

Pedagogical conditions as the main factor of the of future lawyers' educational competences formation

Boreichuk Anna

National University of Water and Environmental Engineering

Abstract. The author's characteristic of the process of harmonization of pedagogical conditions with a conceptually developed model of formation of educational competences of future lawyers is given in the article. The author's vision for interpreting the concepts "pedagogical conditions", "educational competence", "educational and activity technologies", etc. is presented. Principles of interaction of model components with each type of pedagogical conditions and its efficiency are proved. The main component of the model is argued to be educational and activity technologies and appropriate evidences are showed. Effectiveness of the model is supported by the use of a certain group of methods, which the author distinguishes from the generality. The author demonstrates the effectiveness of the proposed pedagogical conditions and the conceptual model by presenting the results of the research.

Key words: pedagogical conditions, model, educational and activity technologies, competence, future lawyers.

Formulation of the problem. A revolutionary phenomenon for education in the 21st century is the Bologna process, one of the tasks of which is the creation of the European Higher Education Area. This, in turn, affects the training of specialists of a new formation, the content of which is outlined in the Law of Ukraine "On Higher Education" [1]. In order to operate the educational process of Ukrainian higher educational establishments (HEE) on the basis of the competence paradigm, a National Qualification Framework was concluded in Ukraine [2], the development and discussion of higher education standards in various specialties, including the Law specialty, is underway.

However, today there are a number of problems, because the absence of scientifically substantiated Concept of professional training of legal specialists at the state level, without which it is impossible to reform the system of higher legal education. At the same time, the modern level of society development requires significant changes in the pedagogical conditions of the future lawyers training, and in particular, the development and introduction of educational technologies into new educational technologies that will ensure the formation of educational competencies aimed at active practical activity and effectively application of the acquired knowledge and skills in professional legal field.

Analysis of recent research and publications.

We shall note that the problem of future lawyer's educational competences forming in the process of professional training is currently insufficiently researched. Some issues related to their use in the training of lawyers were argued in the scientific studios of V. Vasiliev, K. Vinokurov, Y. Vinokurov, N. Grigoriev, V. Moldavan, O. Kalita, N. Kozhemyako and others. Features and methods of forming the competences of future specialists were reflected in the works of E. Bezmolny, V. Grishko, I. Zimnya, O. Kalita, M. Kozyar, N. Kozhemyako, O. Koliba, Yu. Pelekh, S. Yakubovskaya, G. Yavorskaya, and others. In the researches of O. Alyoshina, T. Anisimova, S. Basorov, E. Bezsmolii, E. Mamaeva, S. Sitnikova, E. Schreiber, devoted to

problems of teaching law students, the search for optimal pedagogical conditions as necessary and sufficient circumstances, which influence the effectiveness of the educational process emerged.

Selection of previously unsettled parts of the general problem.

Despite a number of studies conducted by the aforementioned authors, the discussion is furthered on issues such as the list of future educational literacy competences of future lawyers and the definition of optimal pedagogical conditions for their formation in the process of studying specialized disciplines. This makes it difficult at this stage to create and implement in the institutions of higher education the modern effective educational programs for the training of specialists in the field of jurisprudence.

The purpose of the article. The purpose of this article is to determine the pedagogical conditions for the formation of the educational competences of lawyers in the process of studying the disciplines of the professional cycle, since sectoral procedural disciplines ensure the formation and development of future lawyers professional orientation, provide self-identification of students in the future. That is why the selection of optimal pedagogical conditions for the formation of educational competences of future lawyers in the process of mastering the content of these disciplines is considered a key factor in ensuring the quality of the educational process in the preparation of a specialist in the field of law.

Presenting main material. The notion of "pedagogical conditions" is understood as the peculiarities of the organization of the educational process in the institution of higher education, which determines the results of education, education and development of the student's personality, objectively provide an opportunity to achieve these results [3, 8].

In the domestic pedagogy several levels of pedagogical conditions allocated. Thus, the first level of pedagogical conditions is the personality characteristics of students which determine the success of the educational

process. The second level of pedagogical conditions is the immediate circumstances of the implementation of the educational process: the content and organization of students; interpersonal relations, communication both between students, and between scientific and pedagogical staff and students; adaptation of students to the educational environment of a higher education institution; the interaction of the educational institution with the environment and others. [4] All components of the pedagogical conditions for the training of lawyers require at rethinking and improving in the context of a competency paradigm at the present stage.

The precise definition of "pedagogical conditions for the formation of educational competencies" in the field of training lawyers is needed. In the philosophical encyclopedic dictionary the notion of "condition" is interpreted as an environment in which they are and without which there can not exist; as the situation. The unifying link in these interpretations is that the condition is a category of relations of an object with the world without which it can not exist [5, p. 42].

In pedagogy, the conditions are most often understood as factors, circumstances, set of measures on which the effectiveness of the formation of the pedagogical system depends. Some scholars consider pedagogical conditions as contributing to the successful passage of something, as a pedagogically comfortable environment, as a combination of activities in the educational process, etc.

As for our research, here under the pedagogical conditions we will understand the set of necessary measures (methods, forms, means) that contribute to the effective formation of educational competences of future lawyers. We consider the complex of pedagogical conditions as a set of interconnected components, the implementation of which will help to increase the level of formation of educational competencies.

One of the factors contributing to the improvement of pedagogical conditions for the achievement of the goal of the educational process is the introduction into practice of the teaching of professional disciplines of educational-activity technologies, which, according to the results of our research, have a positive influence on the key components of the pedagogical conditions: both on the content and organization of students' activity, and for establishing constructive interpersonal relations in the student's environment and in the system of "student-teacher".

We offer to understand educational-activity technologies as a complex of projected pedagogical actions, which contains a set of theoretical and methodological tools that promote the activation of cognitive activity of future lawyers through the development of specific educational material to achieve efficiency in the formation of educational competencies.

The objectives of the development and implementation of educational-activity technologies in the study of procedural disciplines are:

- to show the stages and procedure of court proceedings;
- to teach to assess the actual legal situation (analysis of case materials, legislation, development of legal position on the case, adoption of procedural decisions);
- instil practical skills in the exercising of the power by professional subjects of civil legal proceedings during judicial review (drafting of procedural documents, verbal statements in the court of first instance, etc.);
- to determine the level of theoretical training of students of the 4th year full-time study of the Faculty of Law in the discipline "Civil Process".

We believe that optimal pedagogical conditions for the formation of educational competences of future lawyers should include the following components:

- stimulating the development of future lawyers' internal motivation for the formation of educational competencies;

- introduction into the educational process of the means and methods of training that contribute the formation of general and special competences of future lawyers;

- the formation of professionally significant qualities in future lawyers through the internalization of universal and professional values [6, p. 130].

Thus, the well-formed internal motivation of future lawyers is a guarantee of effective formation of educational competencies, which is carried out through the development of already acquired theoretical knowledge, skills and abilities.

The strategic goal of the HEE is to prepare a competent lawyer who is able to act effectively outside the standard situations, to solve typical and complex problems that arise during professional activity. In the context of the transition to a competent model of training, the introduction of educational learning technologies, as a means of its practical implementation, becomes of particular relevance. Competent approach to learning involves the mastering of the necessary array of professional knowledge, their understanding, the formation of this practical skills, skills and acquiring practical experience on this basis. That is why pedagogical technologies should aim not only the acquisition of knowledge and skills based on this knowledge, and, most importantly, on the acquisition of professional experience by future specialists.

Each teacher will be able to accomplish this using various teaching aids in conducting practical and laboratory exercises. For example, to master students' experience in future professional activities, already in classroom conditions, teacher can create situations requiring analysis of a specialist's work at certain stages of the process of its simulation. Thus, the decision of a logically constructed chain of situational tasks contributes not only to the acquisition of students experience in the context of the content component of future professional activities, but also creates the prerequisites for successful social adaptation through the active interaction of participants in the educational process.

In substantiating the effectiveness of introducing into practice of specialists' training each method or means, scientists do not give an unambiguous answer to the question of the most universal ones, which would affect the development of students of all components of educational competence.

Representatives of certain legal professions put forward special professional requirements, which can be called special and formed during the study in HEE. Professionally significant qualifications of a lawyer are a result of the formed educational competence, as this makes future lawyers become highly professional specialists. In particular, investigators are individuals who conduct pre-trial investigation of the case. Investigators include investigating prosecutors, law enforcement agencies, security investigators, and others like that. Due to the importance and significance of investigators' activities in detecting and disclosing crimes, members of this specialty also have high requirements. In particular, higher legal education, knowledge of the specifics of the work of the law enforcement system, knowledge of procedural legislation and skills of its application, developed intellect, the ability to use the laws of logic, high level of communicative, moral culture, etc. [7, c. 361-362].

A modern lawyer should have a formed value-sense sphere, and therefore - to be noted with high level of appropriation of universal and professional values. This process takes place through the internalization of "external" values into the inner world of personality and during professional training, and in non-auditing time. The lawyer is personally morally responsible for fulfilling his professional duty (for example, the tasks of pre-trial investigation). The investigator must be objective, fair, humane. In official communication, he must exhibit endurance, balance, correctness.

Providing the above pedagogical conditions depends on a well-formed conceptual model. The organizational unit of the model includes educational and activity technologies that contribute to the formation of future lawyers

educational competences in the process of studying the disciplines of the vocational training cycle. Despite the fact that the most effective of them was the technology "business game", we have tested a number of other technological models, which, in our opinion, could contribute to the effective formation of future lawyers educational competencies. These technologies include the following: technology analysis of job-specific challenges; construction of the solution of situational problems; algorithmization of "immersion" into professional activity (in different variants); modeling the professional activity in the educational process; context-based learning in a "given" environment.

Instruments for implementing the organization and implementation of the educational process as the main component of the model, e.s. educational and activity technologies (on the basis of which the future lawyers educational competences are formed), were a number of specially selected methods. They are three large groups of methods, such as:

visual: documents, crossword puzzles;

verbal: brain-ring, simulation of situations;

practical: creative problem tasks, work in small groups, brainstorming, case method, Socratic method, games, solution of situational tasks, application of computer programs.

By applying visual methods (crossword puzzles with legal terminology) future lawyers were taught to identify the essential features of the concept (that is, those features that reflect the nature of the subject or phenomenon, its essence and distinguish it from all other objects or phenomena) and not essential (that is, the presence or absence of which will not change the nature of the subject or phenomenon). The criterion of significance of the characteristics that are reproduced by the concept is the acquired educational and life experience of a person. Without such skills it is impossible to teach students to formulate legal definitions qualitatively, based on a scientific approach. Verbal methods allowed to form linguistic skills (communicative competences), to promote the

development of abilities to acquire new knowledge, to understand and use ideas and considerations, to make responsible decisions in standard and non-standard situations. The introduction of practical methods in the process of formation of educational competences has allowed the future lawyers to develop the ability to effectively solve problems, develop computer-information skills and abilities.

The effective unit of the model combines a functional and target component, on the basis of which the influence on the formation of educational competencies was achieved through a set of specially designed methods, means and forms during the study of compulsory subjects of the cycle of professional training "Civil process" and "Criminal process"; problem-content component, which was aimed at optimizing the content of the indicated disciplines on the basis of interdisciplinary connections and their application during their study of the problem method as a means of forming educational competencies; criterion-evaluative – was intended to develop criteria for assessing the formation of educational competences for future lawyers in the process of professional training (study of isolated disciplines) and their respective levels; activity-technological – determined the effectiveness of the joint activity of students and the teacher in the process of formation of educational competences by means of educational and activity technologies; organizational and practical – provided the correct, timely and effective organization and conduct of experimental research aimed at confirming the working hypothesis of the research.

Our research has made it possible to specify the positive changes in the pedagogical conditions of formation of future lawyers educational competences, which can be ensured as a result of implementation of educational and activity technologies:

- stimulating the development of future lawyers' value motivations to the abovementioned competencies;
- creation and use of professional information environment in HEE;

- systematic use of educational-activity technologies while students mastering the knowledge of compulsory disciplines in the professional cycle;
- creation of a favourable psychological microclimate;
- introduction into the educational process of means and methods of training that contribute to the formation of general and special competences of future lawyers;
- design of interdisciplinary courses on the basis of legal disciplines;
- structural and substantive provision of the process of formation of future lawyers educational competences through the assimilation of the respective values laid down in the basis of the creation of author educational and activity technologies;
- modeling the process of formation of educational competencies;
- formation of professionally significant qualities in future specialists-lawyers through internalization of universal and professional values;
- creation of a creative environment for the assignment of educational tasks.

In order to identify the effectiveness of the above-mentioned pedagogical conditions regarding the formation of educational competences of future lawyers through the application of the conceptual model, an expert evaluation was conducted. In this assessment, 15 teachers of the Educational and Scientific Institute of Law (National University of Water and Environmental Engineering) participated, among them 10 candidates of science, 5 senior lecturers, who provide study of branch disciplines by students-lawyers. Teachers' scientific and pedagogical experience ranged from 3 years to 38 years. The experts were asked to evaluate the indicated pedagogical conditions on the 10-point scale, where 10 points corresponded to a more significant pedagogical condition, and 1 point – less significant. Based on the results of the assessment for each of the proposed pedagogical conditions, the average score was calculated. The results of the expert evaluation are shown in the table. 1

Table 1. Results of expert evaluation of the effectiveness of formation of future lawyers educational competences as a result of improvement of pedagogical conditions by educational-activity technologies

| Pedagogical conditions | Estimation of experts |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| Creation and use of a professional information environment in the HEE; | 7,3 |
| Systematic use of educational-activity technologies while students mastering compulsory disciplines of the prof. training | 6,9 |
| Structurally-substantive provision of the process of formation of future lawyers educational competences through the assimilation of the respective values laid down in the basis of the construction of author educational and activity technologies | 7,9 |
| Constructing interdisciplinary courses on the basis of legal disciplines; | 8,3 |
| Stimulating the development of future lawyers internal motivation for the formation of educational competencies; | 8,8 |
| Creation of a favourable psychological microclimate | 8 |
| Formation of professionally relevant qualities of future lawyers through the internalization of universal and professional values | 9,3 |
| Simulation of the process of forming the instrumental educational competences of future lawyers | 7,9 |
| Creating a creative environment for the teaching of learning tasks | 8,7 |
| Introduction into the educational process of means and methods of training that contribute to the formation of general and special competences of future lawyers | 8,9 |

As we can see from the table, all areas of improvement of pedagogical conditions that are observed during the use of educational and activity technologies are recognized by experts to be effective in shaping the educational competences of future lawyers, since the corresponding average scores on the results of the survey exceeded 5 and reached values from 6.9 to 9.3.

Thus, expert evaluation has shown the expediency of implementation in the process of formation of educational competences of educational and activity technologies for improvement of pedagogical conditions that allows to consider

educational and activity technologies as the main component of the model of formation of future lawyers educational competences in the process of studying the disciplines of professional and practical training (Fig. 1).

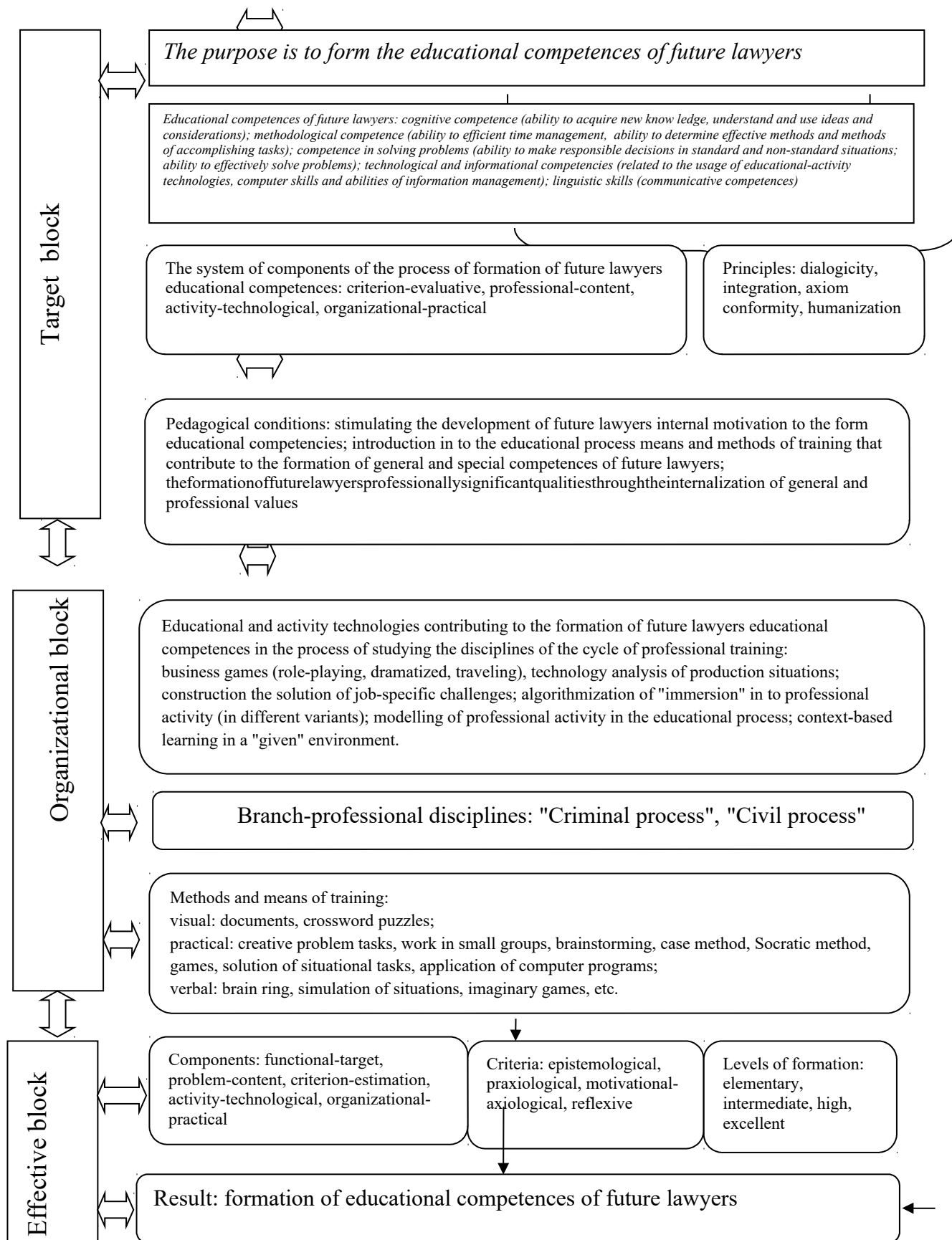


Figure 1. Model of formation of educational competences of future lawyers in the process of studying the disciplines of professional and practical training.

Conclusions and suggestions. The pedagogical conditions, which are distinguished on the basis of empirical research, serve as the main factor for implementing the author's model of formation of a system of educational competences for future lawyers in the educational process. Such a conceptualized model appears in the form of a holistic system. At the first stage of its implementation there is an adaptation process, that is, the student's awareness as a future professional in the legal sphere, capable of carrying out professional activities on the basis of assimilation of professional values, observance of norms and rules of professional conduct. At the following stages, the future specialist maintains a stable motivation for the development of educational competencies, the ability to analyze and synthesize, and improve written and oral communication skills in their native language. As a result of implementation of developed model in the educational process, this will improve the pedagogical conditions for the formation of educational competences of the future lawyer in the process of studying compulsory disciplines of the professional cycle. Based on the author's experience, young scientists can carry out the selection and practical testing of pedagogical conditions in a harmonious unity with the developed model, which will undoubtedly contribute to increasing the efficiency of the process of professional training of future specialists in a higher education institution.

Literature:

1. Zakon Ukrainy «Pro vyshchu osvitu» [Elektronnyi resurs] – Rezhym dostupu: <http://zakon2.rada.gov.ua/laws/show/1556-18>

2. Natsionalna ramka kvalifikatsii [Elektronnyi resurs] – Rezhym dostupu: zakon.rada.gov.ua/go/1341-2011-p

3. Durmanenko O. Teoretychnyi analiz poniattia “pedahohichni umovy” v konteksti monitorynhu vykhovnoi roboty u vyshchomu navchalnomu zakladi / o. Durmanenko // Molod i rynok №7 (90), 2012. – S. 135-138

4. Sutnist ta zmist poniattia “pedahohichni umowy” / N. Tverezovska, L. Filippova // Nova ped. dumka. – 2009. – №3. – S. 90–92.

5. Formy, metody i orhanizatsiia navchalnoho protsesu v kredytno-modulnii systemi. Navch.-metod. posibnyk / Za zahalnoiu redaktsiieiu prof. S. M. Honcharova. – Rivne : NUVHP, 2007. – 184 s.

6. Boreichuk A. V. Rol zasobiv navchannia u vykladanni dystsypliny «Osnovy rymskoho pryvatnoho prava» (na osnovi kompetentnisnoho pidkhodu) // A. V. Boreichuk, V. I. Hryshko // Visnyk Natsionalnoi akademii Derzhavnoi prykordonnoi sluzhby Ukrainy : elektron. nauk. fakh. vyd. / Nats. akad. Derzh. prykordon. sluzhby Ukrainy im. Bohdana Khmelnytskoho [Elektronnyi resurs]. – Khmelnytskyi: [b. v.], 2016. – Vyp. 3. – Rezhym dostupu : <http://nadpsu.edu.ua/index.php/12-nauka/98-pedagogichni-nauki-visnik.html>

7. Solovtsov V. A. Modeliuvannia vyrobnychkykh situatsii na urokakh profesiinoi pidhotovky kvalifikovanykh robitnykiv [Elektronnyi resurs] / V. A. Solovtsov. – Rezhym dostupu: http://hpslwelder.blogspot.com/2015/03/blog-post_25.html

8. Grygus I., Mykhaylova N. Wpływ ruchowej aktywności na stan zdrowia studentów. Journal of Health Sciences (J of H Ss) 2013; 3 (5): 649-656.