

сторонніх осіб і т.ін. [2].

*Висновки:* професійна компетентність юриста це складна система, що складається з багатьох компонентів, до яких відноситься: як фахова обізнаність, так і особистісні людські якості. Одну з важливих категорій відіграють комунікативність та мислення, що дають змогу взаємодіяти та в деякій мірі впливати на співрозмовника.

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## **LAW EDUCATION IN UKRAINE IN COMPARISON WITH EUROPE AND USA**

The topic of foreign experience in shaping legal education, requirements and criteria that put to European or American lawyers is very relevant today.

Legal education in our country is the key to the current social-economic situation, when people fight for their statehood. The construction of a law-governed state, the reform of the political and judicial system constantly require the development of legal education and the functioning of highly qualified lawyers of world-class, which we lack so much, unfortunately.

The problem of the crisis in legal education in Ukraine was studied by many talented scholars and lawyers, including Ivan Gorodsky, Coordinator of the Association of the Advancement of Legal Education Commission, Director of the Center of the Rule of Law of the Ukrainian Catholic University, Andriy Boyko (until 2015, Dean of the Faculty of Law of Lviv National University, now a member of the High Council of Justice), and the Dean of the Law Faculty of the Kiev University Ivan Gritsenko. They insist on the fact that the status of legal education and the qualifications of Ukrainian lawyers are very low today. And the outcome of this difficult situation, scientists see only in the borrowing of European standards and requirements of legal education.

Rithis Jokubauskas, a Lithuanian lawyer and the member of the European Justice Reform Project, has repeatedly emphasized that Lithuania, together with Europe, is ready to assist Ukraine in reforming its legal education. We should say that there are different forms of legal education in Europe, including four years of studying for a bachelor's degree, and then two years for magistracy's degree. There are also some European countries where there is one-stage model – five years of studying jurisprudence. Some of the proposed reforms, however, are beginning to translate them into reality, but in our opinion, all these processes can cause a lot of controversies and dissatisfaction.

As stressed Andriy Boyko, the proposed Lithuanian reforms would not lead to the rise of legal education level in Ukraine. He noted that magistracy's program in Ukraine should be introduced as mandatory. Boyko explained that the transition to such a concept of education would correct the current situation of a low level of lawyers training in the country. We fully agree with this opinion and we believe that its maintenance should be taken into account.

Continuing the theme of the European level of legal education, it should be noted that a highly qualified and professional teaching staff, a scientific and educational base and the rational use of budget resources for professional equipment play an important role in the preparation of high-quality lawyers of the world level, and encourage pupils and students to receive high-quality legal education without which it is so hard to live today.

Another world leader in training highly skilled lawyers is the United States of America. It's no secret that the USA has always been proud of training top-level lawyers. So what's their secret?

Let's start with the fact that legal education in the United States is considered to be elite and the people in legal education are always well paid and the second, perhaps, because the lawyer, even in the beginning of the career, must be versatile, mature in the moral and physical plane. The transition to a profession can give only a certificate with honors of the completion of the first higher, exceptions to this rule are not allowed. So, the University of Arizona, one of the largest universities in the United States, produces only one hundred and sixty three lawyers per year and can not accept even a tenth of all those who wish. As we compare with our country, we can see that any provincial mining or railway institute annually delivers a huge number of "experts" in jurisprudence to the labor market.

In order to protect people, firms, or any public authority in courts, a graduator from the Faculty of Law must be licensed by passing a relevant state-level examination in which he intends to practice. An excellent exam does not guarantee the obtaining of a license, as the examiners assess the moral character of the future lawyer, including characteristics from the school, the first and second universities, data are checked on the subject of personal bankruptcy of the candidate in the past or involving him in the responsibility for the commission of criminal and administrative offenses. The license is given not for life, the lawyer is obliged annually to set the number of hours to improve his qualifications by attend-

ing paid lectures.

The idea of a multistage restriction in access to legal practice is quite interesting, since the American principle allows you to eliminate casual people who discredit the profession, not prepared for their mental abilities, and for moral qualities to be lawyers. We can see that an American lawyer who has just graduated from the university and received a license differs from a Ukrainian student for almost everything. We do not take such strict treatment of the requirements of legal education, so it is at such a low level, in our opinion.

Consequently, we came to the conclusion that the level of Ukrainian legal education and the qualifications of Ukrainian lawyers need to be improved. We should pay more attention to what the European and American elites advise us. They have much more experience in training professional staff and building the right educational process. But we can not deny the fact that the mentality of our nation and European nations is quite different, so not all methods and measures that work in legal education in Europe and America are guaranteed to benefit us. But even after this it is necessary to work and implement certain reforms, in every possible way to try to raise the level of legal education in Ukraine, listening to foreign partners.

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## **СУБ'ЄКТИВНІ ТА ОБ'ЄКТИВНІ ЧИННИКИ ФОРМУВАННЯ ПРОФЕСІЙНОЇ КОМПЕТЕНТНОСТІ ЮРИСТА**

Проблема формування професійної компетентності майбутніх юристів на сьогодні є стратегічною метою для провідних юридичних університетів. За визначенням тлумачного словника Longman, термін «компетентність – competence» розкривається, як: 1. Здатність та вміння виконувати те, що необхідно; 2. Законне повноваження суду розглядати справи у суді; 3. Область