

Syllabus of discipline:

Ethical standards of the legal profession



Degree of Higher Education – master
Field of Knowledge – 29 «International Relations»
Specialty – 293 «International Law»
Educational-professional program – «International Law»

Study year: I, Semester: II.

Amount of ECTS credits: 5. Language: English

Course Lecturer Professor of Department of Theory and History of State and Law, Doctor of Historical Sciences, Professor Andrii Hrubinko

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Description of the Discipline

The purpose of the discipline is the formation of students of higher education in the ability to make decisions in situations that require a systematic, logical and functional interpretation of legal norms, as well as an understanding of the peculiarities of the practice of their application, the ability to develop and approve ethical standards of legal activity, standards of professional independence and responsibility of a lawyer and to convey to specialists and non-specialists in the field of law, information, ideas, the content of problems and the nature of optimal solutions with proper reasoning.

General task of discipline - to improve the ability to apply acquired theoretical knowledge and practical skills in understanding the essence of fundamental European, and as their component - national legal values in the professional activity of a lawyer, the ability to use, affirm and develop in professional activity such legal values as freedom, justice, equality, democracy, law and order, legality, rule of law, etc., to resolve issues of their application in law enforcement activities/

Course structure

| Hours (lect. / sem.) | Topic | Learning outcomes | Task |
|---------------------------------|--|--|------------------------------|
| 2 / - | 1. Ethics as a science of morality. Law and morality. | To learn the theoretical knowledge of the basic principles of the formation of morality, the main ethical values and their connection with the law. | In-class Student Performance |
| 4 / 2 | 2. Basic ethical categories and values of ethics. | To learn the peculiarities of professional ethics, the essence of legal ethics. | Team projects |
| 2 / 2 | 3. The essence and tasks of professional ethics of a lawyer. | To consider the structure and features of a lawyer's moral culture, the content and reasons for his professional deformation. | Module testing |
| 4 / 2 | 4. Moral culture as a system of value indicators of a lawyer's activity. | To deepen classes on the formation of professional ethics of a judge, to contribute to the formation of the basic moral principles of the judiciary. | Team projects |
| 2 / 2 | 5. Ethical standards in the administration of justice. | To deepen the knowledge of the basics of the formation of the justice, to promote the formation of the basic principles of the moral culture of an individual in the professional sphere. | Cases |
| 2 / - | 6. Ethics of investigator activity. | To deepen the knowledge of the basics of the formation of the professional ethics of an investigator, to promote the formation of the basic principles of the moral culture of an individual in the professional sphere. | Cases |
| 2 / - | 7. Ethics of the prosecutor. | To deepen the knowledge of the basics of the formation of the professional ethics of a prosecutor, to promote the formation of the basic principles of the moral culture of an individual in the professional sphere. | Exercises |
| 2 / 3 | 8. Problems of advocates ethics. | To deepen the knowledge of the basics of the formation of the professional ethics of an advocate, to promote the formation of the basic principles of the moral culture of an individual in the professional sphere. | Team projects |
| 2 / - | 9. Ethics problems in the notary. | To deepen the knowledge of the basics of the formation of the professional ethics of a notary, to promote the formation of the basic principles of the moral culture of an individual in the professional sphere. | Test |
| 2 / 2 | 10. Integrity as a moral and ethical component of a lawyer's activity. | Be able to understand professional ethics of a lawyer. 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. | Rector's module |
| 4 / - | 11. Ethics of business communication and business etiquette. | 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. | Test |

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|-------|------------------------------------|---|------|
| | | 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. | |
| 2 / 2 | 12. Aesthetic culture of a 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. | Test |

References

- Beran, Harry (2016). *The Consent Theory of Political Obligation*. London: Croom Helm.
- Dworkin, Ronald (2019). *Law's Empire*. London: Fontana Press.
- Gans, Chaim (2017). *Philosophical Anarchism and Political Disobedience*. Cambridge, UK: Cambridge University Press.
- Green, Leslie (2000). *The Authority of the State*. Oxford: Clarendon Press.
- Greenawalt, Kent (2009). *Conflicts of Law and Morality*. Oxford: Clarendon Press.
- Hage, J. (2017). *Elementary logic for lawyers*. Oxford: Clarendon Press.
- Hart, H. L. A. (2018). *The Concept of Law*. Oxford: Clarendon Press.
- Horton, John (2020). *Political Obligation*. London: Macmillan.
- Kamm, Frances (2005). Supererogation and obligation. *Journal of Philosophy* 82: 118–38.
- Klosko, George (2018). *The Principle of Fairness and Political Obligation*. Lanham, MD: Rowman & Littlefield.
- Kramer, Matthew H. (2020). Rights without trimmings. In Matthew H. Kramer, N. E. Simmonds, and Hillel Steiner.
- Raz, Joseph (2021). *Ethics in the Public Domain*. Oxford: Clarendon Press.
- Schauer, Frederick (2021). *Playing by the Rules*. Oxford: Clarendon Press. Soper, Philip. 2021.
- Simmons, A. John (2019). *Moral Principles and Political Obligations*. Princeton, NJ: Princeton University Press.
- Soper, Philip (2022). *A Theory of Law*. Cambridge, MA: Harvard University Press.

Assessment Policy

- Deadline and Repass Policy:** Tasks that seems to be in violation of deadlines without valid reasons are rated lower (-20 points). Module can be repassed with the permission of the Dean, if there are valid reasons (e.g. hospital).
- Academic Integrity Policy:** All written works are checked for plagiarism and allowed for defense with correct text borrowing of no more than 20%. Write-offs during tests and exams are prohibited (including using mobile devices). Mobile devices may only be used during online testing (for example, Kahoot).
- Attendance Policy:** Attendance is a mandatory component of the grade for which points are earned. For objective reasons (such international internship), teaching may be provided on-line, in agreement with the course lecturer.

Assessment

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% |
| Oral survey in class (1-4 topic) – 5 points per topic – max. 20 points. Module control work – max. 80 points | Oral survey in class (5-12 topic) – 5 points per topic – max. 40 points. Module control work – max. 60 points | Preparing CPIT – max. 40 points. Defence CPIT – max. 40 points. Take part in trainings – max. 20 points | Theoretical questions (2 questions) – 30 points each, max. 60 points. Case (1 case) – max. 40 points | |

Assessment Scale:

| On the scale university | On the national scale | On the ECTS scale |
|-------------------------|-----------------------|--|
| 90-100 | excellent | A (excellent) |
| 85-89 | good | B (very good) |
| 75-84 | | C (good) |
| 65-74 | satisfactory | D (satisfactory) |
| 60-64 | | E (enough) |
| 35-59 | non-satisfactory | FX (non-satisfactory with possibility of repeated passing) |
| 1-34 | | F (non-satisfactory with repeated course of lectures) |