



Taras Shevchenko National University of Kyiv
Law Faculty
Foreign Language Department

Lawyers (Advocates) in Ukraine

Made by
Dmytro Borzilov
and Dmytro Kolotiy,
1-year students,
Group 8

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Contests



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Introduction



- Hello, our dear groupmates, thanks for coming along.
- I think we shouldn't introduce ourselves, so let us start immediately with our topic.
- In our talk today we will explain what has to be done to become a lawyer in Ukraine.

Understanding of the profession

- Advocate provides legal assistance to individuals and organizations, protects their interests in court.
- An advocate must identify and eliminate violations of the law, protect the rights and legitimate interests of his clients, thereby fulfilling a moral duty to society.



History reference



- The profession of lawyer is one of the oldest.
- Historical sources indicate that the sprouts of the advocate arose even among the ancient peoples when tribes or between them came up disputes and their settlement required the tribal leader to perform functions similar to justice.
- Even in the times of Kievan Rus, the role of defense counsel in the courts was performed by relatives and friends of the parties, 'posluxy', "vydoki".
- The professional advocacy in Ukraine was formed during the Polish-Lithuanian period.



Role in society



- In civilized democratic states, an advocate is an integral factor in the legal system and the main non-state institution for the protection of the individual, his rights and freedoms.
- One of the indicators of democracy and respect for human rights in Ukraine is the existence of an independent advocacy and the effective performance of its functions.
- An advocate is a self-employed person who conducts an independent professional activity (according to Art. 14.1.226 of the Tax Code of Ukraine).



Who can be an advocate?

□ To become an advocate individual has to:

- ❖ have a full higher legal education;
- ❖ be fluent in Ukrainian;
- ❖ have experience of work in the field of law of not less than two years;
- ❖ passed a qualification examination;
- ❖ have an internship sworn as attorney of Ukraine;
- ❖ receive a certificate about the right to practice advocacy



Professional rights and duties of an advocate

- Rights: to take any actions not prohibited by law, the rules of lawyer's ethics and the contract on the provision of legal aid necessary for the proper performance of the contract on the provision of legal aid;
- Duties: 1) to observe the oath of the lawyer of Ukraine and the rules of advocacy ethics; 2) promptly notify the client of a conflict of interest; 3) to increase their professional level; 4) to execute decisions of the bodies of advocate's self-government;
- Prohibitions: 1) use their rights contrary to the rights, freedoms and legitimate interests of the client; 2) without the consent of the client to disclose information constituting the lawyer's secret, to use them in their own interests or in the interests of third parties; 3) refuse to provide legal aid

The National Association of Advocates of Ukraine

- The National Association of Advocates of Ukraine is an all-Ukrainian non-governmental nonprofit professional organization that unites all the lawyers of Ukraine in order to ensure the realization of the tasks of the lawyer's self-government, created on the basis of professional membership to promote the development and strengthening of the Bar Association in Ukraine, increase the level of legal assistance provided by lawyers, protect the rights and legitimate interests of members of the Organization.



**НАЦІОНАЛЬНА АСОЦІАЦІЯ
АДВОКАТІВ УКРАЇНИ**



Basic Principles

- The rule of Law;
- The priority of public interests;
- Apolitical;
- Legality;
- Municipality;
- Independence;
- Democracy;
- Transparency and openness;
- Professionalism;
- Equality;
- Publicity



Conclusion



- To summarise, advocate is a very honorable profession throughout the world, and Ukraine is not an exception in this matter.
- Numerous international treaties establish the principles of equality before the law, the presumption of innocence, the right to unfounded and open consideration of the case by an independent and just court, as well as numerous guarantees necessary to protect the person accused of committing a punitive act. Attorneys are responsible for the direct observance and implementation of these guarantees.
- There will be ubiquitous disorder and violation of the law without such legal profession as advocate.



**THANK YOU
FOR
YOUR
ATTENTION!
ANY QUESTIONS?**