

UDC 378.4.014

DOI <https://doi.org/10.31392/NPU-nc.series5.2022.88.39>

Stoliarchuk L.

FORMS OF ORGANIZING THE PROFESSIONAL TRAINING OF BACHELORS IN THE FIELD OF LAW AT CANADIAN UNIVERSITIES

The article presents a theoretical study of the forms of organizing the educational process in the context of professional training of bachelors in the field of law in the higher education system of Canada. It has been established that the specialty "Law" is mastered in law schools, which possess absolute autonomy in the formation of educational programs. The results of the study have proved the dominant use of the full-time form of education, while part-time and blended forms are offered only by separate institutions of higher legal education. It has been revealed that none of the universities in Canada provide the opportunity to obtain a bachelor's degree in law through distance learning. The article highlights the variety of forms of organizing the educational process, which are practice-oriented and aimed at providing students with the skills and abilities necessary for a further career in jurisprudence. It has been noted that the organization of future lawyers' professional training is based on the integrated use of traditional and innovative forms. The professional training of bachelors in the field of law at Canadian universities is implemented through various forms of organizing the educational activity, namely, classes, independent work, assessment activities and practical training. It has been revealed that educational classes in the system of higher legal education in Canada are represented by various types, namely: lectures, practical classes, seminars, tutorials. The analysis of educational programs in the field of law at Canadian universities has shown the opportunity to acquire professional skills through a series of practical training sessions for students of all years of study. It has been found out that the independent work of students in Canadian law schools takes place in the form of completing individual tasks, working with literary sources, preparing for practical classes, seminars and exams, as well as preparing and writing scientific projects and works. It has been emphasized that an important component of the professional training of bachelors in the field of law at Canadian universities is the assessment of students' knowledge and skills, which is carried out by conducting various control activities with the issuance of grades.

Key words: *bachelor, law, educational program, professional training, education form, organization of the educational process, university, Canada.*

(статтю подано мовою оригіналу)

Nowadays the demand for highly qualified legal specialists is continuously increasing in the conditions of establishing a democratic state governed by the rule of law, developing the civil society and enhancing the international cooperation in our country. In order to conduct their professional activity lawyers need to possess fundamental and specialized legal knowledge and practical skills enabling to effectively deal with legal issues aimed at protecting the citizens' rights and interests and ensuring law and order in the society. Substantial improvements in the content, methods and forms of legal training should be introduced to provide future lawyers with a high level of professional competence. Taking into consideration the excellent quality of legal education at Canadian universities and the need to reform Ukraine's legal educational system, studying Canada's experience in the bachelors' professional training is of particular relevance today.

The purpose of the article is to analyze the organization of the educational process in Canada in the context of the professional training of bachelors in the field of law, to outline the variety of teaching and studying forms in this area and specify their features.

The analysis of the scientific and pedagogical sources on higher legal education has demonstrated that a considerable number of domestic and foreign researchers have studied principal issues in this area. Foreign experience of future legal specialists' professional training is addressed to in the works of such scholars as Androshchuk, Bihun, Boon, Vasylenko & Haldetska, Vorontsova, Harno, Hurak, Maharg, Moline, Mwenda, Proskurniak, Roskopina, Steele & Taylor, et al. Despite the abundance of scientific publications on higher education in the field of law, the issues of applying various forms and methods for training bachelors in law at Canadian higher educational establishments have not been sufficiently outlined.

The professional training of bachelors in the field of law in Canada is implemented through a system of law schools functioning at public universities and providing higher legal education. The results of researching the system of professional training of bachelors in law at Canadian universities have shown that full-time studying is the principal education form in higher legal education. Some Canadian law schools offer only full-time legal studies requiring students to attend classes. Such higher educational establishments include, in particular, the University of Laval, the University of Montreal, the University of Lakehead, the University of Moncton, the University of New Brunswick, Ryerson University, Thompson Rivers University, University of Sherbrooke. Other Canadian law schools, including the University of Alberta, the University of Windsor, the University of Calgary, the University of Ottawa, the University of Toronto, the University of Dalhousie, the University of Western Ontario, Queen's University, McGill University, etc. allow part-time studying, although they limit the number of students who can take advantage of this opportunity (mostly up to 5% of the total number of applicants). In this case, the entrant should provide a justification for the inability to study full-time, for example, due to problems with their own health or the

health of a family member, limited physical capabilities or exceptional family or financial difficulties, and must meet the requirements for admission which are the same both for full-time and part-time forms of education. In contrast to the full-time form of study lasting 3-4 years, depending on the educational programs of law schools, part-time learning takes 5-7 years and also requires periodic attendance according to schedule [12].

It is worth noting that none of Canada's universities provides the opportunity to obtain a bachelor's degree in law through distance learning. This is due to the fact that Canadian law societies have historically insisted that only traditional university programs entitle graduates to a bachelor's degree in law, which in turn guarantees the quality of legal education and a career in law [3]. As a result, it can be argued that Canadian law schools are more interested in improving the quality and increasing the number of full-time educational programs than in expanding access to legal education through distance learning.

However, the rapid development of modern information technology has helped change the way of teaching in Canadian law schools. The use of online course management systems such as TWEN (The West Educational Network) or Moodle (Modular Object-Oriented Dynamic Learning Environment) is quite common in Canadian law schools today. Some lecturers use these systems only as a means of providing information to students, while others apply their advantage to improve learning outside the classroom through discussion forums or tests that help students check their understanding of material in a particular discipline. These systems are also successfully used to place lecture material online in order to increase the amount of classroom time for discussion and practical application of acquired knowledge.

In addition, some Canadian universities, such as the University of Ottawa, the University of Western Ontario, the University of Saskatchewan, York University and others hold video conferences that allow lecturers outside the university to offer courses for a specific university. Thus, Canadian law schools make use of online education as a way to complement and improve the quality of traditional personal learning, rather than replacing it, reflecting the belief that personal interaction between students and faculty is an important aspect of legal practice, and law schools should serve as a model of such interaction. This trend is in line with the requirements of the Federation of Canadian Law Societies for Canadian common law degree programs, which state that "educational programs should consist of mostly personal teaching and learning and/or teaching and learning that involves direct interaction between a lecturer and students" [3].

The analysis of educational programs for future specialists in the field of law in Canada has proved that blended learning, which combines classroom, individual and e-learning as a purposeful and complementary way of engaging students in learning, is becoming more and more widespread [4].

The blended type of learning minimizes the passive transfer of information during a lecture with the necessity of doing homework to apply knowledge, instead it involves receiving information "at home" (online) followed by active discussion with fellow students and the lecturer during practical classes. For example, the University of Alberta offers students the course in Evidence, which consists of watching video lectures online in extracurricularly to prepare for practical tasks they may face in court [10].

The University of Ottawa is part of the Ontario Online Learning Consortium (OOLC), which has recently launched an online portal called eCampusOntario that allows students to find and register for online courses at any university in the province of Ontario and provides access to the number of resources that complement distance learning. As part of this project, the University of Ottawa provides students with the opportunity to study Legal Aspects of Human Rights and the Inter American System of Human Rights online, as a result of which they receive certificates.

The professional training of bachelors in law at Canadian universities is realized through various forms of organization of the educational process, in particular, classes, individual work, tests and practical training. Classes in Canada's higher educational system are represented in different ways, namely: lectures, practical classes, seminars, tutorials.

The usual form of organizing classes in the context of professional training of bachelors in law at Canadian universities is a lecture, which is aimed at mastering the theoretical material and is held for a large group of students. Mandatory attendance at lectures, recording of lecture material is not the norm for Canadian universities [1].

It should be emphasized that lecturers never set themselves the task of providing students with a brief outline of the subject, which would allow them not to read any reference books, but rather aim to provide a key to understanding the basic principles that would motivate independent work with legislation. Lectures are considered effective when presenting a small amount of information quickly and concisely, to acquaint students with a particular field of law, making summaries at the end of the study when dealing with general ideas, especially principles and doctrines of law and their systematization.

Considering that Canada's higher legal educational system is based on the autonomy of law schools and the freedom of lecturers to choose forms and methods of teaching, thus, planning, organizing and delivering lectures depend on the vision of a particular teacher, his or her experience and professionalism to achieve educational goals. Students, in turn, have the opportunity to choose from a large number of elective courses offered by the law school, taking into account their interests and academic requirements. For example, Queen's University law students can attend lectures on the following topics: Administrative Law, Civil Procedure, Jurisprudence, Taxation, Techniques in Negotiation, Immigration Law, Wills, Human Rights, Conflicts of Laws, Insurance Law, Business Associations, International Trade Law, Labor Law, Criminal Procedure, etc. [8].

Nowadays, integrated 3-hour classes are gaining popularity in Canadian law schools, combining lectures with the practical application of theoretical knowledge. According to the principles of active learning techniques, the main purpose of this type of training is to master the theoretical material on the basis of creative and active participation of the student, who is at the center of the educational process. Such integrated classes include several introductory lectures for students with an overview of the subject and purpose of study, terminology, basic concepts and main topics of the discipline. The rest of the time devoted to the study of the discipline is used for discussions and debates, since law is a discipline that requires applied skills and skills of analysis and communication.

Due to the fact that the lecture, being characterized by passivity of the student and the expectation of ready knowledge, does not stimulate critical thinking and development of cognitive abilities, lectures are enriched with interaction with the audience, increase the effectiveness of bachelor's degree in law in Canada [6]. In particular, the results of the analysis of bachelor's degree programs at the University of Ottawa has shown that the characteristic forms of this type of training in Canadian law schools are a combination of a lecture with a seminar, a lecture and a practical class, as well as lectures based on solving problematic situation or business game in the process of studying such disciplines as International Human Rights Law, Criminal Law, Animals and the Law, Law and Policing, International Environmental Law, Anti-Corruption Law, etc. [11].

After analyzing educational programs in the field of law at Canadian universities, namely: University of Alberta, University of Calgary, York, York, University of Ottawa, University of Toronto and law schools of the University of British Columbia, University of Western Ontario, Dalhousie University, McGill University, it can be argued that legal training in this country is characterized by practical orientation. In addition to gaining and deepening theoretical legal knowledge by attending traditional lectures and seminars, Canadian law schools offer students a variety of practical classes using the case method, the Socratic method, and problem-solving and discussion methods that help shape students' professional qualities, increase the level of legal thinking, promote the transformation of theoretical knowledge into practical, develop logical thinking and communication skills, involve students in joint professional tasks and intensify the educational process in general [2].

During the practical classes the lecturer organizes a detailed consideration of certain theoretical issues by students and creates favorable conditions for the formation of higher legal education skills and abilities of their practical use through the performance of individual tasks by students. Practical classes are focused on deepening and expanding the knowledge acquired by students during lectures or as a result of working with textbooks, as well as on mastering the methodology of working with scientific and educational materials and typical legal practical skills. In this case, students must be acquainted in advance with the content of a certain section of the theoretical course of lectures, the practical use of which they need to master.

Seminars in Canadian law schools involve the active participation of students in the learning process, rather than the passive perception or reproduction of material, giving them the opportunity to communicate directly with lecturers. The analysis of the educational programs of the Canadian law schools of the University of Alberta, the University of Calgary, the University of York, the University of Ottawa, the University of Toronto, the University of British Columbia, the University of Western Ontario, and McGill University report that seminars are conducted by faculty members with groups of 20 to 30 students. The purpose of the seminars is for students to study independently the questions proposed by the lecturer from the course of lectures with further discussion and summarizing the material in the form of a presentation, notice, abstract, report, etc. During the seminar, the lecturer organizes a discussion based on the analysis of students' written works or oral presentations. A key feature of the seminar is students' active participation in solving the problems suggested for consideration. Seminars promote students' deep mastery of theoretical issues, familiarity with the scientific apparatus, formation of public speaking skills, the ability to conduct scientific polemics, defend their opinion, taking into account the views of others, develop tolerance. Grades received by the student for the prepared works, speeches and active participation in the discussion during the seminars are taken into account when setting the final grade for this academic discipline [9].

Another form of legal study is tutorials, which are conducted at Canadian universities individually or with a small group of students. During the tutorial, the student can get comprehensive answers from the tutor to questions that have arisen in the process of independent work or that cause difficulties in understanding the theoretical issues of the discipline. This type of study gives Canadian law students the opportunity to discuss a written essay or research paper with a lecturer and receive detailed feedback and suggestions for improvement. The advantage of the tutorial is the possibility of conducting a dialogue between a lecturer and a student, which provides a more complex level of mutual understanding and offers a new vision of the educational process [9].

Students' independent work in Canadian law schools takes the form of individual assignments, work with literary sources, preparation for practical classes, seminars and exams, and writing the research projects and papers. The results of the analysis of educational programs of Canadian universities has shown that the obligatory requirement for obtaining a bachelor's degree in this country is the choice of discipline for 2 and/or 3 years of study which involves writing a research paper under the guidance of a supervisor as a control activity. The purpose of this work is to systematize the theoretical and practical knowledge acquired by students during their studies, as well as to implement basic legal research aimed at in-depth study and solution of current issues of the chosen topic. In particular, at Windsor University, students must write a research paper during the second or third years of study, the grade for which constitutes at least 50% of the total grade for the entire course. At McGill University, each student is required

to choose a course that includes writing a research project or writing an article, note, or commentary that has been accepted for publication or published in the McGill Law Journal. According to the University of Ottawa's educational program, student research papers of 5,000 to 10,000 words (approximately 20 to 40 pages of printed text) mostly involve original research on a chosen legal topic, a reform project, and a critical analysis of a specific legal issue, or contain a synthesis of existing literature (cases, laws and comments) in a particular area of law to explain difficult issues, make assumptions about the application of new provisions or evaluate existing laws [5].

Assessment of students' knowledge and skills is an important component of the bachelor's degree in law at Canadian universities. To this end, various control measures are carried out throughout the educational process with the issuance of appropriate grades [7]. According to a study of educational programs in the field of law at the University of British Columbia, the University of Western Ontario, the University of Saskatchewan and the University of Toronto, etc., we can conclude that the main form of the control event is the final written exam, which is held at the end of the semester. Lecturers also carry out intermediate assessment of students' knowledge by writing a mid-term exam. Testing knowledge and skills acquired by students during the educational process in Canadian law schools can be based on continuous assessment through a variety of individual assignments, essay writing, testing in oral, written or online forms, participation in discussions and seminars, preparation of reports and presentations on given or independently selected topics being directly related to the subject of study. It is worth noting that the disciplines taught in the form of seminars for undergraduate students often involve the preparation, writing, and sometimes presentation of course work as a form of control.

Conclusions. The research has shown a predominant use of the full-time educational form, while part-time and blended forms are provided only by separate institutions of higher legal education. In the educational process, a variety of forms of organizing the learning process are applied, in particular: classes (lectures, seminars, practical classes, tutorials), independent work and assessment activities.

Bibliography:

1. Лаянз, Д. Система професійної підготовки вчителів у Канаді. *Освіта і управління*. 1997. № 1(4), С. 163–165.
2. Canadian Law School Profiles (2017). URL : http://www.oxfordseminars.ca/LSAT/lSAT_profiles.php.
3. Federation of Law societies of Canada. (2019). URL: <https://flsc.ca/>
4. Garrison, D. R., & Vaughn, N. D. *Blended learning in higher education: Framework, principles and guidelines*. New York, USA: John Wiley and Sons, 2012. 272 p.
5. Ginsberg, J. (). Legal Research and Writing as Taught in Canadian Law Schools. *The Law Librarian*. 1988. № 19(1), p. 21–26.
6. Johnstone, R., & Le Brun, M. *The quiet (r) evolution: Improving student learning in law*. Sydney, Australia: Law Book Co, 1994. 350 p.
7. Principles for Fair Student Assessment Practices for Education in Canada. (2017). URL: <https://www.wcdsb.ca/wp-content/uploads/sites/36/2017/03/fairstudent.pdf>.
8. Queen's University. JD Course Catalog. (2018). URL: <https://law.queensu.ca/sites/default/files/files/Course%20Info%20-%20Timetables/2019-2020%20Law%20Course%20Catalog.PDF>.
9. Stolker, C. *Rethinking the Law School: Education, Research, Outreach and Governance*. Cambridge, UK: Cambridge University Press, 2014. 472 p.
10. University of Alberta. (2019). URL: <https://www.ualberta.ca/>.
11. University of Ottawa. JD Program Requirements. (2018). URL: <https://catalogue.uottawa.ca/en/undergrad/juris-doctor-jd/#programrequirementstext>.
12. York University. JD Extended Time Program. (2018). URL : <https://www.osgoode.yorku.ca/programs/juris-doctor/jd-program/extended-time-program-jd/>

References:

1. Laienz, D. (1997). Systema profesiinnoi pidhotovky vchyteliv u Kanadi [The system of teachers' professional training in Canada.]. *Osvita i upravlinnia*, 1(4), 163–165. [in Ukrainian]
2. *Canadian Law School Profiles* (2017). Retrieved from: http://www.oxfordseminars.ca/LSAT/lSAT_profiles.php.
3. *Federation of Law societies of Canada*. (2019). URL : <https://flsc.ca/>
4. Garrison, D. R., & Vaughn, N. D. (2008). *Blended learning in higher education: Framework, principles and guidelines*. New York, USA: John Wiley and Sons.
5. Ginsberg, J. (1988). Legal Research and Writing as Taught in Canadian Law Schools. *The Law Librarian*, 19(1), 21–26.
6. Johnstone, R., & Le Brun, M. (1994). *The quiet (r) evolution: Improving student learning in law*. Sydney, Australia: Law Book Co.
7. *Principles for Fair Student Assessment Practices for Education in Canada*. (2017). URL : <https://www.wcdsb.ca/wp-content/uploads/sites/36/2017/03/fairstudent.pdf>.
8. *Queen's University. JD Course Catalog*. (2018). URL : <https://law.queensu.ca/sites/default/files/files/Course%20Info%20-%20Timetables/2019-2020%20Law%20Course%20Catalog.PDF>.
9. Stolker, C. (2014). *Rethinking the Law School: Education, Research, Outreach and Governance*. Cambridge, UK: Cambridge University Press.
10. *University of Alberta*. (2019). Retrieved from: <https://www.ualberta.ca/>.
11. *University of Ottawa. JD Program Requirements*. (2018). URL : <https://catalogue.uottawa.ca/en/undergrad/juris-doctor-jd/#programrequirementstext>.
12. *York University. JD Extended Time Program*. (2018). URL : <https://www.osgoode.yorku.ca/programs/juris-doctor/jd-program/extended-time-program-jd/>.

Столярчук Л. В. Форми організації професійної підготовки бакалаврів у галузі права в університетах Канади

У статті представлено теоретичне дослідження форм навчання та організації професійної підготовки бакалаврів у галузі права в системі вищої освіти Канади. З'ясовано, що здобувачі вищої освіти опановують спеціальність «Право» у правничих школах, які мають абсолютну автономію у формуванні освітньо-професійних програм. Результати дослідження засвідчили домінуюче використання стаціонарної форми навчання, тоді як заочна і змішана форма пропонуються лише окремими закладами вищої юридичної освіти. Виявлено, що жоден з університетів Канади не надає можливості отримати освітній рівень бакалавра у галузі права через дистанційну форму навчання. У статті наголошується на варіативності форм організації навчального процесу, які мають практико-зорієнтований характер та спрямовані на забезпечення студентів вміннями та навичками, необхідними для подальшої кар'єри у юриспруденції. Зазначається, що організація професійної підготовки майбутніх фахівців з права здійснюється на основі комплексного використання традиційних та інноваційних форм. Професійна підготовка бакалаврів у галузі права в університетах Канади реалізується через різні форми організації освітнього процесу, зокрема, навчальні заняття, самостійну роботу, контрольні заходи та практичну підготовку. Зазначається, що навчальні заняття у системі вищої юридичної освіти Канади представлені різними видами, а саме: лекції, практичні заняття, семінари, консультації. Аналіз навчальних програм у сфері права в університетах Канади засвідчив можливість здобути навички професійної діяльності через низку практичних навчальних занять для студентів всіх років навчання. Виявлено, що самостійна робота студентів у правничих школах Канади відбувається у вигляді виконання індивідуальних завдань, роботи з літературними джерелами, підготовки до практичних занять, семінарів та іспитів, а також підготовки й написання наукових проектів і робіт. Наголошується, що важливим компонентом професійної підготовки бакалаврів у галузі права в університетах Канади є оцінювання знань, умінь і навичок студентів, яке здійснюється шляхом проведення різноманітних контрольних заходів з виставленням оцінок.

Ключові слова: бакалавр, право, освітньо-професійна програма, професійна підготовка, форма навчання, організація освітнього процесу, університет, Канада.

УДК 159.98

DOI <https://doi.org/10.31392/NPU-nc.series5.2022.88.40>

Стрельбицька С. М.

**ПРОФЕСІЙНА ЗРІЛІСТЬ ЯК СКЛАДОВА ПРОФЕСІОНАЛІЗМУ ОСОБИСТОСТІ:
КОНЦЕПТУАЛЬНІ ЗАСАДИ**

У статті здійснено психолого-педагогічний аналіз поняття «зрілість», «професійна зрілість», «професіонал», «професіоналізм особистості», розкрито різноманітність і протиріччя авторів у трактуванні. Охарактеризовано сутність «професійна зрілість» та з'ясовано значення означеного поняття як складової професіоналізму особистості. Професійна зрілість особистості представлена в якості багатокомпонентного особистісного утворення, яке включає в собі вміння здобувача співвідносити свої професійні можливості та потреби з професійними вимогами, тобто рівень автономності, сформоване критичне мислення, підготовленості до праці, самооцінка, ставлення до своєї професійної діяльності, ставлення до себе як до професіонала, ставлення до особистісного та професійного розвитку, управлінський потенціал, саме уміння планувати, приймати рішення та брати відповідальність за них, здатність до саморегуляції та самоконтролю, готовність до свідомого безперервного професійного самовдосконалення, самовизначення й самореалізації тощо. Відзначено, що незважаючи на наявність великої кількості наукових досліджень з приводу дефініції означеного поняття, воно залишається і досі дискусійними та потребує більш детального вивчення. Стаття присвячена теоретичному осмисленню та аналізу тенденцій щодо різностороннього висвітлення проблеми визначення сутності поняття «зрілість», «особистісна зрілість», «психологічна зрілість», «соціальна зрілість», «професійна зрілість», «професіонал», «професіоналізм особистості» як наукових дефініцій. Розглядаються теоретичні та практичні аспекти професійної зрілості, як невід'ємної складової професіоналізму особистості здобувача магістратури закладу післядипломної освіти.

Розглянуто елементи професійної зрілості, які є важливими для становлення професіоналізму особистості здобувача під час навчання в магістратурі у системі післядипломної освіти. Окреслені основні закономірності становлення професійної зрілості особистості здобувача. Обґрунтовано важливість професійної зрілості особистості здобувача під час навчання в магістратурі.

Ключові слова: особистість, зрілість, професійна зрілість, професійний розвиток, професіонал, професіоналізм, неперервна освіта.

Військові події в Україні обумовили необхідність і важливість кардинальних змін в усіх без винятку сферах суспільного життя країни, зокрема й у системі вищої професійної освіти. Швидке ускладнення соціального світу, динамізм сьогоденних суспільних перетворень у соціокультурному та економічному житті сучасної України, в тому числі й через військову агресію, стрімкий науково-технічний розвиток суспільства, наявність конкурентного середовища викликає до життя потребу якісно нового рівня професіоналізму