

Legal clinics in Ukraine: background and prospectives

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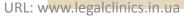
SHORT HISTORY

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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 <u>1904 in Lviv city</u> A.Halai, S. Hrechaniuk (2017) Legal clinics in Ukraine: background and prospectives.





Technika urządzenia takiej "kliniki" wraz z odpowiednią biblioteką podręczną nie obehodzi nao bliżej. Zaznaczamy tylko nowy zwrot, który daje się zauważyć w pedagogice prawnej. W Niemczech myśl założenia takich klinik została rzucona: gdy pocznie kielkować – kliniki staną się niezbędną instytucyą pomocniczą wydziałów prawnych.

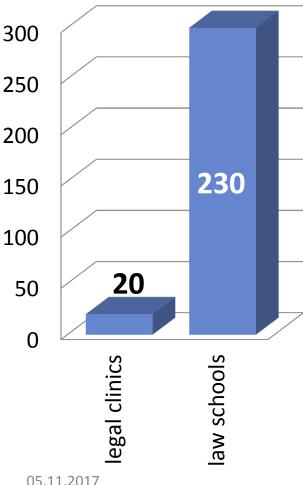


After the USSR breaking

- 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

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Data at the start of LC Association



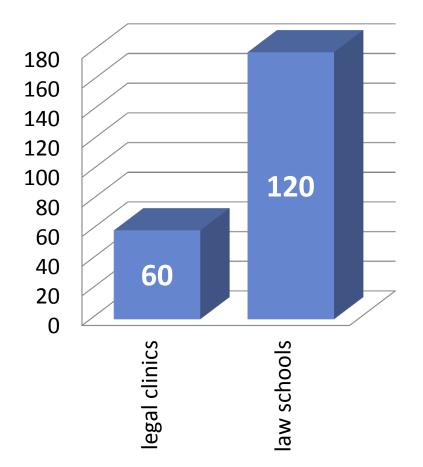
In 2003 was founded the Association of Legal Clinics of Ukraine (ALCU).

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.

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Current statement of Ukrainian LCs



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

LC of Donetsk National University	Vinnytsia
LC of East Ukrainian University (Luhansk)	North Donetsk
LC of Donetsk Management University	Mariupol
LC of Tavrian University (the Crimea)	Doesn't work at new place but work under the aggressor's regime
LC of Makiivka Economical and Social Science Institute	O

OUR REGULATION

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Legal framework

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 vouths A.Halai, S. Hrechaniuk (2017) Legal clinics in Ukraine: background and prospectives. 05 11 2017

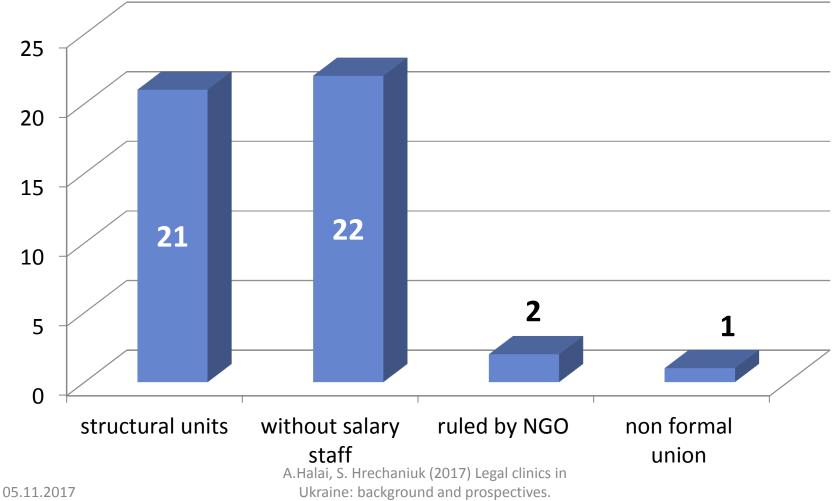
SOME STATISTIC

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Main statistic of Ukrainian LC, for 2015

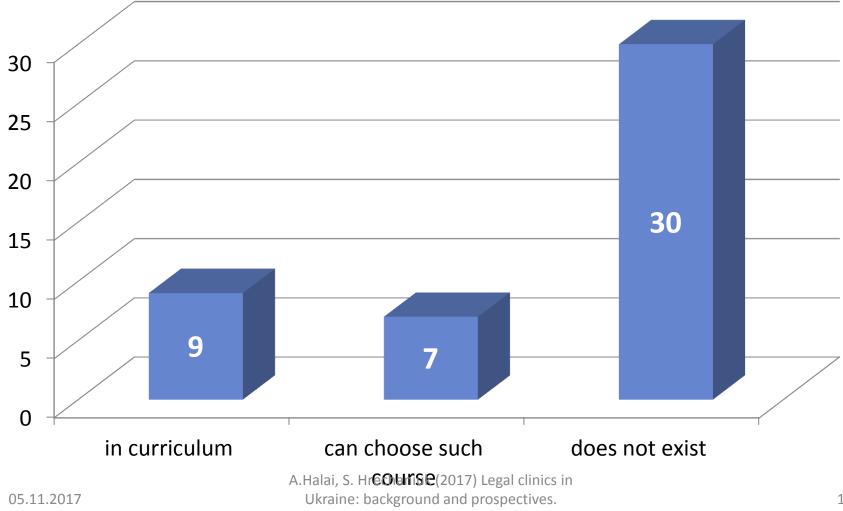
- 46 LC in Association
- 260 professors-supervisors
- 1620 students
- 12700 legal consultations
- 1980 legal documents like a statement of claim
- 1030 street law sessions

Organizational and legal status of legal clinics in Ukraine, 2015



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Training course "Basic clinical legal practice", 2015



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INTERESTING PRACTICES FROM NOWADAYS UKRAINIAN LCs

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Interesting focuses from nowadays Ukrainian LC

- monitoring manual
- register of LC data
- 2 regular competitions
- online popular consultations
- society- and media-friendly approach

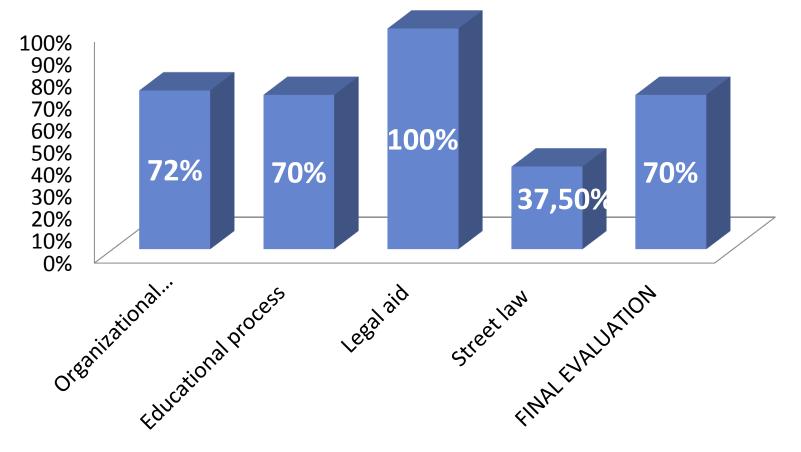
Ukraine LC Monitoring manual, 2017

- 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



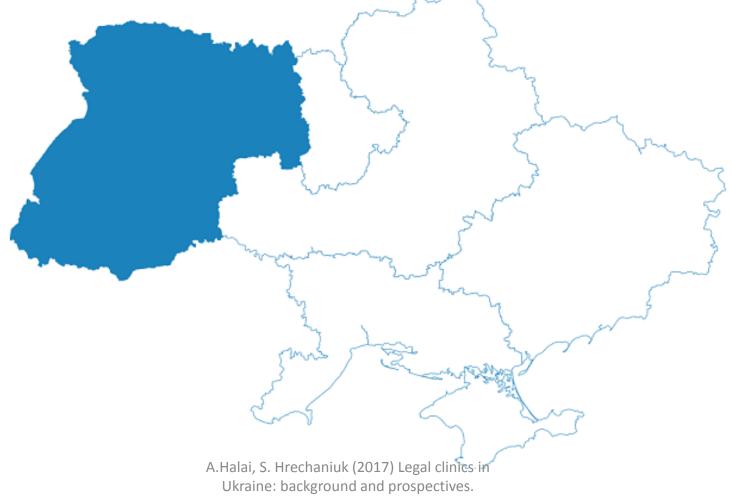
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Register of LC is

- official LC information base data
- concluded by LC chairmen
- contained main contacts and statistics data
- updated every year
- posted on the ALCU web-site <u>https://legalclinics.in.ua/</u>

How register works on the website 1

MAP OF LEGAL CLINICS



URL: www.legalclinics.in.ua

How register works on the website 2

Західний регіон



Юридична клініка "Феміда" Івано-Франківського факультету Національної академії внутрішніх справ



Юридична клініка Тернопільського національного економічного університету



Юридична клініка ДВНЗ "Пј національний університет Стефаника"



Юридична клініка Чернівецького національного університету ім. Ю. Федьковича



Юридична клініка Приватного вищого навчального закладу Івано-Франківського університету права імені Короля Данила Галицького

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Юридично-консультацій (юридична клініка) Львівсько університету внутрішь



How register works on the website

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Юридична клініка Тернопільського національного економічного університету



Рік заснування юридичної клініки	2010	
Організаційно-правова форма юридичної клініки	структурний підрозділ ВНЗ із штатом	
Контактні дані юридичної клініки:	1.м.Тернопіль, вул Микулинецька, 46 а, каб.320	
1) адреса (у т.ч. адреса приймальні)	2	
2) телефон	3. lc_tneu@i.ua 4	
3) електронна пошта	5. Стець О.В. (т.в.о. керівника ЮК ТНЕУ)	
4) сайт ЮК або сторінки ЮК на сайті ВНЗ, у соцмережах		
5) відповідальна особа (ПІБ, посада)		
Напрями діяльності та форми надання правової допомоги	Надання правової допомоги: консультування; підготов несудових документів; підготовка п правових документів	
Галузі надання правової допомоги А.Halai, S. Hrechaniuk (20	всі гадузі без винятку 17) Legal clinics in	
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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



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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



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Online popular consultations

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



Юридична клініка Національного юридичного університету імені Ярослава Мудрого

ГОЛОВНА КОНСУЛЬТАЦІЇ ЗАХОДИ ДОКУМЕНТИ КОНТАКТИ



Ловля риби та відпочинок в Україні Ловля риби — це найулюбленіший відпочинок багатьох з нас. Що може бути кращим за природу, ...

<mark>Чи</mark>тати далі...



Про повернення депозитного вкладу

Верховний суд України у своїх правових позиціях від 13 березня 2017 р. у справі № …

Читати далі...





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Витребування майна власником від добросовісного набувача

У постановах Верховного Суду України від 16 квітня 2014 року та 16 вересня 2015 року …

Читати далі...



Online popular consultations

Some of them have more them 1000 viewes



Юридична клініка Національного юридичного університету імені Ярослава Мудрого

ГОЛОВНА КОНСУЛЬТАЦІЇ

ОТРИМАННЯ АЛІМЕНТІВ НА ДИТИНУ БЕЗ РОЗЛУЧЕННЯ

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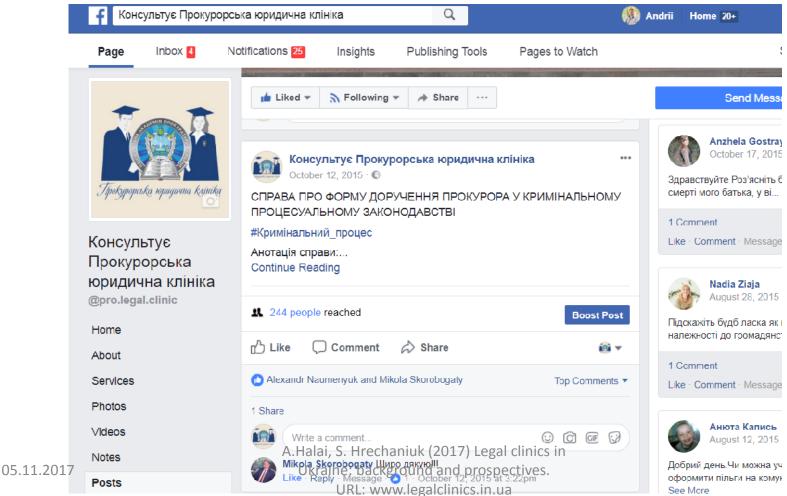
🋗 Грудень 09, 2016 💊 АКТУАЛЬНІ КОНСУЛЬТАЦІЇ 🔍 1 КОМЕНТАРІЙ



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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



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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

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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 andually monitoring A.Halai, S. Hrechaniuk (2017) Legal clinics in Ukraine: background and prospectives. URL: www.legalclinics.in.ua ... 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

- <u>https://legalclinics.in.ua/en/</u>
- Facebook groups
- <u>https://www.facebook.com/groups/ALCUkraine/</u>
- Youtube channel
- <u>https://www.youtube.com/watch?v=68zosJYadM</u> <u>8&list=PLm6CJHedH-</u> <u>QeZaB4McZu8IfiVNfzM8GpH</u> (legal clinics in Ukraine)