Competence-Based Approach in Modern Juridical Education
Experience of Far-Eastern Federal University. Part 4

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Abstract: This work continues the cycle of research concerning actual questions of modern juridical education. This research is made by the Law school of Far-Eastern Federal University. This article contains the individual authors’ model of professional and legal competencies of a lawyer. While studying the topic, authors come to a conclusion that practical and theoretical skills are not enough for making a good law career. So, the goal of law schools nowadays is forming qualification of a student as a complex of professional and legal competencies, a list of which is proposed by the authors. Key words: legal education, professional knowledge, competence-based approach, educational standards, professional and legal competencies of a lawyer, information competencies of a lawyer, communicational competencies of a lawyer, professional and ethical competencies of a lawyer, organizational competencies of a lawyer, professional and intellectual competencies of a lawyer, pedagogical competencies of a lawyer.

Key words: Legal education, Professional knowledge, Competence-based approach, educational standards, Professional and legal competencies of a lawyer, Information competencies of a lawyer, Communicational competencies of a lawyer, Professional and ethical competencies of a lawyer, Organizational competencies of a lawyer, Professional and intellectual competencies of a lawyer, Pedagogical competencies of a lawyer.

INTRODUCTION

Modern legal education utilizes competence-based approach. In most general sense competence-based approach means that qualification of a graduate is viewed as an aggregate of competencies. These competencies are complex abilities based on professional knowledge. This way each course in the curriculum must develop certain competencies. Competence-based approach ensures that education is oriented on practice. However the way this idea is implemented in educational regulations leaves much to be desired. Current educational standards set forth rather chaotic list of competencies dividing them into two groups: general cultural competencies and professional competencies. In our opinion the core of the problem is that system of a professional’s competencies is not defined precisely either at the level of science or at the level of education. Earlier psychology of professions and educational legislation actively used the term “model of a professional”. The model is a description of a qualified professional through aggregate of traits, knowledge and skills necessary to succeed in certain profession. The model of a professional has not been abolished, but it is no longer used in the current legislation. This notion has one important advantage: the model is a complex system of an expert’s traits and skills. System is what competence-based approach formalized in educational standards is missing.

In this paper we would like to propose the author’s model of a modern legal professional described in the terminology of competence-based approach.
RESULTS AND DISCUSSION

Legal knowledge is not all a modern lawyer needs to practice law efficiently. Auspicious social realization requires communication skills, good command in modern methods of search and analysis of information, high level of self-organization and other skills. Under the current conditions professional competency of a lawyer is a complex of several professional competencies that help realize one another. Competency is quality of an employee’s actions that ensure proper and efficient solutions for problem-plagued profession-related tasks, readiness to incur liability for one’s actions. Each type of professional competence manifests in a set of separate competencies viewed as one’s abilities to perform certain type of activities.

Taking the above into account we propose the following as components of competence of a legal professional.

- Professional and legal competence of a lawyer – quality of actions of a graduate that ensure efficient use of legal documents issued by state authorities in course of professional activities; making decisions within the framework of the current regulatory environment.

In its turn professional and legal competence comprises several types of competences:

**Regulatory competence** (ability to participate in development of regulations in accordance with one’s professional specialization);

**Competence in applying law** includes:

- Ability to perform professional activities based on developed legal consciousness, legal thinking and legal culture;
- Ability to make decisions and perform legal actions in strict compliance with the law;
- Ability to correctly qualify facts and circumstances from legal perspective;
- Being skilled in preparing legal documents.

**Law enforcement competence** includes:

- Ability to respect honor and dignity of a personality, comply with and protect rights and freedoms of an individual and citizen;
- Ability to identify, preclude, solve and investigate crimes and other violations of law;
- Ability to prevent violations of law, identify and eliminate their causes and situations that conduce them;
- Ability to identify and assess corruption and help preclude it;
- Ability to reflect results of professional activities accurately and in full scope in legal and other documents.

**Competency in consulting as an expert** includes:

- Readiness to participate in anti-corruption legal expertise of draft statutes;
- Ability to interpret various statutes;
- Ability to give qualified legal opinion and consultations in specific areas of legal practice.

**Information competence of a lawyer** – quality of a graduate’s actions that ensure efficient comprehension, evaluation and use of information in course of professional practice.

It is manifested in the following competences:

- Ability to efficiently search and structure information, adopt it to specific needs of professional activities;
- Use information technologies in professional activities, work with various sources of information and information resources;
- Ability to render remote consultations and other types of professional activities;
- Use computer and multimedia technologies, digital resources;
- Prepare documents on electronic media;
- Ability to comply with main information security requirements, including protection of official secrets;
- Having good command in main methods and means of obtaining, storing and processing information, being skilled with computer as means of managing information;
- Ability to work with information in global computer networks.

**Communication competence of a lawyer** - quality of a graduate’s actions that ensure efficient direct communication and feedback from other people;
establishing contact with those seeking legal help; efficient cooperation with various organizations and their representatives; ability to interact with people to achieve certain socially and professionally important goals.

It manifests in the following competencies:

- Being skilled in business correspondence, correct verbal and written speech;
- Ability to hold negotiations, act as a representative, communicate with colleagues;
- Ability to prepare a written and verbal speeches logically correct, clear with necessary argumentation;
- Behavioral culture, readiness for cooperation with colleagues, work in a team;
- Possessing necessary skills of professional communication in foreign language;
- Eloquence and active listening;
- Self-control, control of emotions in extreme and stressful situations;
- Ability to develop emotional contact with different participants of business communication, attraction skills;
- Ability to maintain a proper strategy of communication behavior in situations of conflict;
- Solid image culture.

Professional and ethical competence of a lawyer - quality of a graduate’s actions that ensure compliance with morality standards and professional etiquette in legal practice; demonstrate legal and psychological culture in professional activities, deep respect for law, solicitous attitude to social values of a law-governed state, honor and dignity of a citizen.

It is manifested in the following competencies:

- Understanding social importance of his / her profession, highly developed professional legal consciousness;
- Ability to fulfill professional duties in good faith, follow principles of legal ethics;
- Zero tolerance to corruption, respect to law;
- Ability to merge moral and legal requirements in professional activities.

Organizational competence of a lawyer - quality of a graduate’s actions that ensure high level of self-organization and ability to organize work of other people.

It is manifested in the following competencies:

- Self-regulation skills, independent organization of one’s own activities;
- Ability to predict consequences of decisions made;
- High level of performance discipline;
- Ability to make efficient decisions promptly taking into account various factors of professionally meaningful situation;
- Ability to make a managerial impact on the team and communication partners; optimally assign duties in the team, organize and control joint activities;
- Ability to work independently on practical professional tasks; ability to cooperate and interact within the team, assign authorities and responsibility within the team;

Professional and intellectual competence of a lawyer - quality of a graduate’s actions that ensure high level of learning (cognitive activity), ability to memorize large volumes of information, point out what’s most important; high intellectual performance potential, ability to make valid judgment and conclusions.

It is manifested in the following competencies:

- Mental culture, ability to generalize, analyze, comprehend information, set goals and choose ways to achieve them;
- Motivation for personal development, boosting one’s qualification and developing skills;
- Ability to use main principles and methods of social, humanitarian and economic sciences in course of solving social and professional goals;
- Ability to think creatively, maintain intellectual performance;
- Ability to memorize and process large volumes of information.

Pedagogical competence of a lawyer - quality of a graduate’s actions that ensure ability to apply modern educational technologies, methodological patterns, pedagogical means, gradually improve them; use new literature and new sources of information on teaching methods to design modern classes with students (children), value-based assessment reflection.

It is manifested in the following competencies:
• Ability to teach legal disciplines on the required theoretical and methodological level;
• Ability to manage students’ independent work;
• Ability to efficiently train students within legal framework.

Pedagogical competence is necessary for a professional holding master’s of law or for higher educational institutions specializing in pedagogic that train professors of legal disciplines.

CONCLUSION

List of specific competences identified within an independent type of competence needs further development. The present version is a recommendation. System of a lawyer’s competences described in the aforementioned model has a practical value for law schools. Modern theory of professionalism views a professional as an individual whose mind is organized in a certain systemic way. Professionalism is a complex trait of a person that enables him / her to perform and organize any type of professional and socially important activity. Complex model of a legal professional makes a higher educational institution structure educational program and design content of certain courses in a specific way. Modern curriculum and educational locus of a student must be designed so as to help him / her develop all competences included into the aforementioned model. As a result a graduate becomes not just an expert in a certain field, but a true professional who is able to quickly adapt to modern labor market and realize oneself professionally.