Legal clinics in Ukraine: background and prospective

Andrii Halai, Dr. Habil. (Law), executive director of Association of Legal Clinics of Ukraine

Serhii Hrechaniuk, Dr. Habil. (Law), counselor of LC of Ternopil National Economic University
SHORT HISTORY

First conception

- D. Meyer (1855) said the first real LC was founded in Kazann (Moskovia) in 1840es; one of the similar institution worked in Kyiv University in 1835
- First Polish LC publication was made by Sz. Rundstein in 1904 in Lviv city
After the USSR breaking

• In 1996 two first Ukrainian legal clinics were established: in Donetsk University and Kyiv Shevchenko University

• During 1998-2002 Open Society Foundation gave financial and other supporting for appearing legal clinics in all regions of Ukraine

• Such legal clinics worked without any special legal frameworks, some of them used only local manuals
In 2003 was founded the Association of Legal Clinics of Ukraine (ALCU).

At that time the main goal of ALCU activity was supporting the process of creating new legal clinics and developing Clinical Legal Education in Ukraine.
Now in Ukraine there are above 60 LC, 49 of them are members or candidates of ALCU.

All respectful universities have LCs.
How Russian aggression affected on Ukrainian LC movement

<table>
<thead>
<tr>
<th>Legal Clinic</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>LC of Donetsk National University</td>
<td>Vinnytsia</td>
</tr>
<tr>
<td>LC of East Ukrainian University (Luhansk)</td>
<td>North Donetsk</td>
</tr>
<tr>
<td>LC of Donetsk Management University</td>
<td>Mariupol</td>
</tr>
<tr>
<td>LC of Tavrian University (the Crimea)</td>
<td>Doesn't work at new place but work under the aggressor's regime</td>
</tr>
<tr>
<td>LC of Makiivka Economical and Social Science Institute</td>
<td>✗</td>
</tr>
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OUR REGULATION
The main achievement of ALCU activity consisted in appearing in 2006 the Order of Ministry of Education and Science of Ukraine “On approval the Model Provisions about legal clinic at higher educational establishment”
Working on the new order

• Last year ALCU prepared and proposed the Ministry of Education to approve the new LC order

• It should have 5 section: goals and key words; organization in LC, legal aid in LC, street law in LC, educational process in LC

• Now Ministry of Justice has made its proposals to the order's text and we will work on correction together
In the main law

• Ukrainian Law "On High Education" (2014) defines LC like a possible structure department in university

• The founding LC depends on will of the University's Council
Another ways of regulation

• In 2011-2013 Parliament of Ukraine considered the some new articles to the Law "On free legal aid". This Law was the reason for clinical legal movement to restored its activity because provisions of this Law didn't contain any mentions about legal clinics as free of charge legal aid providers

• Finally its project of law was rejected
Main positions in the Ukrainian LC's standards, 2014

- **Main aim of LC is educational**, social needs are only second part
- LC could have working like a structural department in University
- University professors should have their **LC activities in their teaching plans**
- University's curriculum should have **LC course and LC practice**
- General LC consultations should make in write form
- LC can **decline legal aid** due to some reasons
- **Street law is the recommending way** for LC to work with youths

SOME STATISTIC
Main statistic of Ukrainian LC, for 2015

- 46 LC in Association
- 260 professors-supervisors
- 1620 students
- 12700 legal consultations
- 1980 legal documents like a statement of claim
- 1030 street law sessions
Organizational and legal status of legal clinics in Ukraine, 2015

Bar chart showing:
- 21 structural units
- 22 without salary staff
- 2 ruled by NGO
- 1 non formal union

Training course “Basic clinical legal practice”, 2015

- In curriculum: 9
- Can choose such course: 7
- Does not exist: 30
INTERESTING PRACTICES FROM NOWADAYS UKRAINIAN LCs

Interesting focuses from nowadays Ukrainian LC

- monitoring manual
- register of LC data
- 2 regular competitions
- online popular consultations
- society- and media-friendly approach
It is the first country manual of LC evaluation
It is based on the friendly stimulated to development approach
It contains 4 sections: 1) organizational background and personnel, 2) educational process, quality 3) legal aid and 4) street law organization
All indicators will get an estimate
Summing up means getting % of quality of each direction and the final percentage of estimation
Final report contains not only evaluation, it has the detailed recommendations of development for LC staff
Great value is given to public forum after monitoring together with LC and Faculty' high staff, local legal aid authorities and media
Forecasted monitoring evaluation levels of LC

0-30 % – organization which is going to be LC
31-60 % – basic level
61-80 % – standard level
81-100% – effective LC
First approbation of monitoring: Wolyn Lesya Ukrainka University, Juny 2017
Register of LC is

• official LC information base data
• concluded by LC chairmen
• contained main contacts and statistics data
• updated every year
• posted on the ALCU web-site

https://legalclinics.in.ua/
How register works on the website

MAP OF LEGAL CLINICS
How register works on the website

Юридична клініка Тернопільського національного економічного університету

<table>
<thead>
<tr>
<th>Рік заснування юридичної клініки</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Організаційно-правова форма юридичної клініки</td>
<td>структурний підрозділ ВНЗ із штатом</td>
</tr>
<tr>
<td>Контактні дані юридичної клініки:</td>
<td></td>
</tr>
<tr>
<td>1) адреса (у т.ч. адреса приймальня)</td>
<td>1.м.Тернопіль, вул.. Микулинцька, 46 а, каб.320</td>
</tr>
<tr>
<td>2) телефон</td>
<td>2.-</td>
</tr>
<tr>
<td>3) електронна пошта</td>
<td>3. <a href="mailto:lc_tneu@i.ua">lc_tneu@i.ua</a> 4.-</td>
</tr>
<tr>
<td>4) сайт ЮК або сторінка ЮК на сайті ВНЗ, у соцмережах</td>
<td>5. Стець О.В. (т.в.о. керівника ЮК ТНЕУ)</td>
</tr>
<tr>
<td>5) відповідальна особа (ПІБ, посада)</td>
<td></td>
</tr>
<tr>
<td>Напрями діяльності та форми надання правової допомоги</td>
<td>Надання правової допомоги: консультування; підготовка арбітражних, несудових документів; підготовка документів до правових засідань</td>
</tr>
<tr>
<td>Галузі надання правової допомоги</td>
<td>всі галузі без винятку</td>
</tr>
</tbody>
</table>
2 regular LC competitions

National Round of Consultation LC Competition:

• selection to Brown-Mosten ICCC
• more than 20 LC teams
• in 2017 we firstly invited Polish LC experts as judges
• final round videos upload on Youtube for better preparing
2 regular LC competitions

Open LC Debate Tournament

• every year focusing on new legal controversial topics
• 4-12 teams from LC
• upload videos on Youtube are used for better preparing
Online popular consultations

LC of Kharkiv Legal Academy transforms some consultations to popular forms and post them on the site

URL: www.legalclinics.in.ua
Online popular consultations

Some of them have more them 1000 viewes

URL: www.legalclinics.in.ua
Online popular consultations

LC of Ukrainian Prosecution Academy in 2014 has chosen the conception of publishing all their consultation on Fb-page. Now LC is closed but their consultations are continuing to receive likes.
Be more friendly to society and media

Last 2 years ALCU recommends and helps LC to be more communicative competent. Many LCs are founding Fb-pages and websites, publishing popular stylish articles, filming short videos.

This one is about Ternopil LC. It durates only 2 minutes.

https://www.youtube.com/watch?v=NS8myBJEcD0&feature=youtu.be&app=desktop
Just some samples of the richest :) Ukrainian Legal clinic of National University “Odesa Law Academy”. It gives more than 5000 consultations every year.
OUR STRATEGY

Main ALCU positions in 2016-2018

Strategic Plan

1) making ALCU more active and democratically ruled organization

2) implementation Ukrainian LC Standards and making state regulation guarantees of being LC

3) proposing LC movement as an ordinary member and active partner of Ukrainian reform of High Legal Education

4) regularly organization of LC competitions (National Consultation LC Competition, Open LC Debate Tournament, Moot Court Competitions) and educational LC Schools for supervisors and students

5) be in touch with all LCs: explain rules, help them, making gradually monitoring
... and setting good relationship with international clinical organizations and national clinical legal movements

• be open to all types of cooperation with International and Foreign LC Association
• invite foreign participants to Ukrainian LC events (as a rule, we guarantee free accommodation and meals)
• start English speaking no-contest levels in Ukraine LC competitions for participation the foreign LC students
• promote of using data of Ukrainian LC's in abroad researches
Our resources

Web-site

• https://legalclinics.in.ua/en/

Facebook groups

• https://www.facebook.com/groups/ALCUkraine/

Youtube channel

• https://www.youtube.com/watch?v=68zosJYadM8&list=PLm6CJHedH-QeZaB4McZu8IfiVNfzM8GpH (legal clinics in Ukraine)