМИ СТРУКТУРАМИ ВО ВТОРОЙ ПОЛОВИНЕ XIX – НАЧАЛА XX ВЕКА

(ПО МАТЕРИАЛАМ ЗАПАДНОЙ СИБИРИ И СТЕПНОГО КРАЯ) .....9

**Skopa V. A.**

MECHANISMS OF INTERACTION OF STATISTICAL INSTITUTIONS WITH SOCIAL STRUCTURES

IN THE SECOND HALF OF THE 19-TH - EARLY 20-TH CENTURIES

(BASED ON MATERIALS FROM WESTERN SIBERIA AND THE STEPPE REGION) .....9

## EARTH SCIENCES

**Кравчуненко А.Р.**

ОЦЕНКА ЭКОЛОГИЧЕСКОГО ПОТЕНЦИАЛА НА ПРИМЕРЕ МО КОРЕНОВСКИЙ РАЙОН .....13

**Kravchunenko A.R.**

ASSESSMENT OF THE ENVIRONMENTAL POTENTIAL ON THE EXAMPLE OF THE KORENOVSKY DISTRICT .....13

**Пащенко А. В., Евлоев Т. А., Школьная С. В.**

РАСЧЕТ НЕОБХОДИМОЙ СТЕПЕНИ ОЧИСТКИ СТОЧНЫХ ВОД ПО ВРЕДНЫМ ВЕЩЕСТВАМ И РАСЧЕТ

ПРЕДЕЛЬНО ДОПУСТИМЫХ СБРОСОВ (ПДС) НА ПРИМЕРЕ ООО «БИОСТАН» .....15

**Pashchenko A.V., Evloev T. A., Shkolnaya S. V.**

CALCULATION OF THE REQUIRED DEGREE OF WASTEWATER TREATMENT FOR HARMFUL SUBSTANCES AND

CALCULATION OF MAXIMUM PERMISSIBLE DISCHARGES (PDS) ON THE EXAMPLE OF LLC «BIOSTAN» .....15

## PSYCHOLOGICAL SCIENCES

**Семенова Т.В.**

ИНДУСТРИЯ АЗАРТНЫХ ИГР С ТОЧКИ ЗРЕНИЯ РАЗВИТИЯ

ПАТОЛОГИЙ ДЕВИАНТНОГО ПОВЕДЕНИЯ ПРИ АДДИКТИВНОМ ТИПЕ ДЕФОРМАЦИИ ЛИЧНОСТИ .....19

**Semjonova T.V.**

GAMBLING INDUSTRY IN TERMS OF DEVIANT BEHAVIOUR PATHOLOGIES

FORMATION AT ADDICTIVE PERSONALITY DEFORMATION .....19

## PHILOLOGICAL SCIENCES

**Шойбонова С.В.**

ФУНКЦИОНИРОВАНИЕ ИМЕН СОБСТВЕННЫХ НА РЕЧЕВОМ УРОВНЕ

(НА МАТЕРИАЛЕ ХУДОЖЕСТВЕННЫХ ПРОИЗВЕДЕНИЙ БУРЯТСКИХ И МОНГОЛЬСКИХ ПИСАТЕЛЕЙ) .....21

**Shoibonova S.V.**

FUNCTIONING OF PROPER NAMES AT THE SPEECH LEVEL

(ON THE MATERIAL OF LITERARY WORKS BY BURYAT AND MONGOLIAN WRITERS) .....21

## PHILOSOPHICAL SCIENCES

**Гулямов Б.С.**

ФОРМУВАННЯ СУЧАСНОГО СОЦІАЛЬНОГО ВЧЕННЯ КОНСТАНТИНОПОЛЬСЬКОГО ПАТРИАРХАТУ .....24

**Gulyatov B.S.**

FORMATION OF THE MODERN SOCIAL TEACHING OF THE CONSTANTINOPLE PATRIARCHATE .....24

**Zavidnyak B.T.**

O LOGOSE W PISMACH FILONA Z ALEKSANDRII: EWOLUCJA TEMATYKI O LOGOSIE WEDŁUG DOKTRYNY

METAFIZYCZNEJ FILONA W STAROŻYTNEJ FILOZOFII GRECKIEJ .....26

**Zavidnyak B.T.**

THE VALUATION OF THE LOGOS IN PHILO OF ALEXANDRIA: THE EVOLUTION OF THEME OF THE LOGOS

IN PHILO PURSUANT TO THE METAPHYSICAL STUDIES OF ANCIENT GREEKS PHILOSOPHY .....26

## JURISPRUDENCE

<b>Акимбекова М.А., Мороз С.П.</b> ИНВЕСТИЦИОННЫЕ СПОРЫ ПО ЗАКОНОДАТЕЛЬСТВУ РЕСПУБЛИКИ КАЗАХСТАН.....	33
<b>Akimbekova M.A., Moroz S.P.</b> INVESTMENT DISPUTES UNDER THE LEGISLATION OF THE REPUBLIC OF KAZAKHSTAN .....	33
<b>Климишен И.И., Нугаматзянов А.Р., Гурьянов К.А., Овод И.В.</b> ПРИНЦИП РАВЕНСТВА УЧАСТНИКОВ ГРАЖДАНСКИХ ПРАВООТНОШЕНИЙ .....	35
<b>Klimishen I.I., Anton R.N., Kirill Anatolievich G., Ovod I.V.</b> PRINCIPLE OF EQUALITY OF PARTICIPANTS IN CIVIL LEGAL RELATIONS .....	35
<b>Mangora V.V.</b> FEATURES OF LEGAL CLINICS IN THE EDUCATION SYSTEM AND SOCIETY .....	38
<b>Балуюкова К.С., Псалом П.И., Кармаева Т.Н.</b> ШТРАФ КАК ВИД НАКАЗАНИЯ В УГОЛОВНОМ КОДЕКСЕ РФ И КОДЕКСЕ РФ ОБ АДМИНИСТРАТИВНЫХ ПРАВОНАРУШЕНИЯХ .....	48
<b>Balukova K.S., Psalm P.I., Karmaeva T.N.</b> FINE AS A TYPE OF PUNISHMENT IN THE CRIMINAL CODE OF THE RUSSIAN FEDERATION AND THE CODE OF ADMINISTRATIVE OFFENCES OF THE RUSSIAN FEDERATION .....	48
<b>Сырвакова И.О., Шарыпова Т.Н.</b> ВЛИЯНИЕ КАТЕГОРИЙ ПРЕСТУПЛЕНИЙ НА КВАЛИФИКАЦИЮ ПРЕСТУПЛЕНИЙ И ИНДИВИДУАЛИЗАЦИЮ НАКАЗАНИЯ .....	51
<b>Syrvakova I.O., Sharypova T.N.</b> INFLUENCE OF CRIME CATEGORIES ON THE QUALIFICATION OF CRIMES AND INDIVIDUALIZATION OF PUNISHMENT .....	51
<b>Шульченко Д.А., Гавриленко Ю.Н., Кармаева Т.Н.</b> НАЛОГОВЫЕ АДМИНИСТРАТИВНЫЕ ПРАВОНАРУШЕНИЯ .....	53
<b>Shulchenko D.A., Gavrilenko Yu.N., Karmaeva T.N.</b> TAX ADMINISTRATIVE OFFENSES .....	53

## PEDAGOGICAL SCIENCES

<b>Зверева Е.Б.</b> ИСПОЛЬЗОВАНИЕ МЕТОДА ДЕЛОВОЙ ИГРЫ НА ЗАНЯТИЯХ ПО ДИСЦИПЛИНЕ «РУССКИЙ ЯЗЫК В СФЕРЕ ЮРИСПРУДЕНЦИИ» .....	56
<b>Zvereva E.B.</b> THE USE OF THE METHOD OF THE BUSINESS GAME IN THE CLASSROOM ON DISCIPLINE "RUSSIAN LANGUAGE IN THE FIELD OF JURISPRUDENCE» .....	56
<b>Прохорчук П.С., Прохорчук А.М.</b> ИСПОЛЬЗОВАНИЕ SMART-ТЕХНОЛОГИИ ДЛЯ ПРОВЕДЕНИЯ КОНСТАТИРУЮЩЕГО ЭКСПЕРИМЕНТА У ГРАФИЧЕСКИХ ДИЗАЙНЕРОВ В ЗАВЕДЕНИЯХ ПРОФЕССИОНАЛЬНОГО ПРЕДВЫСШЕГО ОБРАЗОВАНИЯ .....	58
<b>Prokhorchuk P.S., Prokhorchuk A.M.</b> USE OF SMART TECHNOLOGY TO CONDUCT A STATEMENT EXPERIMENT FOR GRAPHIC DESIGNERS IN PROFESSIONAL ADVANCED INSTITUTIONS.....	58
<b>Радкевич О., Радкевич О.</b> СТАНОВЛЕНИЯ ТА РОЗВИТОК НАВЧАННЯ ВПРОДОВЖ ЖИТТЯ .....	66
<b>Radkevych O., Radkevych O.</b> FORMATION AND DEVELOPMENT OF LIFELONG LEARNING.....	66

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## FEATURES OF LEGAL CLINICS IN THE EDUCATION SYSTEM AND SOCIETY

### Summary.

*The article considers activity of legal clinics in Ukraine and their role in professional training of future lawyers. The professional competences during the work within legal clinics.*

**Keywords:** *legal clinics, professional competences of future lawyers, professional skills and abilities, free legal help.*

**Formulation of the problem.** In the conditions of formation of civil society, rule of law, democratic system in Ukraine, education should become the most important factor in the humanization of socio-economic relations, the formation of new life goals of the individual.

A prerequisite for the establishment of a developed civil society is the training of educated, moral, mobile, constructive and practical people capable of cooperation, intercultural interaction, who have a deep sense of responsibility for the fate of the country, its socio-economic prosperity.

At the present stage of social development, the requirements for the training of legal professionals, which provide for the compliance of professional competencies with the basic qualification characteristics, are significantly increasing. Students during the educational process must acquire not only theoretical knowledge in the field of law, but also the necessary skills and abilities to apply knowledge in practice. The legal training of future lawyers can be facilitated by legal clinics that are formed at educational universities or faculties.

**Analysis of recent research and publications.** In recent years, there have been textbooks by V. A. Yelov [4], M. V. Dulebi [11], N. V. Sukhytska [10], V. V. Moldovana and R. S. Katsavets [6], published articles in periodicals V. O. Goncharenko [1], N. S. Dubchak [2], V. M. Kravchuk [5], I. I. Senchak [9] and others, also held a number of scientific conferences on the activities of legal clinics.

**The purpose of this paper** is to outline the history of legal clinics types, order of creation, purposes and objectives legal clinics.

**Presentation of the main material .** Today, legal clinics exist around the world. They often perform different tasks and have significant differences and features. The structure of legal clinics also differs. Some are created at the university and on its basis, others work separately. Almost most legal clinics in the world now operate on the basis of higher education.

Examining the etymology of the term "Legal Clinic" it should be noted that among scholars of that period there was no consensus on how, where and when the term "legal clinic" (synonym - "legal clinic").

Most likely, he first appeared in an article by Professor Frommhold, which was published in 1881 in a German journal. Later, the Russian professor A. Lublinsky in his article "On Legal Clinics", which was published in the journal of the Ministry of Justice in January 1901, expressed his own vision of a legal clinic and, in particular, justified the need to create such institutions.

In the 20s and 30s of the XX century, the term "clinical legal education" is used in the United States. Its emergence defined a new direction in the field of legal education - the introduction of social aspects in the study of law. The first to take an interest in this question was J. Frank, author of "Why Not Create a Clinic for Lawyers?"

In his work, J. Frank drew certain analogies between clinical law and medical education. He proposed to introduce a fundamentally new type of training for lawyers, borrowing from medicine the idea of using

working clinics as a basis for training young professionals.

The 1960s were a period when the assistance of private foundations gave a significant impetus to the development of clinical legal education.

Encouraged by a charitable mission, some people financially helped legal clinics. These included, in particular, the provision of free legal aid to the poor and the development of students' practical skills.

Subsequently, clinical education received widespread support in England, Germany, France, and Russia.

In the 1960s, educational programs for legal aid clinics were first developed in the United States and gained popularity in Central and Eastern Europe.

An authoritative example is the "legal aid clinic" of Dalhousie University, founded in 1979. It was the first government-funded legal aid program in New Scotland (Eastern Canada) and the first of four university law clinic training programs launched in Canada.

The clinic provides services in traditional legal areas - family law, criminal law; from non-traditional - charity, emigration, rent, public housing and pension legislation.

The clinic's clients are poor people, including many women and children. As a rule, they do not receive proper services from the legal, political and economic systems.

Working in a clinic, students can seriously affect the fate of clients who often need legal assistance on vital issues. At the same time, working in the Clinic allows students to gain a specific and possibly unique experience that they gain as part of the curriculum.

Based on the analysis of foreign and domestic literature, N. S. Dubchak identifies 4 main periods in the process of formation of legal clinical education in the world:

1) the first period covers the XIX - early XX centuries. Origin of legal clinics in the USA, Germany, the Russian Empire;

2) the second period of formation of legal clinics covers the period from the beginning to the 60's of the twentieth century, when the geography of legal clinical education began to expand gradually, although it was still quite local (mostly the United States);

3) the third period covers the last third of the twentieth century, when the ideology and methodology of clinical legal education was developed, which was implemented in a much larger number of countries than in the previous two periods. Clinical education has spread to Central and Eastern Europe, Central, South and East Asia, Latin America, South Africa, etc.;

4) the last, fourth period characterizes the present and is characterized by the priority of the social orientation of legal clinics, which is often called a change in the philosophy of legal education. In the training of lawyers, attention began to be focused on issues of justice [2, p. 3].

The first legal clinic in Ukraine appeared in 1996. This is a legal clinic Taras Shevchenko National University of Kyiv.

Legal clinics in Lviv and Donetsk appear almost simultaneously. This, of course, was the impetus for the

subsequent emergence of a network of legal clinics throughout Ukraine [9].

In 2003-2004, the Association of Legal Clinics of Ukraine (AYUKU) was organized.

The Association of Legal Clinics of Ukraine is an all-Ukrainian public organization whose activities are aimed at supporting the activities of "legal clinics", promoting the development of "legal clinical education" and the implementation of relevant research and educational programs in Ukraine.

The subject of activity of the Association is the activity aimed at the development of "legal clinical education" and the introduction of the latest educational methods in the process of training lawyers in Ukraine [2, p. 8].

Association of Legal Clinics in order to: provide a unified approach to the organization of legal clinics; separation of legal clinics from other forms of associations of students and young lawyers that provide legal assistance to the population; formation of professional skills of a lawyer in students of higher legal educational institutions and faculties adopted the "Standards of Legal Clinics of Ukraine" on November 16, 2003 [8].

At present, legal aid clinics are successfully operating in Ukraine on the basis of leading law schools, where free qualified assistance is provided to senior needy students. What is the concept of "legal clinic"?

The term "legal clinic" was later thought to be borrowed from English. At first glance, this name is not quite familiar, in addition, in English it has a slightly different meaning. However, over time, they got used to this name.

According to Art. 1 of the Standards of Legal Clinics of Ukraine, legal clinic - a formation that is created for human rights and legal education and operates on the basis of higher education institutions (III-IV levels of accreditation, which trains specialists in "Law", at the initiative of higher education institution). or public organization in cooperation with a higher education institution), which includes students, teachers, practitioners [8].

In accordance with the Order of the Ministry of Education and Science of Ukraine № 592 of August 3, 2006 "On approval of the Standard Regulations on the legal clinic of higher education in Ukraine", legal clinics should operate in all educational institutions of III-IV levels of accreditation. direction "Law", regardless of ownership and subordination.

In the "Standard Regulations on the Legal Clinic of the Higher Educational Institution of Ukraine", the Legal Clinic is a structural unit of the higher educational institution of III - IV levels of accreditation, which trains specialists in the field of "Law" and is created as a basis for practical training and practice of senior students. courses [7].

Adapting the concept of "clinic" to the field of legal services, you can find many similarities with the medical clinic. Namely: both institutions treat. The first - from physical or mental illness, the second - from insufficient legal education. In addition, teaching and research activities are carried out in both medical and legal clinics.

In the United States and English-speaking countries, the name "legal clinic" is common, but it should be noted that other names are used "Legal Aid", "Pro Bono" (meaning "for the public good"), "Legal Practice".

The name "Pro Bono" of the legal clinic is explained by the direction of its activities - providing assistance, ie, creating good for the poorest sections of the population. The name aptly and succinctly conveys the essence of its purpose - to help people and at the same time learn for yourself.

The legal clinic, as an institution, arose as a result of rethinking the methods of training future lawyers. The practice of traditional teaching at law faculties has shown that teaching the theory of legal sciences, even the best specialists, can not provide the full range of knowledge and, especially, teach students to apply them in practice. Therefore, with the creation of legal clinics, this issue is successfully addressed. The tasks of a legal clinic play an extremely important role. Because it is from them that the principles of its activity develop, in particular, gratuitousness, humanism, voluntariness, equality. Each of these factors carries a noble mission, provided by the provisions of the legal clinic.

Legal education may include the study of a separate discipline "Legal Clinic", the creation of the "Student Legal Center" (legal advice).

In some educational institutions, the Legal Clinic course has been officially introduced as a special course or an optional course.

The main forms of organization of the educational process are lectures, seminars and practical classes. "Legal Clinic" is credited as a course of study in the diploma.

During the study of this discipline, students through the simulation of various legal situations gain practical skills: to conduct customer surveys, to conclude transactions, to draw up documents.

In most higher education institutions of the legal profile, the legal clinic is organized as a legal consultation that provides free legal assistance to the poor.

Legal clinics exist all over the world, often perform different tasks and have significant differences and features.

Legal clinics, depending on the methods of working with clients, are divided into those that:

- work with clients directly;
- do not work with clients directly.

The activities of the clinic, which does not work with clients directly, under the Street Law program are aimed primarily at legal education of the general population. By specialization, legal clinics are divided into: specialized legal clinics; non-specialized legal clinics. In the absence of any specialization, the work of the clinic is carried out in all areas of legal aid. Specialized clinics are engaged in the consideration and study of certain categories of cases. The specialization can be conducted both within one legal clinic and at the level of several clinics that combine their efforts. In addition, there are legal clinics created at the university and on its basis, and those that work separately. Almost most

legal clinics in the world today operate on the basis of higher education.

In accordance with the Law of Ukraine "On Higher Education" and the Decree of the President of Ukraine "On the National Program of Legal Education" of October 18, 2001 in order to create appropriate conditions for citizens to acquire the necessary legal knowledge and skills in their application, free legal aid in need of social protection and support, as well as obtaining by senior students of legal specialties practical skills of a lawyer, approved the Standard Regulations on the legal clinic of higher education in Ukraine. The management of higher education institutions that train specialists in the field of "Law", regardless of ownership and subordination, must ensure the establishment of legal clinics and their operation in accordance with this Regulation.

In the "Standard Regulations on the Legal Clinic of the Higher Educational Institution of Ukraine", the Legal Clinic is a structural unit of the higher educational institution of III - IV levels of accreditation, which trains specialists in the field of "Law" and is created as a basis for practical training and practice of senior students. courses [7].

"Standards of legal clinics of Ukraine" provide that the founders of legal clinics can be both educational institutions and public organizations with higher education and can operate on the basis of higher education. "Standard Regulations on the Legal Clinic of the Higher Educational Institution of Ukraine" defines that the Legal Clinic is a structural subdivision of the higher educational institution as a basis for practical training and training of senior students.

V. M. Kravchuk in the article "The role of legal clinics in the formation of civil society in Ukraine" favors the creation of legal clinics under the auspices of public organizations, which is reflected in the definition: "legal clinic - a formation created for practical training of law students and provides human rights and law educational activities on the basis of public in cooperation with universities" [5].

The scientist is critical of the order of the Ministry of Education and Science of Ukraine № 592 of August 3, 2006, according to which university rectors "are obliged to ensure the establishment and operation of legal clinics. He believes that "the clinic should be organized when the students themselves feel the need for it, ready for it, and not to be forced, as something mandatory."

In its activities, the legal clinic is guided by the legislation of Ukraine, the Charter of the higher education institution and the Regulations on it, approved by the head of the educational institution.

The legal clinic is not a legal entity. It, as a structural unit, may have the appropriate stamps and forms with its own name, as well as use the property of the higher education institution.

Recently, the network of "legal clinics" in Ukraine is constantly growing. "Legal Clinic" is becoming one of the popular centers not just for free legal aid, but for students to acquire the necessary practical skills.

The creation of a "legal clinic" in the university aims to:

- to improve the quality of students' mastering of legal disciplines. After all, in the process of applying the acquired knowledge in solving practical life situations, the student begins to better understand the importance of certain rules of law, feels the need to deepen their knowledge;

- provide free legal aid to the poor;
- formation of legal culture of citizens;
- training and educating students in the spirit of observance and respect for the principles of the rule of law, justice and human dignity;
- expanding cooperation with judicial, law enforcement agencies, justice, public authorities and local governments, with other institutions and organizations;
- introduction into the educational process of elements of practical training of law students in the field of legal services.

Passive methods are that the student acts as an object of study, he must learn and reproduce the material transmitted to him by the teacher - the source of knowledge. This usually takes place when using a monologue lecture (one-way transfer of information from teacher to student), reading or demonstration. Students, as a rule, do not cooperate with each other and do not perform any problematic, creative tasks, do not ask questions to the teacher.

Active methods are that the student mainly becomes a subject of study, enters into a dialogue with the teacher, performs creative, problem-solving tasks. To some extent, there is also a one-sided transfer of information, but no longer by the teacher, but by the student to the teacher, which he previously received from the teacher or from the literature. Here, to some extent, the feedback is manifested - questions from student to teacher, questions from teacher to student, developing creative thinking. The student establishes individual contact with the teacher, but does not cooperate with other members of the group. Such methods are now the main place in lectures, seminars, colloquia and in the independent work of students.

In the early 80's of last century in some foreign universities began to be widely used methods of practical training of lawyers, whose purpose was already during the educational process to place students in the environment where they have to work after graduation.

The essence of these methods, with some differences, comes down to the fact that students are invited to explore not prepared tasks, but specific legal situations in life. In this case, they work directly with the parties to the relationship, which is the subject of consideration, receiving the full range of factual circumstances of the case first hand.

Students learn to identify a problem by analyzing it not only from a legal point of view, but from a human point of view, and, not least, purely from a practical point of view. That is, learn to develop and implement an action plan needed to address the identified problem.

The basis for the implementation of new methods of legal training were "legal clinics", where students under the guidance of a teacher conduct a reception of citizens and provide them with legal assistance. It is in the clinic that students get acquainted with the real problems of legal practice, directly apply the acquired

knowledge, form their professional and personal qualities as future lawyers. In addition, clinical classes perform an important social function - ensuring the right of low-income and other socially vulnerable citizens to receive qualified legal assistance.

"Clinical legal education" arose as a response to the problem of unpreparedness of graduates of educational institutions for the practical application of legal knowledge. Therefore, its goals are partly determined by the need to address the problems of traditional teaching of legal disciplines. In addition, many of those who work in "legal clinics" in different countries think that they can contribute to making legal services available to those who usually cannot afford them.

The purpose of legal clinics is:

- obtaining practical skills and abilities of students in the specialty and involving them in scientific and practical activities;
- providing low-income citizens in need of free legal advice.

The main tasks performed by the "legal clinic" are:

- providing students of the "legal clinic" with the opportunity to acquire skills in providing legal assistance;
- providing citizens of socially vulnerable segments of the population with free legal aid;
- carrying out of actions on legal education of the population;
- providing opportunities for students to communicate during the educational process with practitioners of judicial and law enforcement agencies, other government agencies and local governments on their activities;
- creation of an effective mechanism for the exchange of information between the population, the media and the legal clinic, which will promptly respond to the practical needs of citizens;
- training and education of students in the spirit of observance and respect for the principles of the rule of law, justice and human dignity;
- deepening of professional knowledge of students and improvement of professional skills;
- to help students integrate into the professional environment;
- creation of places for passing of industrial, educational practice to students;
- introduction into the educational process of elements of practical training of law students in the field of legal services;
- carrying out of actions on legal education of the population;
- formation of legal culture of citizens;
- providing opportunities for students to communicate with legal practitioners;
- creation of an effective mechanism for the exchange of information between the population and the legal clinic that will allow to respond quickly to the practical needs of citizens;
- expansion of cooperation of higher educational institutions with judicial and law enforcement bodies, state bodies and local self-government bodies with other institutions and organizations.



In accordance with the purpose and objectives of legal clinics, as well as for the formation of professional competencies organize and provide:

- conducting theoretical and practical classes on the results of the legal clinic;
- conducting educational, legal and other educational and practical activities;
- providing free legal aid for the protection of human and civil rights and freedoms, legal entities in all areas of law in accordance with applicable law;
- working with legal documents and databases;
- conducting scientific and practical conferences, seminars, "round tables", trainings for consultants, conducting discussions on legal issues among students and their parents and other events on topical legal issues;
- analysis and systematization of judicial practice, decisions of the European Court of Human Rights, decisions of law enforcement agencies, state bodies and local governments;
- cooperation with other legal clinics.

The main principles of legal clinics are:

- respect for law;
- justice;
- human dignity;
- protection of human and civil rights and freedoms;
- humanism;
- legality and rule of law;
- objectivity;
- free legal aid;
- observance of ethical norms and confidentiality;
- competence and integrity.

The legal clinic allows you to most fully implement the practical orientation of training.

The general management of the legal clinic is carried out by the administration of the higher educational institution, which appoints the head and teachers-curators in order to provide methodological and theoretical support to students-consultants. Specialists-practitioners in the field of law (legal advisers, lawyers, notaries, employees of the court, executive service, justice) are also involved in the work.

The head of the legal clinic is appointed by the decision of the head of the higher educational institution, which trains specialists in the field of "Law", at the request of the head of the faculty, institute, branch, etc.

The structure and number of employees of the legal clinic is determined by the head of the higher education institution.

The "legal clinic" includes: the head of the legal clinic, the assistant head of the legal clinic, the heads of sections of the legal clinic, students of the legal clinic.

The head of the legal clinic is elected from among the teachers. It performs the following functions:

- directs the work of the legal clinic;
- represents a legal clinic in relations with public authorities and local governments, enterprises, organizations, institutions and the public;
- monitors the work of the legal clinic;
- approves the Rules of reception of citizens;
- delegates, if necessary, part of its responsibilities to employees of the legal clinic;

- gives instructions that are related to the work of the legal clinic;

- controls the coverage of the clinic in the media, the publication of training and support materials.

The assistant head of the legal clinic coordinates the activities of the legal clinic and is appointed on the proposal of the head of the legal clinic.

Functions of the assistant to the head of legal clinic:

- organization, maintenance and control of the office of the legal clinic;
- participation in the preparation and holding of events of the legal clinic;
- establishing a quality exchange of information between the participants of the legal clinic;
- performing other functions.

Heads of sections of the legal clinic organize the educational process of the legal clinic and are involved in the work at the request of the head of the legal clinic.

The head of the section can be a student best prepared to conduct consulting work.

Functions of the head of the section of the legal clinic:

- organization of the section and control over its activities;
- performing other functions.

The consultants of the legal clinic are senior students studying in the field of "Law" and provide legal assistance under the guidance of teachers-curators. The procedure and term of their participation in the work of the legal clinic, the number of consulting students is determined by the relevant Regulations on the legal clinic of higher education.

Teachers-curators, heads of sectors, other persons (administrator, methodologists, laboratory assistants, etc.) provide the necessary methodological and theoretical support to student consultants: decide on the admissibility of the case, its referral to the student, act as a curator for each application, and provide theoretical training, which is part of the program of clinical education of the student, exercise control over the activities of students for compliance of legal aid with the requirements of law and professional ethics.

Senior students are involved in the work of the legal clinic on a competitive basis. The terms of the competition are set by the legal clinic of the relevant higher education institution.

Depending on the specifics of the educational institution, the purpose and objectives of the educational process, the availability of qualified personnel who will manage the work of the clinic, provide assistance to students and other factors may specialize clinics by industry, but most clinics use a combined approach when there is several areas of work and students independently choose the one that corresponds to their future professional qualifications or preferences. The main categories of cases dealt with by legal clinics are: criminal, civil, family, tax, environmental, agricultural, land, housing, administrative, economic, labor, law and social security; legal regulation of business activity; protection of the rights of youth and minors.

Curricula and study programs in legal disciplines allocate an insufficient number of study hours for practical classes, so clinical education expands the possibilities of practical activities of students, consolidates the acquired theoretical knowledge.

The higher education institution creates and provides appropriate conditions for the functioning of the legal clinic:

- information on the work of the legal clinic and the Regulations on the legal clinic of the higher education institution are published in the local media, as well as placed in the premises where the legal clinic is located, in places convenient for free access of citizens;

- the legal clinic must provide the client with information on the acceptance of his application for consideration or a justified refusal to accept it;

- Legal aid is usually provided directly when considering the application. Due to the impossibility of resolving the issue immediately during the reception and in case of need for additional study of the issue, the staff of the legal clinic may set a different deadline and procedure for consideration of the citizen's application;

- the client must be able to submit to the head of the legal clinic his feedback on the quality of legal aid provided to him.

Registration of the account of reception of citizens by students is carried out by means of the journal form of registration and in the presence of the corresponding technical equipment - computer registration.

Admission of students to the legal clinic is based on competitive selection. The terms of the competition are set by the legal clinic of the higher educational institution.

Student consultants have the right to:

- to gain knowledge and practical skills for practical application and use in the future profession;

- to receive materials of legal cases and information about cases conducted by the legal clinic, to participate in their discussion;

- be present at the consideration of cases dealt with by other students;

- use the library and legal databases of the legal clinic;

- participate in promotions, campaigns, projects, programs and other events organized by the legal clinic;

- to pass on the basis of legal clinic training and industrial practice within the curriculum;

- Participate in resolving organizational issues of the legal clinic and provide proposals to the management of the legal clinic to improve its work.

Students-consultants of the legal clinic are obliged to:

- attend theoretical classes, seminars, trainings, participate in other activities held within the legal clinic;

- constantly deepen their professional knowledge and improve their professional skills;

- conduct business with observance of ethical norms and preservation of confidentiality;

- follow the rules of internal regulations, labor discipline;

- accurately, timely and efficiently implement the decisions and instructions of the management of the legal clinic, adopted within its competence;

- to be on duty in a legal clinic according to the established schedule, to take part in consulting of citizens;

- in accordance with the instructions of the management of the legal clinic and in accordance with the requirements of current legislation to participate in the management of clients of the clinic in the relevant bodies and institutions;

- in their activities to be guided by the principles of work and tasks of the legal clinic;

- provide a written report on the results of the cycle of work.

The higher educational institution provides premises for the legal clinic, the conditions of which allow to place the means and material resources necessary for the organization of the educational process, the reception of visitors in order to provide legal assistance. For material and technical support of the legal clinic, computers are provided that allow working with legal databases, the Internet; telephone means, furniture, office supplies, etc.

The legal clinic is funded by higher education institutions, grants from international and Ukrainian organizations, charitable contributions of citizens and organizations and other sources not prohibited by current legislation of Ukraine.

The method of creative tasks is used in work with students. Examples of such tasks include drawing up a legal document (letter, statement of claim, complaint); preparation of a speech (at a meeting of the company, in court debates, etc.); performing roles in simulation games; discussion of discussion issues. Such creative tasks, especially those that model future professional activities, give meaning to practical training, motivate students.

The practice of "legal clinics" shows that when developing training modules, in order to bring students closer to the real environment and develop their various professional competencies, it should be taken into account that they were as close as possible to reality and that one training module resulted in a number of problems. The solution of which by students would form in them various professional competences.

One of the forms of working with members of the "legal clinic" is to involve them in social projects.

They can be implemented within the university, town, region, country, and can be international. These include the creation and maintenance of "legal clinics", public receptions, the opening of legal media, or legal sections in the media and providing them with information on legal issues and more.

Within the framework of social projects, future lawyers are engaged in practical activities that bring a real social effect. Working in social projects allows students to apply in practice the knowledge and skills they have acquired, improve them and acquire new ones, delve into real social relations, see and evaluate the practical result of their actions, gain experience in public affairs.

The most effective in social and educational terms is the provision of legal assistance to the poor and other socially vulnerable groups. Working in this project, the student has the opportunity to: assess the legal framework that currently regulates the protection of these categories of citizens; to study the work of judicial bodies and other state bodies that apply the current legislation in this area, to assess the relationship between lawyers working in various fields of legal activity and their compliance with professional ethics; assess their readiness to work in modern conditions.

Working in this project provides an opportunity to acquire professional skills of communication, professional ethics, surveys, analysis of life situations and identify legal issues, counseling, discussions, representation of citizens in government agencies and courts, alternative dispute resolution, negotiation, legal techniques and other.

A very effective means for students to acquire professional competencies is the participation of students in the preparation of publications on legal issues in their student press and other media.

An interesting form of work is role-playing games. The purpose of role-playing is to gain experience of action through play, to help learn through experience and feelings. Role play can also be used to gain specific skills. Sometimes attendees can act out situations they have already encountered.

During the role play, participants develop skills of professional ethics, critical thinking, communication skills, legal problem solving skills, practice different behaviors in problematic situations, cultivate understanding of other people's positions, compassion for them.

Role-play learning is significantly different from teaching substantive law and legal theory. There is no single right answer or single approach. Each student, solving the tasks, acts in his own manner, taking into account his experience.

Role-playing games are one of the main techniques in interactive classes. They provide an opportunity to play the legal situation in the roles, and in the process of the game to acquire certain practical (professional) competencies.

To form professional competencies, a plot is specially developed, which is a brief description of the situation, which is communicated to all participants, their roles and confidential information for them are determined, tasks for participants and observers are compiled, instructions for active participants are selected, normative materials are selected. games, questions are being prepared for feedback.

Thus, role-playing games were held to provide advice on certain legal issues where students acted as a visitor, a consultant, simulated the procedure of going to court with a statement of claim, and appealing the actions of an official of the institution.

After the role play, "feedback" is given, this is the final part of the lesson (summarizing, analysis, self-assessment and commenting on the actions of the participants).

Its purpose is that the participant whose actions are being discussed not only realized what had been done,

but once again experienced the situation internally and formed a new pattern of behavior: "Now I would act like this ..."

Before conducting this part, the teacher informs the group that, listening to opinions about the work done, the group and its individual members should perceive the assessments not as criticism, but as help and in the next stages, if possible, use the advice.

This caveat is important because, unfortunately, the subjects of discussion are not always ready to accept the comments of colleagues, teachers, invited specialists, and then this comment does not achieve its goal. In the absence of such a reservation, the subject of discussion may close, and repeated exercises will again make similar mistakes. In this case, the discussion will not achieve the goal.

In summing up, the role of speakers should be not only to demonstrate inaccuracies, errors, omissions and ways to eliminate and correct them, but speakers should pay attention to the successful actions of participants. It is important to analyze these successful steps, to point out their positive consequences, the possibility of applying them in similar situations in real life.

The following recommendations should be followed when discussing the actions of your colleagues:

- give the participant whose actions are being discussed the opportunity to speak first and evaluate himself;
- treat with respect everything that your colleague does;
- find success in the actions of a colleague and let him know what has been achieved;
- approve the creative approach, independent inventions, unexpected moves;
- do not forget that the only right decision, approach, behavior is not, that other options are possible;
- speak briefly and accurately;
- when criticizing, limit yourself to two or three topics.

In order to deepen students knowledge in the field of law, better counseling, it is necessary to periodically hold meetings with practitioners of law enforcement agencies, police, prosecutors, notaries, consumer protection department, justice department, representatives of human rights organizations.

The usefulness of inviting specialists is obvious. After all, who better to comment on the situation, the practical actions of a novice specialist, to share the experience of solving certain problems, if not a person who has experience in the field arising from the topic of classes. Cooperation between students and specialists contributes to a better understanding of the subject, provides more effective work with regulations, as well as an understanding of the role played in society by the invited specialist.

The legal clinic provides free legal advice during the school year. Clients are not accepted during weekends, sessions, and vacations.

Provision of legal services to people in the legal clinic carried out on a voluntary basis and free of charge.

Legal services to clients from all areas of law except driving defense in criminal cases during the preliminary investigation and in court.

Categories of citizens who are eligible for legal services: poor; members of large families; citizens affected by the Chernobyl disaster, classified in I and II categories; invalids of I and II groups; participants and invalids of wars; retirees; youth up to 20 years.

Category of cases dealt with by the legal clinic : civil, tax, labor, agricultural, housing, family law and social security; legal regulation of business and investment activities; protection of the rights of youth and minors. Clients are received at the counseling center in accordance with the work schedule established by the head of the legal clinic.

To ensure the maximum efficiency of receiving clients, a rotation schedule of members of the legal clinic is established.

The schedule is determined by the secretary in accordance with the schedule and agreed with the head of the legal clinic.

K marry consultant and attached to his listeners duty in legal clinic together and not less than 1 time per week according to the schedule of duties . The queues provide for the design of information stands. The information stand should contain information for the population about:

- the schedule of the legal clinic and the list of people on duty for the current week;
- list of categories of the population that have the right to receive legal advice;
- specialization of legal clinic;
- management and structure of the legal clinic;
- rules for providing legal services in a legal clinic;
- cases of language in the acceptance of the client's case.

Members of the legal clinic carry out a personal reception of citizens. In some cases, if the client is unable to come to the legal clinic for valid reasons, the consultation may be provided by telephone, with prior acquaintance of the client with the terms of consultation and indication in the incoming questionnaire that the consultation is provided by telephone.

Personal reception of citizens is carried out at a certain time of the legal clinic. The first reception of citizens is carried out by people on duty with filling in a questionnaire and checking the documents proving the right to receive a consultation.

The duty officer may refuse to provide legal services to the client if:

- the client does not belong to any category of citizens, who are eligible for legal services: ( poor, members of large families, citizens affected by the Chernobyl disaster, assigned to I and II category, invalids I and II groups, participants and disabled veterans; pensioners, young people under 20);
- the client needs protection in a criminal case in a preliminary investigation and in court;
- documents confirming the client's status are missing;
- assistance on this issue is not within the competence of the clinic.

The refusal is notified to the client on the day of application orally or in writing with a mandatory reference to the reason for refusal. In idmova may be appealed within two days the client manager, the decision of the head is final. In case of refusal, the duty officers are obliged to inform the client about the location of institutions, organizations, lawyers who can provide assistance in this matter, or in case of consent of the client form a file and send for the case (if available in the second level clinic).

As a result of the interview with the client, the next ones fill in the questionnaire and enter into a standard agreement. The duty officers are obliged to explain the provisions of the agreement and to warn that legal aid is provided by law students. The client's status arises from the moment of concluding the agreement. The issue of confidentiality of information provided by the client is decided individually and is considered a mandatory condition of the agreement . The registration of the dossier is carried out after the conclusion of the agreement in a special journal with the assignment of an individual code. The registered file of the client must meet the established requirements and is a separate folder that has a registration number. The title page indicates the last name, first name and patronymic of the client, the date of opening the file, the names of students-consultants and teachers-consultants.

Mandatory primary documents that must be included in the dossier are:

- agreement;
- questionnaire;
- questionnaire (case file);
- copies of documents;
- student work plan;
- the report on the performed work is endorsed by the teacher-consultant;
- the answer to the client in writing is endorsed by the teacher-consultant;
- copies of documents are taken after signing the agreement and registration of the dossier;
- it is forbidden to accept original documents for storage;
- on duty appoint the client the place and time of the meeting with the consultant, taking into account the interests of the client;
- the date and time of the meeting are communicated to the client against a receipt, indicated in the questionnaire and calendar of meetings. Subsequent changes in the time or place of the meeting are possible only after agreement with the client;
- regular meetings of consultants and clients are recorded daily;
- the secretary controls the timeliness of meetings of consultants and clients;
- at the end of the dossier, before the transfer to the student-consultant, is kept by the duty officer;
- files can be transferred to the student consultants to study the documents and training advice, legal documents, and so on.

Work of the consultant with the client:

- conducting a client survey;
- situation analysis;

- preparation and approval of the work plan on the case;
- selection and analysis of the regulatory framework;
- preparation of legal documents;
- implementation of other necessary actions;
- consultation with the teacher-consultant;
- preparation of a written response for the client and its submission for verification to the teacher-consultant;
- conducting a consultation with the client (transmission of a written response with mandatory oral explanation);
- conducting a case in court;
- writing a report on the work done.

Powers of duty in the legal clinic :

- registration for duty takes place during the weekly meeting of student counselors on a voluntary basis;
- the secretary makes the schedule of duty;
- duty officers are obliged to appear on duty according to the approved schedule;
- during duty on duty:
  - a) receive clients and explain the rules of the legal clinic ;
  - b) enter into an agreement with clients on the conduct of business;
  - c) register in the journal of reception of clients;
  - d) fill in the client's questionnaire;
  - e) form the client's file;
  - g) forming posed the problem and inform tion client meeting date with the student consultant.

Then the distribution of cases between students is carried out in the following order:

- the dossier is handed over to the student-consultant (on a voluntary basis, taking into account the planned workload) during the weekly meeting of student-consultants or posted on the stand of free affairs;
- the secretary makes sure that all cases are assigned to the relevant student counselor;
- the teacher-consultant conducts a preliminary analysis of the prepared options for solving the problem, corrects them, consults the student and develops with them the final options for solving the problem;
- the general norm of loading of practical work on each student makes 10-15 hours a week on condition of conducting not less than 2 affairs;
- given the complexity of the case, the solution of the problem can be entrusted to 2-3 students at the same time with the mandatory appointment of a responsible person;
- the case is considered by the student not less than the 1st week, about which the client is informed.

The student who accepted the case is obliged to immediately inform the client and take measures for the timely implementation of the approved plan :

- a) the term of consideration may be longer depending on the complexity of the case;
- b) after receiving the dossier, the student-consultant is obliged not later than the next day to draw up and approve the teacher's action plan on the case in writing;
- c) this plan is a mandatory annex to the dossier;

d) further actions in the case are carried out in accordance with the items of the approved plan and end with a mandatory report in oral and written form;

e) making changes and additions to the plan are made in writing (including deadlines) with the consent of the teacher;

g) the student's work on the case is controlled by one of the teachers, taking into account the circumstances of the case and the industry affiliation of the legal relationship under consideration;

f) if necessary, the teacher-consultant participates in the work or may be present during the consultations and with the participation of the student in court hearings;

g) instructions of the teacher in the course of work of the student, are obligatory;

h) non-compliance with the requirements of the teacher is the basis for the removal of the student from the case;

i) drawing up a written answer to the case is mandatory.

Providing advice to the client:

a) consultation, as well as service of the prepared document is possible only after the visa of the teacher of the Law on such consultation or document;

b) when transferring a written consultation to a client, it must be explained to the client orally;

c) then, if desired, the client can fill out a letter of feedback on the work of the student who remains in the case;

d) in the process of preparing a consultation, the student is obliged to provide the teacher with a report on the results of work on the case.

Closing and transferring the dossier to the archive: closing the client's file is possible only after taking the necessary actions to protect the rights and interests of the client, resolving the issues under the agreement.

The grounds for early closure of the dossier may be:

- death of the client;
- client's refusal of legal services (in writing);
- non- appearance of the client for an appointment for a long time without good reason;
- inability to provide legal assistance due to circumstances beyond the control of project staff .

The procedure for closing the dossier:

- after performing the necessary actions according to the plan of work on the case and providing the necessary legal assistance, the student makes a detailed report on the work performed and a list of all documents in the file;

- based on the results of the inspection, the teacher draws a conclusion on the case with the assessment of the student's work;

- the conclusion is a mandatory appendix to the dossier, without which it cannot be closed;

- having received the conclusion on results of work, the student files materials of the case, including the conclusion, numbers pages and within 2 days from the moment of reception of the conclusion hands over the dossier to the secretary under the receipt;

- the secretary submits weekly to the head of the legal clinic dossiers to be closed;

- for each dossier the registration card in the computer database is filled in and exposed;
- the head of the legal clinic decides to close the file and transfer the case to the archive.

The procedure for storing files in the archive and the use of archival materials is established by the head of the legal clinic.

When working with the case, the suspension of legal aid is allowed on the basis of:

- long - term illness of the client (more than one month);
- the need to conduct an examination or send a request to the appropriate authorities;
- departure of the client for a period exceeding one month for a good reason;
- other reasons that do not allow to implement the plan in a timely manner.

In cases not specified in the " Regulations on the Legal Clinic ", the student makes a report on the suspension of assistance, indicating the reasons and together with the case is sent to the secretary;

- information on the suspension of care is reported to the secretary of the legal clinic and transferred to the archive for temporary storage.

In the process of working with the client, the dossier can be transferred to another student to continue working and close the dossier in the case of:

- end of the semester and withdrawal of the previous consultant from the student-consultants;
- voluntary withdrawal of the consultant from the student-consultants;
- violation by a consultant of the code of professional ethics of a legal clinic ;
- non - fulfillment of the plan of individual work on the case;
- negative feedback from the client about the work of the consultant;
- other reasons that do not allow to continue the case.

The decision to transfer the case is decided by the teacher or secretary of the legal clinic , taking into account the opinion of student counselors. A mandatory requirement is maximum protection of the client's interests.

For non-compliance " Regulations on the Legal Clinic " to the participant, legal clinics apply disciplinary responsibility in the manner prescribed by " Regulations on the Legal Clinic ".

#### **In conclusion.**

Working in a legal clinic should contribute to the formation of the appropriate level of legal awareness, legal culture, mastery of legal professional competencies: analyze legal issues, situations in accordance with applicable law, make informed decisions in accordance with the law, act in extreme situations, think quickly, be fair, sociable , have high moral, volitional and physical abilities, responsibly provide legal advice, conduct client interviews, investigate facts, study and analyze the legal framework, defend the point of view of specific individuals in the context of the legal system, appear in court, draft procedural documents, correctly keep records, communicate properly, both orally and in writing, negotiate, communicate with government and

local authorities, legal ethics, respect for the individual, compassion, desire to help, friendliness, respect for any client depending on gender, nationality, race, skin color, colleagues, justice and the law.

Working in a legal clinic, students get some freedom of action. Excessive freedom can lead to deterioration of work, so you need to create a system of control and quality control of work performed. There may also be a situation where student counselors prefer to work in a clinic over the learning process, which can negatively affect overall performance. Heads of legal clinics need to create schedules of students-consultants, taking into account the individual capabilities and features of the educational process.

Thus, in our opinion, a legal clinic is a formation created to provide legal advice to the population by students of law faculties of higher educational institutions in order to form professional competencies.

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