

## PROFESSIONAL ACTIVITY OF A CONTEMPORARY UKRAINIAN LAWYER IN A COMMUNICATIVE DIMENSION: PSYCHOLOGICAL ASPECT

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**Abstract:** The article presents an analysis of scientific works in the field of the communicative dimension of a lawyer's professional activity. The research aims to highlight various aspects of the communication component of the profession of a contemporary Ukrainian lawyer through the prism of personality psychology. The mentioned approach is to facilitate seeing professional competences of a lawyer and the tasks of professional training from a new angle. Various aspects of the communicative component of the profession of a contemporary Ukrainian lawyer are investigated through the prism of personality psychology by means of analysis and synthesis, generalisation, and systematisation of scientific data. The methods made it possible to reveal the psychological features of the professional activity of a modern Ukrainian lawyer in the communicative dimension. The peculiarities of the communicative aspect of a lawyer's activity, which consists of two major areas: business communication skills and interpersonal communication skills, are determined. The need for self-discovery by students and determination of the direction of future professional self-realization based on personal communicative qualities are determined. The article provides the overview of exiting research in the field and the emphasizes the need to develop the communicative competence of future lawyers through practical interactive methods. The communicative competence is recognized to be a pivotal aspect of a lawyer's work at the current stage of Ukrainian state development. The article concludes that there is a necessity to consider the communication skills development during lawyers' professional training, in the process of which preference should be given to interactive technologies.

**Keywords:** professional activity of a lawyer, communicative competence, communication, communicative aspect of a lawyer's activity, professional training of a lawyer.

### 1 Introduction

The legal activity of a contemporary Ukrainian lawyer can be seen as a complex and multifaceted one. According to the psychological types of professions developed by J. Holland, the legal profession can be attributed to both the social professional environment, as it involves direct interpersonal communication, and the "human-sign system", as one of its prerequisites is working with signs of the "language of law" and communication through the creation of legal texts. Thus, the work of a contemporary Ukrainian lawyer is permeated with communication in all its possible manifestations. This requires professionals to have appropriate personal qualities, professional skills, and special training, simultaneously exerting an additional strain on the professional's psyche and contributing to faster burnout.

### 2 Literature review

The communication aspect of a lawyer's activity has been considered by researchers from various aspects and has not lost its relevance, since legal professionals constantly face new challenges. The communicative aspect of a lawyer's activity from the perspective of effective organisation of professional training has been studied by Baranovska and Sarazhynska (2008), Katsavets (2007), Neliuba (2002) and others. Studies of the communicative culture of a lawyer are presented in the works of Horokhovska (2006), Kyrychuk and Yakymchuk (2021), Rukolianska (2015) and others.

The research of Ivashkevych (2016) provides the following structure of the professional activity of a lawyer, which consists of motivational and target, cognitive, social, axiological and autopsychological components. According to this concept, the communicative aspect of a lawyer's activity is presented as part of social competence, along with emotional and expressive and motor volitional qualities. Nonetheless, in our opinion, the role of communication aspect tends to be more significant. The

communication of a lawyer is not limited to interpersonal interaction, as described by the author. The communicative aspect is also a manifestation of the so-called general professional competencies of a lawyer: the ability to interpret and apply laws and other regulations; ensure compliance with the law in the activities of state bodies, individuals and legal entities; develop legal documents, give qualified legal opinions and advice; work accurately with legislation, information, and reference systems, study legislation and the practice of its application, and master specialised literature. In addition, Ivashkevych's concept includes another aspect of communication, so-called auto communication, which is interaction of a lawyer with themselves, determination of their own values and professional motives, ability to perform self-analysis and self-assessment as a professional, work with one's own self-image and professional image. Thus, considering communication in the broad sense of the term, it is a component of each element of a lawyer's professional competence. Simultaneously, communication in the professional activity of a lawyer differs in the object of its focus and, accordingly, has its own specifics, namely, interpersonal communication with individuals, protection of law through indirect communication through legal acts and legal documentation, as well as lawyer's autocommunication, which results in self-knowledge, self-analysis, self-esteem and, accordingly, professional self-development and burnout prevention.

### 3 Results and Discussion

Considering the requirements of the current Ukrainian State Standard of Higher Education for the Training of Specialists in the Field "Law" (2022), it can be concluded that the communicative aspect of the future activities is manifested in the need to develop the following skills during training:

1) to convey legal information through interpersonal communication:

- the ability to communicate fluently in the state and foreign languages, both orally and in writing, using legal terminology;
- having basic rhetorical skills;
- the ability to communicate material on a particular legal issue to the respondent in an accessible and understandable manner;
- the ability to work in a team, ensuring the fulfilment of team tasks;
- providing advice on possible ways to protect the rights and interests of clients in various legal situations.

2) to understand legal acts and effectively communicate legal information through legal documentation:

- the ability to determine the persuasiveness of arguments in the process of assessing unknown conditions and circumstances;
- the ability to collect and analyse material from a variety of sources in an integrated manner;
- giving a brief legal opinion on specific factual circumstances with sufficient reasoning;
- the ability to explain the nature and content of basic legal phenomena and processes;
- being able to identify and analyse legally significant facts and draw reasonable legal conclusions;
- the ability to prepare drafts of the necessary acts of application of law in accordance with the legal conclusion made in various legal situations.

Thus, half of the professional learning outcomes for lawyers defined by the standard are directly related to communication, which emphasises the importance of the communication aspect in the professional activity of legal professionals. To reveal the

different types of communication competences required for a lawyer, they have been divided them into 2 groups. It should be noted that this trend is observed not only in the context of legal practice, but also in the requirements for soft skills development as a basic requirement for proper performance and professional self-realisation in any field. Such “flexible skills”, as noted in the article by Bondarenko et al. (2021), include communication skills, self-organisation skills, creative skills, ability to work with information, and stress resistance. In this case, according to the authors, communication competence plays a prominent role due to its high demand for specialists in any field. In turn, in this research communication skills are also into 2 groups: business communication (the ability to correspond and negotiate with clients and managers to solve problems and achieve goals) and presentation and oratory ones (the ability to speak clearly and precisely, to convey one’s ideas to other people to be understood and remembered). This classification is in line with our understanding of the communication aspect of a lawyer’s work.

Despite the undoubted understanding that language is the main tool of a lawyer’s work, it is also worth noting that legal activity has different manifestations and, depending on the field of activity, different requirements for communication skills. The peculiarities of lawyers’ communication in different areas are thoroughly described in the article by Bobko and Mazuryk (2022). For instance, for the activities of an investigator, a criminal investigation officer, the most important skills are oral communication skills, that is the ability to establish psychological contact, receive information from different people and quickly evaluate it, be observant, and apply a wide range of behavioural styles in conflict situations. The basis of the communicative aspect in this area is search activity, which means that the purpose of communication is to obtain and process information, consider hypotheses, versions, develop an investigation plan, conduct interrogation, and a confrontation; for this purpose, the ability to ask questions, listen attentively, overcome barriers to communication, and even decrease the emotional tension in a conversation are essential. Unlike the investigator’s search activity in communication, the notary’s work is static. Here, the ability to communicate in the language of law and documentation is prioritised. Therefore, such work requires thorough knowledge of document management, exceptional literacy, and a special style of business speech. In the work of a prosecutor and especially a defence lawyer, rhetorical skills come to the fore. Representatives of these professions need to provide evidence and possess the ability to prove it in the course of a polemic, they also need to be able to find the right words when communicating with other participants in a court hearing. The most challenging profession in legal practice is that of a judge. In the field of communication, such work requires the ability to listen attentively, ask questions clearly, provide clear and unmistakable answers, correctly interpret the content of verbal messages, and speak publicly at court hearings. A judge’s oral and written speech should be clear and concise (Bobko & Mazuryk, 2022).

Therefore, different communication skills are important in each area of legal activity because the work of an investigator, despite the need for knowledge of psychology and communication skills, is impossible without legally correct documentation of the information received. In turn, a notary, working mostly with documents, is also to be able to communicate with clients and provide legal advice. Nonetheless, since different areas of legal activity involve different communication manifestations and requirements for the personality of a specialist, students who are doing a degree in this field are to decide in which direction they want to continue their professional development, based on their communication personality profile. Based on this, the issue of creating conditions for personal and professional self-knowledge of aspiring lawyers by university teachers is raised.

A study of contemporary law student’s communication skills was conducted in 2022 by Bobko and Mazuryk (2022) shows rather disappointing results. The analysis of the oral and written speech of future specialists showed a low level of communication skills: students often neglected the requirements

of the literary language, preferring Surzhyk (pidgin), colloquialisms, jargon, could switch to Russian in their communication. The observation showed the students’ inability to correctly use the meanings of certain groups of common words and professional terms, their inability to read, recite, and deliver a coherent text in public, to formulate their own thoughts, to spontaneously engage in conversation and maintain it. In the classroom, the students demonstrated uncertainty, often taking a long time to find the right words in a particular communication situation, were afraid to engage in a polemic with colleagues and did not dare to ask the teacher a question. Bobko and Mazuryk emphasise the need for a systematic approach to solving the mentioned problems, part of which is the development of students’ cognitive abilities: attention, memory, imagination, and critical thinking. Among the practical technologies for developing communication skills, the authors propose regular reading of works of fiction and non-fiction, performing tasks related to working with such texts; as well as interactive dialogue technologies aimed at subject-subject interaction (problem-search dialogues, heuristic conversations, communication trainings, discourse studies) (Bobko & Mazuryk, 2022). It should be agreed that the formation of communication skills is impossible by studying theory alone, as it is a practical skill that must be consolidated through repetition in different learning situations.

Work in the legal sphere in Ukraine is a complex, multi-component system of activities, the integral elements whereof include interaction with those involved in legal relations and direct communication with people. Therefore, the development of communication competence in future lawyers is one of the important tasks that should be set by educational institutions that act as legal training providers. It has been established that the importance of lawyers’ communication skills is underestimated. The occurring inaccurate or erroneous use of terms, logical and irrational errors, factual inaccuracies in the wording of legal provisions leading to unclear or ambiguous interpretation are unacceptable.

Lawyers have special objects of professional activity. On the one hand, it is a system of signs – they act on the basis of the law; on the other hand, specialists also need certain communication skills to establish relationships with people, develop the ability to persuade, taking into account their individual psychological characteristics (Bocheliuk et al., 2023).

The specificity of professional communication activities of lawyers is that they are constantly involved in various types of business (professional) communication. They constantly interact with various officials, heads of local governments, representatives of companies and institutions. Therefore, when speaking about professional communication of a lawyer, it is necessary to consider not only its procedural (interrogation, confrontation), but also non-procedural forms, which are based on the rules of speech behaviour accepted in society, in a particular social environment, stable formulas of speech etiquette, reflecting the external manifestations of each person’s attitude to other people, to various social values. In the context of such cases of communication, it is necessary to speak of non-procedural professional legal communication of a lawyer (Sytianin, 2009).

Orbán-Lembric (2005) defines communication competence as an integral characteristic of a personality that permeates all their professional and personal development, as a set of knowledge about interaction, behaviour, information exchange, mutual perception of people, as a formalised individual programme of behaviour in the system of social relations, as a motivational belonging to a certain social environment, orientation towards the development of communication skills, and the desire to develop communication skills.

The professional activity of a lawyer is a complex and long-term system that includes such important interrelated elements as the social aspect, which is expressed in the need to make decisions in the field of interpretation and implementation of legal norms,

the function of protection and representation of the rights and legitimate interests of citizens, as well as work with offenders, including both their prevention and re-education and legal education of the population; the search aspect, which consists in the application of the skills and abilities of a lawyer in the search for criminals; the search aspect, which consists in the search and collection of information which has legal significance for a particular case or situation, its reasoning and logical accuracy. The search side of such activity is closely related to the reconstructive aspect, which is expressed in the logical analysis, synthesis and generalisation of information received by a lawyer. At the same time, it is impossible to imagine a professionally competent lawyer lacking the communicative side of the activity, which is expressed in constant contact with clients, colleagues, and participants in the case, as well as in the proper interpretation and execution of legal actions that require special language skills from a specialist (Boiko, 2008).

#### 4 Conclusions

Thus, communicative competence is a key characteristic of a lawyer's successful activity at the current stage of development of the Ukrainian state, as it enables them to perform professional tasks successfully. In the structure of a lawyer's communication competence, there are 2 areas of equal importance: business communication skills, which include the ability to work with legal documents and legal text, and interpersonal communication skills, which involve the ability to convey legal information to other people and find an approach to the interlocutor in order to obtain the information necessary for legal activities. Depending on the occupational profile of specialists in different areas of the legal sector, the communication skills required for effective work vary. Therefore, during their studies in Ukraine, higher education students are to be aware of their personal qualities and identify the aptitudes that will contribute to their professional success in a particular area of legal work. An important conclusion of this article is the need to pay more attention to the development of communication skills in the training of future lawyers, using interactive technologies.

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