

THE ROLE OF THE COUNSELOR IN PROVIDING QUALIFIED LEGAL ASSISTANCE IN THE COUNTRIES OF THE COMMONWEALTH OF INDEPENDENT STATES

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ANNOTATION

The essay looks at the CIS countries' experience with progress. In the CIS countries, professional legal help is provided, and cases involving the implementation of legal acts are investigated and reviewed. The bad and beneficial features of legal rules in CIS countries are examined and contrasted to Uzbekistan's experience.

Keywords: legal services, legal services, consultancy activity, judicial office, monopoly of consultancy.

INTRODUCTION

Important directions include the creation of perfect legislation in all countries of the world, ensuring its unconditional implementation, raising the legal culture of the population and officials, and clearly defining the rights and obligations of citizens, bodies of state power, and administration. The legal service of public bodies and organizations, as well as economic firms, plays a vital role in this process. Legal Assistance modification, cancellation, and execution of economic contracts; property maintenance through legal means; observance of labor legislation and strengthening of labor discipline; protection of the rights and legitimate interests of relevant bodies and economic entities in courts and other forums.

Special attention is paid to the dramatic enhancement of the activities of the legal service of state bodies and organizations as part of our country's large-scale reforms. In the period 2017-2021, tasks such as "deepening democratic reforms aimed at improving the state and society's construction and development of the organizational and legal framework of the civil service in the modernization of the country, radical improvement of the quality of legal assistance" are included in the Republic of Uzbekistan's strategy of actions on five priority areas of development. The concept of Professional legal assistance regulation was introduced by the Ministry of Justice in Uzbekistan from 2019. (after that-concussion). There are allusions to foreign countries' experience in regulating this sector of service, such as Germany and France, as well as experience in Japan, India, and other countries. Every person residing in the Republic of Uzbekistan has the right to get appropriate legal aid under Article 116 of the Constitution [3]. The actions of the consulting are predetermined in order to provide legal assistance to legal entities and individuals. "First and foremost, the Institute of Advocates, which is responsible for ensuring strict adherence to constitutional and legal norms in judicial matters, as well as the protection of the rights, reputation, and dignity of citizens under his protection," said I.A.

Karimov, the first President of the Republic of Uzbekistan. There are references to the experience of other countries in regulating this sector of the service industry, such as Germany and France, as well as Japan, India, and other countries. Under Article 116 of the Constitution, every person residing in the Republic of Uzbekistan has the right to get proper legal assistance [3]. The actions of the consulting are predetermined in order to provide legal assistance to legal entities and individuals. "First and foremost, the Institute of Advocates, which is responsible for ensuring strict adherence to constitutional and legal norms in judicial matters, as well as the protection of the rights, reputation, and dignity of citizens under his protection," said I.A. Karimov, the first President of the Republic of Uzbekistan. However, the growth of legislation in this area is dependent on the unique characteristics of each country's style of governance and structure, the nature of its free relations, the legislative creative process, and the status of its application. A comparative-legal analysis of legislative acts governing the activities of advocacy in a number of CIS countries (Russia, Ukraine, Belarus, Moldova, Tajikistan, Kazakhstan, Kyrgyzstan, Armenia, Azerbaijan, and Georgia) reveals that the organization and regulation of advocacy have interesting aspects, with each Republic having its own unique, distinctive character. Although the constitutions of Russia and other CIS countries essentially declare the right to professional legal help, there are republics where the position of the advocacy is explicitly stated. "Legal aid to citizens and organizations is supplied by advisers and other persons (TK 106 - m.)," for example, according to Turkmenistan's Constitution.

The Constitution of the Republic of Tajikistan clearly states that "the procedure for the organization and functioning of the consultation and other forms of legal assistance is determined by constitutional laws" (92 - m.). In the laws of the Republic of Moldova, The Republic of Kazakhstan, for example, the appointment of qualified legal assistance on a professional basis for the purposes of protecting the rights, freedoms and legitimate interests of individuals and legal entities of the advocacy, as well as ensuring the use of fair trial, is determined by the appointment of their functions as a civil society. President of the Republic of Kazakhstan, supreme bodies of state power and administration (chambers of the Parliament of the Republic of Kazakhstan) "The legal basis of the legal service of ministries, state bodies, departments, local representative and executive bodies (consultation and authority), enterprises and institutions is regulated by the normative documents of the relevant bodies, including the "Standard (Tipovoy) regulation on the legal service of State bodies", approved by the decree of the Government of the Republic of Kazakhstan dated November 9, 2006 № 1072. [2] This regulation consists of the following 4 sections, which contain 15 points: general rules, Legal Service Organization, Legal Service Activities, and Legal Service Material Stimulation Employees. The general rules establish uniform requirements for the organization and functioning of all state bodies' legal services by statute; the legal service is established as an independent structural subdivision; these bodies carry out methodical management of the Ministry of Justice and departments' legal affairs, and their recommendations are mandatory for application by all legal services; the main tasks of the legal service are indicated. According to him, the legal service's main responsibilities include ensuring legal compliance in the activities of ministries, departments, local executive bodies, and subordinate enterprises and institutions; and ensuring compliance with the law in the activities of ministries, departments,

local executive bodies, and subordinate enterprises and institutions. Protection of a legal entity's property, other rights, and legitimate interests using legal means; Promotion and clarification of the Republic of Kazakhstan's present legislation, as well as the organization of General Legal Education; Participation in the creation of legal documents such as normative acts, orders, and decisions. [3] The position of the head on legal issues, the position of the head (Senior) lawyer consult, lawyer consult, and persons with special legal knowledge are assigned to these positions depending on the size, characteristics, and complexity of the work in state management bodies and enterprises, institutions. The fact that the norm on the termination or reorganization of the legal service, the reduction in the number of its employees should be carried out according to the decision of the high-ranking body is established in the regulations is an important guarantee of the activity of the legal service.

Advocacy is described in Armenia as a "kind of law-enforcement activity" aimed at preserving the interests of legal aid recipients by means and methods not banned by law. [1,4] Advisory activities in Belarus "the procedure provided for by this law by solicitors on a professional basis, including individuals, individual entrepreneurs, legal entities, and the state (in the next 100 places, if the other is not provided for, - legal assistance to the client) for the purposes of exercising and protecting their rights, freedoms, and interests, as well as ensuring the use of fair trial". "The activity of an lawyer is a professional legal aid provided by an lawyer in accordance with the procedure established by law, with the goal of protecting a person's rights and freedoms, the legitimate interests of a legal entity, and ensuring and strengthening the legitimacy in society," according to Turkmenistan. lawyer activity is defined in Kyrgyzstan as "lawyer activity on giving qualified legal advice to individuals and legal entities in the implementation of their rights, freedoms, and legitimate interests." The law of the Republic of Tajikistan concisely defines lawyers activity as legal aid in lawyers activities. A alternative approach to the concept of "Lawyer" can also be found in the legislation of the CIS republics. In Armenia, for example, a "lawyer" is a person who has earned a license to practice law in line with this law's procedures, is a member of the lawyer chamber, and has taken an oath. In all other cases, a lawyer is regarded an impartial consultant on legal matters," and he or she may be an advocate for a citizen of this Republic. In the Russian Federation, normative legislative actions and local acts of economic organizations determine the legal status of legal services. [5] "Everyone is granted the right to expert legal aid," according to Article 48 of the Russian Federation's Constitution. In cases established by law, free provision of legal assistance is carried out", it is noted that this norm plays an important role in determining the legal status of the legal service. Advisory (advisory board, legal consultation, Advisory Cabinet) plays an important role in the provision of legal services to economic entities. On 26 April 2002, the Federal law "on advocacy and advisory activities in the Russian Federation" was adopted. Individual lawyers in the Russian Federation are also able to give legal services to businesses. It is not necessary to obtain a license in order to engage in such activities. They provide legal services to businesses in collaboration with two or more individual lawyers by signing a basic partnership arrangement (joint activity agreement)⁴ in person or in writing. In the Russian Federation, an lawyer is a person having a higher legal education from a state-accredited higher professional education institution or a scientific degree in a legal specialty [1,4]. Except for

scientific and other creative activity, an lawyer is an independent legal counselor who does not intend to profit. He does not have the right to engage in paid labor (law 2 - m.) To get the status of lawyer, one must complete an internship in the structure of Labor internship or lawyer in the legal speciality of 2 years, as well as pass a qualification exam, according to the above-mentioned Federal law. The responsibility for licensing legal service activities has been assigned to the Ministry of Justice by President of the Republic of Belarus directive No 450 dated September 1, 2010 "on the licensing of certain categories of activities." According to the Ministry of Justice of the Republic of Belarus, there are presently 1199 legal entities with licenses in the Republic of Belarus, of which 249 are legal entities and 950 are individual entrepreneurs. [1,2] .

The provision of legal assistance by advocacy in the Republic of Belarus is developing; the Ministry of Justice provides general and methodical guidance on advocacy activity, adopts normative-legal documents regulating advocacy activity in accordance with the law "on the activity of advocacy and advocacy in the Republic of Belarus," provides for licensing of this type of activity; and the Ministry of Justice issued a license granting the right to drive. They are currently organized into 161 legal advisory offices and 81 advisory offices, with 321 of them operating independently. The above testifies to the fact that the legal framework for the implementation of the leadership in the activities of the legal service of state bodies and organizations to the Ministry of Justice in the Republic of Belarus is sufficiently formulated. In the Republic of Belarus, a citizen of the Republic of Belarus who has completed a higher legal education, completed an internship, and passed the qualification exam in the situations established by this law has received a special permit (license) to practice law (below, unless otherwise provided for by another - license), and a natural person who is a member of the Republic of Moldova who has full merit, has a law Lyceum diploma, and has not undermined (Law 8 - m. 2-q.). Some states have chosen a hybrid approach to delivering legal aid. [7] This model allows citizens to select from a range of state advocate specialties, including individual private counsel services and poor person's rights. Recognizing these benefits, reformers from other sectors collaborated with local legal centers to develop the legal care system. The fact that such businesses are reliant on donor funding is one of their major flaws.

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