

**TUNING METHODOLOGY:
TRAINING OF COMPETENT LAWYERS**

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The professional competence of lawyers, most of whom serve in public sphere, including legal foreign language competence is widely discussed in scientific circles both in Ukraine and abroad. Following the European credit transfer system of education

which serves a tool for ensuring the quality of educating and training of competent professionals in the context of the Bologna process the TUNING Educational Structures in Europe Project specifies the lines of approaches to be distinguished in specific areas: generic (general academic) competences, subject-specific competences, the role of ECTS as an accumulation system, approaches to learning, teaching, and assessment and the role of quality enhancement in the educational process (emphasizing systems based on internal institutional quality culture). By the five approaches the Tuning Methodology establishes the guidelines for developers of educational programs, including curriculum programs and course programs for specific areas.

The generic competences are universal for all higher education cycles and degrees, namely instrumental, interpersonal and systematic competences. Among them is functional competency (ability to implement professional knowledge); intellectual competency (ability of analytical thinking); situational competency (ability to act in accordance with emerging circumstances); social competency (communication skills; ability to communicate, maintain liaison, properly understand and interpret other people's thoughts, show own attitude, etc.). Specifically, generic communication competence is a combined competence of the above triple and implies understanding, reading, speaking, and writing in a foreign language (i.e. working in English as a foreign language). Besides, it defines the competence requirements for oral and written legal communication as the ability to communicate clearly in the English or French language; identify the purpose of the proposed communication; use correct grammar, spelling and language suitable to the purpose of the communication and for its intended audience; and effectively formulate and present well-reasoned and accurate legal argument, analysis, advice or submissions.

The Tuning also focuses on the difference of learning outcomes and competences. «Learning outcomes are statements of what a learner is expected to know, understand and/or be able to demonstrate after completion of learning. They can refer to a single course unit or module or else to a period of studies, for example, a first or a second cycle program. Learning outcomes specify the requirements for award of credit. Competences represent a dynamic combination of knowledge, understanding, skills and

abilities. Fostering competences is the object of educational programmes. Competences will be formed in various course units and assessed at different stages». [1]

In 2010, guided by the approach of the EU TUNING Educational Structures project Expert Advisory Group (EAG) and a Discipline Reference Group (DRG) developed a set of six Threshold Learning Outcomes (TLOs) for the Bachelor of Laws degree, a program of study recognized as meeting the academic requirements specified for the purposes of admission to practice as a legal practitioner in Australia. The project also included representatives from peak Australian legal organizations, together with senior legal educators from Australia, New Zealand, the United Kingdom, Canada, and the United States. The TLOs represents what a Bachelor of Laws graduate is expected “to know, understand and be able to do as a result of learning” and cover the areas of: knowledge; ethics and professional responsibility; thinking skills; research skills; communication and collaboration; and self-management. According to the TCOs “appropriate” communication includes a knowledge and ability to work in plain English, as well as the use of special legal terms in the traditional forms of communication (such as letters, briefs, questioning, and oral presentations) as well as in the contemporary forms of communication (such as email, video-link, and interactive online communications).[2]

So, it can be clarified that learning outcomes construct the totality of specific and/or general skills and knowledge which, if well learned and developed, accumulate in competence. «A competency is the capability to apply or use a set of related knowledge, skills, and abilities required to successfully perform "critical work functions" or tasks in a defined work setting. Competencies often serve as the basis for skill standards that specify the level of knowledge, skills, and abilities required for success in the workplace as well as potential measurement criteria for assessing competency attainment». [3] Thus, professional competence is the ability to perform quickly and accurately professional functions in standard conditions as well as to find effective solutions to professional problems in extraordinary conditions, the ability of long-life learning and of adapting to fast-changing conditions and labor market requirements. Modern educationalists also draw a boundary line between professional

competence and such concepts as qualification and professionalism. Generally professional competence is referred to as the integrated set of competencies required of a specialist to perform specific tasks, including narrow-profile jobs, where he\she is able to apply appropriate ways of thinking, special skills and abilities, as well as to predict a result of his\her actions. [4, 5] Professional training is commonly referred to as the process of forming new competence or improving the one acquired in the course of education or practice, the goal of which is achieving the target competence level by a student in order to perform his\her general or specific professional tasks and functions in future. The process involves theory, instructions, practice and assessment.

For example, In the UK, party to the Bologna process, the autonomy of universities is one of the basic principles of higher education. It means that each university can develop its own courses and offer their own programs. Law is studied through comparative approach based on the cross-disciplinary principle; that is, there are a great number of bachelor's programs that include, besides national law disciplines, the number of courses in law of other countries, especially European, and, certainly, the language of the country which law a student chooses to study as a comparative one. Within the comparative law programs students spend one year (usually in their third year) at a university in the country which legal system they specialize in. One more significant feature is a reasonable number of disciplines at every year. Thus, at the Oxford Faculty of Law only three special disciplines are taught in the first two trimesters (Constitutional Law, Criminal Law and Introduction to Roman Private Law), the six ones in the next four trimesters. Elective courses are taken in their final year. This approach allows students at the initial stage of training to avoid overloading information of a secondary nature and thus focus on basic disciplines, including the foreign language.

The experience of UK universities can serve as a guideline for developers of the curricula programs and courses for Ukrainian law students as it creates the full-fledged educational environment for forming general, professional and specific competences of future lawyers.

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МІНІСТЕРСТВО ОСВІТИ І НАУКИ УКРАЇНИ
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