

Syllabus

Legal Deontology and Professional Ethics



Higher education degree - bachelor
Field of knowledge - 29 International relations
Specialty - 293 International Law
Educational and Professional Program - International Law

Study year: 1, Semester: 2.

Amount of ECTS credits: 4. Language of study: english

Head of the course:

PhD in Law, Associate Professor, Associate Professor of the
Department of Theory and History of State and Law
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Description of the Discipline

The discipline is directed on building a system of general knowledge about the code of conduct, professional etiquette, use of morality, moral standards, collaboration with colleagues, relationships with citizens, wisdom of communication, information on jurisprudence and legal practice, the requirements for professional and personal qualities lawyer, about system of formation of these qualities, the foundations of logical reasoning in the profession of lawyers. The objective of this course is to acquire the student knowledge of the legal profession, familiarity with the requirements that apply to the lawyer, determined that he must know and be able. It promotes future lawyers to get deeper into the essence of the chosen profession, as if to feel the specifics of legal activity internally. With the help of this subject, a professional culture of a lawyer is created as a specialist of the highest class, because it depends on such qualities that the success of the rule-of-law formation in Ukraine depends.

Tasks of discipline: contribute to a broader general training of students on issues and problems of deontology, development of legal philosophy, is essential for the absorption and application of law in practice; creation of prerequisites for better absorption of such disciplines as “Theory of state and law”, etc., sectoral and cross-cutting themes; the formation of a scientific Outlook on the state-the legal processes occurring in the world; acquainted with the best achievements of the legislative art and law.

As a result of studying the academic discipline, the student should

know:

- to understand the historical context of the formation of international legal norms and institutions, the values underlying them, to predict the main directions of the development of international and national law.;

- to know and understand normative provisions, doctrines and principles of functioning of international and national legal systems, to carry out on this basis the analysis and qualification of legal phenomena, to apply international legal norms and principles in the national legal system.

be able:

- to apply adequate research methods and to generate models of the processes of lawmaking and law enforcement in certain state legal systems in their historical development;
- understand and show the relationship, the development and contradictions of the phenomena of reality;
- be able to create a program of study and to implement its functional structure and dynamics of historical and legal processes and forecasting their development;

- be able to apply the evaluation criteria compliance with state legal systems the nature of socio-economic, political, socio- and ethno-cultural and religious state of society at a certain historical stage of development of civilization;
- to use professionally profiled knowledge for modeling legal systems;
- to use theoretical knowledge and practical skills for their application in the field of law;
- to carry out professional research and educational activity in the sphere of historical and legal knowledge.

Course structure

Hours (lect. / sem.)	Topic	Learning outcomes	Control measures
2 / 2	Topic 1. Scientific and methodological backgrounds of the course "Legal deontology and professional ethics and logic for lawyers"	To learn the formation of the system of deontological knowledge: the historical aspect. Legal ethics and deontology as a science and a discipline. Subject and structure of the course "Legal Deontology and Professional Ethics and Logic for Lawyers". Methods, principles, functions and tasks of legal deontology and professional ethics. The role of deontological knowledge in the training of lawyers. Modern didactic approaches to teaching the course. Documents on the standards of the legal profession. Professionals of lawyers.	Tests, questions
2 / 2	Topic 2. The concept and features of legal activities. Legal research and training activities	Be able to discuss the concept, methodological approaches, main features of legal activity. Structural characteristics and classification of legal activity. Current trends in the development of legal activity in the context of the reform of society. Legal science: concept, content, structural and functional characteristics. Actual problems and priorities of the development of legal education.	Tests, questions
	Topic 3. Legal scientific and educational activity.	Be able to discuss concept, content, structural and functional characteristics. Legal education in Ukraine: system, subjects and participants. Actual problems and priorities of the development of legal education. Strategy for reforming higher education in Ukraine. The concept of development of higher legal education in Ukraine.	Tests, questions
2 / 2	Topic 4. Legal practical activities: the concept, features, principles, functions and tasks. Types of legal practice.	Be able to formulate the concept and general characteristic of legal practical activity. Signs of legal practice. Professionalism of legal practice. Independence of legal practice. Competence of legal practical activity. Respect and non-violation of the rights, freedoms and legitimate interests of other actors. Conflict of legal practice. Informative legal practice. Publicity of legal practice. Confidentiality of legal practice	Tests, questions

		(professional secrecy: honesty, decency and sincerity in conducting a legal case. Characteristics of the content, means and forms of practice of lawyers.	
4 / 4	Topic 5-6. Judicial activities. Prosecutor's activities. Investigator's activities. Advocacy. Notary activity. Legal consultative activities	Be able to explain, provide and realize the principles of legal practice. Tasks, functions of legal practical activity. Professional judge. Judicial activity: concept, court functions and functional aspects. Prosecutor's office. Concepts, principles, functions, foundations of organization and organizational foundations of activity of the prosecutor's office. The powers of the prosecutor. Professor of the investigator. Professional lawyer. Concepts, principles and principles of advocacy. Advocacy: acquiring rights, organizational forms, types. Rights and responsibilities of a lawyer. Professional notation. Concept and principles of notarial activity. Professional qualification of legal officer, legal counsel.	Tests, questions, cases, Module testing
2 / 2	Topic 7. Psychological aspects of professional activities of lawyer. Conflicts in law and the role of lawyers in their completion	Be able to understanding of psychological factors in the activities of a lawyer. Basic active-dynamic and stable mental properties of a person. The concept of psychological compatibility and its importance for the successful professional activity of a lawyer. Psychological methods of professional communication of lawyers with citizens. Conflict: concepts, types, basic parameters. Subjects and participants in legal conflict. Stages of its development and causes of occurrence. Conflicts in legal life: prevention methods, the role of lawyers in solving and preventing them.	Tests, questions, cases
2/2	Topic 8. Conflicts in law and the role of lawyers in their resolution	Be able to understanding of concepts, types, main parameters of legal conflicts. Subjects and participants in the legal conflict. Stages of its development and causes. Conflicts in legal life: methods of prevention, the role of lawyers in their resolution and prevention.	Tests, questions, cases
2 / 2	Topic 9. Professional legal culture of lawyer	Be able to to explain culture as an achievement of society. Human and national values. The concept and content of a lawyer's culture. Spiritual culture of a lawyer. Political culture of a lawyer. Information culture of a lawyer. Psychological culture of a lawyer. The concept of professional and legal culture. Characteristics of individual components of a professional lawyer's culture.	Tests, questions, cases

2 / 2	Topic 10. Aesthetic and communicative culture of a lawyer	Be able to understand the concept and purpose of professional aesthetics. Aesthetic culture and its forms of manifestation. Aesthetic requirements for the external side of legal activity. Requirements for business style clothing (uniforms). Requirements for design and ergonomics in institutions. Culture of speech and communication. Aesthetic requirements for document processing. Communicative culture of a lawyer. The essence of professional communication, its functions. Visual psychodiagnosis. Communication with the boss. Communication with subordinates and employees. Communication with citizens, victims and offenders. Communication with foreigners.	Tests, questions, cases
2 / 2	Topic 11. Legal ethics as a kind of professional ethics.	Be able to explain professional ethics of a lawyer: general theoretical discourse. The formation of Ukrainian legal ethics as a science: historical and legal discourse. Legal (legal) ethics: structure, types, norms. Sources of Legal Ethics. Professionally important qualities of legal professions. Legal ethics at the international legal level.	Tests, questions, cases
4 / 4	Topic 12. Professional ethics of investigative activity. Judicial ethics	Be able to understand moral and legal basis of investigative activity. The unity of legality and morality in the work of an investigator. Ethical foundations of investigator activity. Ethical and psychological features of the profession of an investigator. Moral aspects of the judiciary. Ethics of judicial process, judicial rhetoric and judicial decision. Code of ethics of judges: short stories, meaning. Moral and psychological characteristics of a judge.	Tests, questions, cases
4 / 4	Topic 13. Professional ethics of the prosecutor's office. Lawyer ethics	Be able to understand Peculiarities of the ethics of the prosecutor's office. Code of professional ethics and conduct of prosecutor's office employees: novelties, basic principles. Legal and ethical foundations of advocacy in Ukraine. Rules of lawyer ethics: a comparative analysis. Basic principles of lawyer ethics.	Tests, questions, cases, Module testing

Recommended sources

1. Beran, Harry (2016). The Consent Theory of Political Obligation. London: Croom Helm.
2. Dworkin, Ronald (2006). Law's Empire. London: Fontana Press.
3. Edmundson, William A. (2008). Three Anarchical Fallacies. Cambridge, UK: Cambridge University Press.
4. Feinberg, Joel (1999). Supererogation and rules. Ethics 71: 276–88.
5. Gans, Chaim (2007). Philosophical Anarchism and Political Disobedience. Cambridge, UK: Cambridge University Press.
6. Green, Leslie (2000). The Authority of the State. Oxford: Clarendon Press.

7. Greenawalt, Kent (2009). *Conflicts of Law and Morality*. Oxford: Clarendon Press.
8. Hage J. (2017). *Elementary logic for lawyers*. Oxford: Clarendon Press.
9. Harris, J. W. (2007). *Legal Philosophies*. London: Butterworths.
10. Harris, Paul (ed.) (1990). *On Political Obligation*. London: Routledge.
11. Hart, H. L. A. (2015). Are there any natural rights? *Philosophical Review* 64: 175–91.
12. Hart, H. L. A. (2018). *The Concept of Law*. Oxford: Clarendon Press.
13. Hohfeld, Wesley (2017). *Fundamental Legal Conceptions as Applied in Judicial Reasoning*. New Haven, CT: Yale University Press.
14. Horton, Joh (2020). *Political Obligation*. London: Macmillan.
15. Kamm, Frances (2005). Supererogation and obligation. *Journal of Philosophy* 82: 118–38.
16. Soper, Philip (2004). *A Theory of Law*. Cambridge, MA: Harvard University Press.
17. Williams, Bernard (2022). *Morality, the peculiar institution*. In Bernard Williams, *Ethics and the Limits of Philosophy*. Cambridge, MA: Harvard University Press, 174–96.

Information sources

1. West Ukrainian National University. Electronic repository. <http://dspace.wunu.edu.ua/>
2. NYU Library named after Yaroslav the Wise. <https://library.nyu.edu.ua/>
3. Kharkiv National University of Internal Affairs. <https://dspace.univd.edu.ua/>
4. Pravo Publishing House. <https://pravo-izdat.com.ua/>
5. Odesa Law Academy National University. Oxford Public International Law. <https://opil.ouplaw.com/>
6. JSTOR. <https://www.jstor.org/>
7. University of Michigan Law School Scholarship Repository. <https://repository.law.umich.edu/>

Evaluation policy

- Policy on deadlines and rescheduling: Rescheduling of modules takes place with the permission of the dean's office if there are good reasons (for example, sick leave).
- Academic Integrity Policy: Copying during tests and exams is prohibited (including using mobile devices).
- Attendance Policy: Attendance is a mandatory component of assessment. For objective reasons (for example, illness, international internship, and other reasons), training can take place online with the permission of the university administration.

Evaluation

The final grade for the course is determined according to:

Credit module 1	Credit module 2	Credit module 3	Writing Exam	Total
20	20	20	40	100%
1. Current survey. 2. Theoretical question (2 questions of 30 points each) - 60 points. 3. Definitions (2 definitions of 10 points each) - 20	1. Theoretical question - 25 points. 2. Definition - 10 points. 3. Test tasks (10 tests of 5 points each). 4. Task - 15 points.	1. Current survey, training -50 points. 2. Writing a CPIT, based on the formed individual tasks with subsequent defence - 50 points.	1. Theoretical questions (2 questions of 25 points each) - 50 points. 2. Definitions (2 definitions of 10 points each) - 20 points.	

points. 4. Test tasks (10 tests of 2 points each) - 20 points.			3. Task - 10 points. 4. Tests (5 for 4 points) - 20 points.	
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Student evaluation scale:

ECTS	Marks	Content
A	90-100	excellent
B	85-89	good
C	75-84	good
D	65-74	satisfactorily
E	60-64	enough
FX	35-59	unsatisfactory with the possibility of reassembly
F	1-34	unsatisfactory with a mandatory repeat course