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ETHICAL ASPECTS OF CONTRACTING A LAWYER TO PROVIDE LEGAL ASSISTANCE

(ABSTRACT, KEY WORDS)

Problem statement. Ethical and legal requirements when concluding an agreement on legal aid assistance by a lawyer is a relevant area of research in legal science, which is of great methodological importance in the practice of the lawyer. The **purpose** of the article is to formulate a definition of the concept of "ethical and legal requirements when concluding an agreement on the provision of professional legal assistance by a lawyer" and to substantiate proposals for improvement of the current legislation of Ukraine and the Rules of Attorneys' Ethics. The **methods** used are: dialectical – for research TION process in the development of the problem of moral evaluation of the case when concluding a contract for legal aid by a lawyer; hermeneutic, which ensured the establishment of the limits of the interpretation of the concept; analysis – allowed to highlight the state of the scientific problem; formal-logical, statistical and documentary analysis – for the analysis of the content of legislation and other normative legal acts. **Results.** The origins of the ethical problem of moral evaluation of the case when taking a warrant by a lawyer are investigated, the issues of ethics of a lawyer's warrant for a non-prospective case are discussed, and the relation between the principle of integrity and attorney's fees in the context of the ethics of contracting; the existence of a moral aspect in the provision of legal assistance by a lawyer on the request of the Center for Secondary Legal Aid; Amendments to the Laws of Ukraine "On Advocacy and legal activity", "On Free Legal Aid" and the Rules of Attorney Ethics have been proposed. **Conclusions.** Proved that the universal Ethical criteria in the choice of cases a lawyer have not been formed. The "ethical and legal requirements for the conclusion of a contract for the provision of professional legal assistance by a lawyer" should mean "the set of legal and moral rules that are brought to the lawyer's activity at the stage of acquaintance with the case (legal situation) of the principal, governing the assessment of requirements and circumstances, which facilitate or impede the conclusion or refusal of a contract for the provision of professional legal assistance, and at the same time act as a guarantee of respect for the legitimate interests of the persons seeking this assistance, who have sought this assistance and the guarantee of the provision of qualified professional legal assistance by the lawyers. "It is proposed to supplement the Law of Ethics with the new principle of "caution (caution)"of the lawyer in the choice of the case at the stage of deciding on the conclusion of the legal aid agreement.

Key words: *lawyer; ethics; case selection; the contract for legal aid attorney*

Problem statement

The legal aid agreement is the legal basis for the lawyer-client relationship. The behavior of a lawyer when concluding an agreement on the provision of qualified legal assistance in Ukraine is regulated by: the Law of Ukraine "On Advocacy and Advocacy", the Law of Ukraine "On Free Legal Aid", the Civil Code of Ukraine, procedural law of Ukraine and others. But in ethics law and set a UT only general methodological guidance of business through that advocate among emerging and developing ethics that provides answers to purely moral issues daily professional activities attorney. Domestic and foreign codes of ethics and law of legal activity will regulate the main ethical aspects of legal aid provided by a lawyer, including when concluding an agreement on the provision of legal aid by a lawyer.

Acceptance of the order to conduct the case N.M. Bakayanova not consider the most difficult stage in relations between the lawyer with the client and separates the following components of this process: confirmation consent of the client, understanding the volume of employment, respect for the principle s professionalism and corporatism, and, in some cases, restrictions and prohibitions [1,

ISSN 1995-6134

p.163]. Academic notes that the main purpose of advocacy is to protect the rights of the client and considers it a contribution of the lawyer to the achievement of the public good, his performance of tasks assigned to the bar by the Constitution (Art.9 of the Basic Law). S.O. Dekhanov noted on the generally accepted thesis, "that legal protection as a function – is inherent primarily in the institution of the state (the duty of the state to guarantee the protection of rights and freedoms), but private relations are so diverse and financial resources are limited that the state is partially transfers this function to the bar" [2, p.24]. This is a public duty to the state of the Bar and obviously that at this stage there are many ethical issues that must be addressed as they arise and which include: the behavior in conflict of interest; interest as a result of a case that is not related to a conflict of interest; refusal to accept a power of attorney, etc.

The subject of scientific intelligence T.B. Vilchyk was research of the lawyer's civil liability to the client in which the analysis of practices of qualification and disciplinary commissions of advocacy Academic been allocated following the ethical aspects of the conclusion and implementation of the agreement on legal aid lawyer as receiving fees without legal services or their provision in full or for improper quality of the latter; admission of conflicts of interest by lawyers, failure of lawyers to perform their professional duties (non-appearance at court hearings, submission of knowingly false and falsified documents, delay of the case, pressure on witnesses, etc.) [3, p.32]. In these cases, the private obligations of the bar to each client are manifested, for non-fulfillment of which there is a civil and disciplinary liability of the lawyer, including for violation of the Rules of Ethics of Lawyers.

Identified ethical violations are usually explained as deliberate, deliberate actions: an unethical lawyer was greedy and wanted more clients, profits, or fame; the lawyer deliberately decided that the result justified the means; or willfully advocate behaved as an "intruder" – notes the professor of law O'Hradi Katherine Gage (2015). But the focus on behavioral ethics allows us to contemplate situational and psychological influences that lead to unintentional unethical behavior, that is, behavior that a person does not perceive as unethical when participating in it but if viewed later he may suddenly find it inconsistent with his values. As for the specifically narrower field of ethical decision-making scholars have described and discussed a four-step framework for considering ethical decision-making: (1) understanding the ethical issue, (2) justifying and reaching a decision on the issue, (3) feeling motivating emotions, and (4) conduct in accordance with this intention [4, p.674–676].

In both civil and common law, lawyers consider themselves defenders of their clients' rights. Still, noted Michael G. Karnavas (2016), in different systems attorneys can have extremely different ideas about its role in interpreting the ethical principles that they must follow fulfilling commitments to the customers. As an example, cites two cases: 1) Practice French lawyer Edgar Demandzha (1894) that before deciding whether to take the case to support, studies the essence and provides its services only because a person he trusts and who need help; 2) practice English lawyer Thomas Erskine (1792), which adopted the mandate to protect the famous pamphleteer and agitator Thomas Paine, accused of treason after the publication of the second part "human rights" and defended it despite the external pressure (from the Crown). Common law attorneys defend the interests of their clients with the utmost zeal permitted by law, and are not morally responsible either for the goals pursued by their client or for the means to achieve those goals, if both are lawful. The key difference is obvious. A French lawyer may not accept, reject or withdraw a case in which he does not believe including for his own ethical reasons and notifies the client in a timely manner. On the contrary a general legal systems such revocation may be considered unethical given the duty lawyer about loyalty and commitment to customer Peninsula [5, p.9].

Law professor Paul R. Tremblay (2018) wrote in the article "At your service: lawyers' rights to assist clients in illegal behavior": "It seems that professional standards governing the behavior of lawyers give almost unhindered permission to lawyers to assist its customers in certain forms of violations of the law" [6, p.254], however, based on three startup stories, the author demonstrates why, according to current laws and regulations, many cases of illegal behavior of a lawyer are neither criminal nor fraudulent. Therefore, when deciding on assistance in such cases, lawyers can only use their own discretion when it will promote justice or morality. And it is difficult to imagine a client who challenges the choice of a lawyer, so as not to help the client in illegal actions.

Thus, one of the ethical dilemmas faced by lawyers around the world is the answer to the question: how best to remain loyal to the client, using every advantage in his favor maintaining confidentiality while fulfilling the duty of honesty to himself, society, court and state? However, the Law of

ISSN 1995-6134

Ukraine "On Advocacy and Advocacy" and the Rules of Advocate Ethics do not contain ready-made truths for all cases of a lawyer's practice. The above review of the papers suggests that their authors explore issues other than this publication, while understanding the effect of behavioral legal ethics and legal decision-making principles can have a profound impact on the professional development of any lawyer. Thus, the ethics of concluding a contract for the provision of legal assistance by a lawyer requires a more in-depth analysis of the ethical problem of moral evaluation of the case when accepting a power of attorney; comparing the opinions of scholars and practitioners on certain aspects of modern legislative and corporate regulation of this issue in order to identify, assess and prevent obvious risks in the professional activities of a lawyer, which is the purpose of this article. The novelty of the work lies in the attempt to form a definition of "ethical and legal requirements for concluding an agreement on the provision of professional legal assistance by a lawyer" and substantiate proposals to improve the current legislation of Ukraine and the Rules of Advocacy. The objectives of the article are: to investigate whether there are universal ethical criteria for choosing a case by a lawyer; to highlight the debatable issues of ethics of acceptance by a lawyer of a power of attorney for a non-perspective case and the relationship between the principle of integrity and attorney's fees in the context of the ethics of concluding a contract for legal assistance; to find out the existence of a moral aspect in the provision of legal assistance by a lawyer on behalf of the Center for Free Secondary Legal Aid.

The origins of the ethical problem of concluding an agreement on the provision of legal assistance by a lawyer

Many peoples are familiar with the negative attitude of society to the institution of the bar as a whole, and skeptical attitude to the practice of individual lawyers. And not only in "real", in fact existing states. For example, in his ideal state – Plato did not find a place for lawyers and preferred it if everyone would defend them selves [7, p.79–89]. Thomas More expelled from Utopia lawyers because they are "intricately examine the case and slippery interpret laws" [8]. In the Russian Empire, in the period from Peter I to Nicholas I the authorities were strongly opposed to the creation of a Western – style bar [9, p.41], lawyers were called bastards. Catherine II did not recognize the legal community at all [10], which is not surprising, since public dissatisfaction was due to the lack of educational and moral aspects in the activities of lawyers of that time. As the G. Reznik, "the word "lawyer" was dirty and was not used because it was thought that the lawyers – the perpetrators of all the turmoil all revolutions" [11].

Even in France, where the legal profession has always enjoyed great freedom and traditions were formed outstanding professional ethics – also spoke negatively about lawyers. For example, the famous French statesman Michel de Lopital (1504/1507–1573) noted that most lawyers “have a single goal – to multiply and perpetuate lawsuits (claims) and never find cases unjust unless the parties do not have sufficient funds for court costs" [12, p.109]. If canceled advocacy corporation and provides complete freedom advocates, the famous French lawyer Jules Le-Burke' have described the situation: "dishonest charlatans filled the vestibules of the judiciary and shamelessly plucked their customers. These vile bloodsuckers gather each day contribution of citizens' [13, p.3].

In response to the negative attitude to the profession – lawyers had to develop ethical rules of conduct which according to A.D. Boykov are reactionary which explains the special importance of ethics for lawyers [14, p.90] which not only regulates moral side of advocacy but also affects the formation of professional legal awareness of lawyers. Lawyers needed to be trusted. A striking example of this can be considered a professional jury of the Bar in (1864–1917), Which is a 50-year history of its existence has managed to break the negative stereotype attitudes to society and state attorneys. The report for 1870 the St. Petersburg council barristers said: the real task of advocacy is to organize a community of experts which would operate in different types of justice enjoyed only by lawful and fair means and not defending the obviously immoral desires [15]. Thus, for the first time we are faced with the practical efforts of the legal community to deal with the issue of protecting the obviously immoral desires of clients. Does a lawyer have the right to take action if the client's obvious intentions to seize property or funds are illegal or dishonest including through a court order? And not without the help of a lawyer? Does a lawyer have the right to defend a murderer by knowing for sure that his client has committed a crime? These and other similar questions asked myself lawyers of different countries for centuries, because the question of the lawyer's choice of the case – known since Roman times, when the attorney was legally obliged to protect the only true and fair demands of

ISSN 1995-6134

its principals. If the lawyer open shaft be shame requirements after making the case – the then law provided duty counsel refuse to conduct business. The famous historian of the Bar I.V. Hesse called the issue Achilles heel of legal ethics [16].

It is believed that the ethical problem in accepting a power of attorney was formed as a problem of moral and ethical assessment of civil rather than criminal cases. Civil proceedings are designed to administer justice in a broad area of legal relations (civil, land, labor, etc.). But first of all it is property disputes between citizens. The legality of the establishment, acquisition or loss of the right to property is the subject of disputes, which are resolved in civil proceedings. In criminal cases, the lawyer begins his work after the commission of a criminal offense by the client, and his task in the criminal process or to justify or facilitate the participation of the client.

What should a lawyer do if he is aware of his client's dishonest intentions in illegal and unjustified seizure of property? Will the lawyer himself be honest in such a situation? On the one hand - the principle of legality in the practice of law, and on the other – the priority of the client's; ethical legal and corporate principles! The first, of course, are enshrined in the Constitution and laws and define the obligation to strictly adhere to ethical norms in the field of professional activity of a lawyer. And the second group of principles is contained in a set of mandatory rules of professional conduct – the Rules of Advocacy. Usually every law or regulations for its implementation is a long period of formation from its inception to consolidation of regulatory or corporate act.

When did the ethical dilemma of concluding a contract for the provision of legal aid, or accepting a power of attorney? No one knows for sure. But the peak of his specific problem reached in 1877 in the famous case concerning disciplinary barrister O.I. Lokhvytsky.

The disciplinary proceedings were preceded by the following events: lawyer Lokhvytsky was offered to accept and conduct the case of a lawyer named Elkin, who cared for a widow named Popov. Playing the role of her fiancé, he persuaded the latter to give money in the amount of 15 thousand rubles to deposit them as collateral for the position of notary, as well as to rewrite the house in his name for a cashless bargain. When Elkin achieved the desired, he put the widow on the threshold, and did not return the borrowed money. These circumstances became the subject of criminal proceedings against Elkin, whose attorney Lokhvytsky did not become cunning in court and acknowledged the undoubted immorality of his client's actions. But for another reason: that Elkin did not take Popov as his wife, and the marriage was obviously unequal over the years. In such circumstances, the legality of other, civil relations between Elkin and Popova, the lawyer did not doubt.

Through the efforts of Lokhvytsky's lawyer, the accused Elkin was not only acquitted but also denied to the widow in three other cases, as the satisfaction of civil lawsuits arising from criminal legal relations was allowed only with a conviction.

According to the statement of the jury attorney Ordynsky who represented the interests of the widow, disciplinary proceedings were initiated against Lokhvytsky who was accused of conducting such a case the immorality and shame of which he was aware in advance [17]. The disciplinary proceedings lasted more than a year and passed three instances: in the Moscow Council of Jurors [18], the Moscow Judicial Chamber [19] and the Cassation Senate. As a result, the Government Senate acquitted Lokhvytsky and restored the title of lawyer and at the same time formulated a general rule for accepting power of attorney: a lawyer cannot be required to investigate the moral purity of a case. Since in this disciplinary case Lokhvytsky was accused of accepting knowingly immoral claims and conducting the case in a civil court, not a criminal one, the Senate motivated its decision as follows: "The civil court does not seek absolute justice". The court's responsibilities include reviewing the disputed right in the manner prescribed by law on the basis of the evidence provided by the parties, and resolving the case on the basis of the laws protecting the disputed right. If therefore the morality of civil law is less strict than the morality of the individual if this latter morality is not required of the party seeking justice then the lawyer as a representative of the profession by virtue of which he is a mediator between the party and the court in a dispute over law cannot be considered in its activities in terms of the requirements of individual morality. The lawyer's intelligence cannot be attributed to the investigation of the moral purity of the case and therefore his acceptance of the civil case to his right... At the same time one cannot ignore the fact that the criterion of individual morality is too elusive and is understood by everyone in their own way; to allow a juror to evade the protection of rights which he considers to have been obtained by dishonest means would leave a large number of rights based on the law unprotected and make it difficult for the parties to access justice, as civil proceedings re-

ISSN 1995-6134

quire knowledge and experience which are not always possessed by the parties ... The possibility of prosecuting a lawyer for accepting a power of attorney for the right acquired by immoral means could turn the supervision of the activities of jurors into an arena of retribution; the losing party ... would be able to prosecute the defender of the rights of the winning party, attributing to him his failure and the success of the opponent ... One knowledge of the dishonest way of acquiring the right accepted for defense cannot serve as an unconditional basis for recognition activities of the juror in such a case is not in accordance with his rights and obligations under the law" [20, p.316–318]. Thus the resolution of the Senate in 1879 formulated a general approach to the adoption of a lawyer's power of attorney regardless of the category of the case.

However in the legal literature opinions on such an approach to the adoption of a lawyer's power of attorney are divided. Researchers were unanimous in favor of the possibility of accepting any instructions on protection in criminal cases. But with regard to assignments for civil cases, the vast majority considered it necessary to conduct a preliminary moral and ethical assessment of assignments. Another part of the researchers generally spoke out against the burden of lawyers with ethical requirements when accepting a power of attorney.

In 1884 Lokhvytsky died and with this event in the legal community, the dispute over the morality of the above case resumed. Gr. Dzhanshiev publishes "Doing Wrong Cases (or Etude on Lawyer Ethics)", where he notes: the criterion for assessing the behavior of a lawyer should be not external legality but internal truth" all actions of attorneys should reflect not only legality but also complete justice". Only there will the bar flourish as a social institution governed by the rule: non omne quod licet honestum est. (Not everything that is allowed is honest). Efforts to ensure that external legality does not cover up internal untruths in court, that a decent form does not cover up disgusting content, is a difficult but worthy task set by the ideals of legal ethics [21 p.VIII]. Summing up, Gr. Dzhanshiev wrote: civil laws by their nature have been and will always be more or less formal. All sorts of formalities established by laws with the best of intentions, sometimes turn into tools of unscrupulous fraudulent antics. Civil courts sensing deception, cannot always come to the aid of the deceived party. For him the highest standard of law: dura lex, sed lex! The lawyer is in a completely different position. Often he has the opportunity to familiarize with the intimate side of things which are hidden from the court. That is why the public has the right to demand from the lawyer that he if possible warn of those sad clashes of law and justice which were mentioned. If a lawyer is able to provide justice with such a service available to him alone he must provide it" [13, p.17].

In response lawyer D. Nevyadomsky publishes his study "Eternal Issues of Advocacy "in which he considers the issue of" choice of case" by a lawyer: Does a lawyer have the right to conduct all kinds of cases without trial, even if he is obviously wrong, still choose things? If the latter, then what principle should underlie such a choice? [17, p.7]. In the context of the question and to confirm his position, the author cites the views of foreign authors.

For example englishman I.Bentham managers consider that in the legal profession to distinguish between a person and his professional role like an actor in the theater whom no one will condemn for the role played by a villain or a thief. And the duo should not worry about the problem of morality or non-morality of his client because any moral trend can ruin rather than help the cause. All professional efforts of a lawyer should be aimed at a single goal – to achieve the celebration of the party he is defending. The lawyer is obliged to use any inaccuracy or gap in the law every mistake of the opponent; it may where necessary to distort the facts to lighten or darken the case despite the fact that will be beneficial in the interest of his client. Thus the lawyer's activity is sometimes directed to the maintenance of the right and sometimes to its destruction: equally the lawyer makes an effort to reveal the truth and to prevent its disclosure. This is and should be a lawyer due to the nature of his profession [17, p.8–9]. Therefore society must learn to distinguish the personal virtues of man from those that must be inherent in him by virtue of professional duties.

Next D. Nevyadomsky considers the question: whether the French and the lawyer "choose" the cases. From the article P. Arsen'yev and of the French Bar and positions such celebrities as Shae D'Este-Angers, Jules Favre, – followed by inter alia that the judges subservience abuse pathetically oratorical tricks attempts to idealize their customer and so on. d. – all these qualities are inherent even in the luminaries of the French bar. Gradually you come to the conclusion that the best people in France should be sought on the dock [17, p.11].

However D. Nevyadomsky notes there are other works by Dupont, Mollo, Duchenne, Picard, which are devoted to legal ethics in which the pro-

ISSN 1995-6134

visions on the moral assessment of the case by a lawyer are approximately the same: the lawyer must first and foremost be honest; he accepts protection only in those cases which leave no doubt as to the moral purity of the client's claims. Having accepted the case the lawyer directs it in such a way that there would be a triumph of justice: in this respect he is independent he does not obey the client's instructions. A lawyer should always remember that in court he is a servant of justice, the chief assistant of the judge, whom he helps to find out the truth. If you happened to be so, provided opposed arguments or any circumstances engendered would doubt the correctness lawyer accepted the case, he must immediately abandon it and express it in court. These rules, according to Dupont, are equally binding in both civil and criminal cases. However, Duchamp and Picard considered these rules mandatory only in civil proceedings [17, p.11]. Despite these lofty words, the French school and failed to formulate any criteria that would ma a guided lawyer when making assignments of doing business.

What is moral on this side of the Pyrenees, is immoral on the other, – said Pascal [17, p.13] and D. Nevyadomsky reminded about it because morality, justice, honesty – are beautiful things but too subjective to serve as an infallible criterion in the choice of case.

E. Vaskovsky insisted on the mandatory verification of the legality and morality of the client's claims in case of resolving the issue of accepting a case for support on the basis of a contract, and pointed out that advocacy in the form of counseling does not always lead to accepting a court order. In this case the lawyer "does not need to be interested in the moral rights of the client; he should only answer a legal question explain the law say whether anything can be done in this case or not. But if the client then offers him to take the process the lawyer as a representative of society in court he must above all make sure whether the client's case deserves protection in terms of public good, ie whether it is immoral" [21, p.306]. There are no obstacles to dismissing a questionable civil case even if the lawyer has previously provided advice in favor of the client. First of all the lawyer should assess the morality of the case, taking care of the moral and ethical component of the profession. And in this matter neither the Senate not society not even the legal literature will help to clearly understand the simple concepts of what is legal but not moral what is allowed or not allowed what lawyer can conduct cases and how not ...

The lawyer's duties include only providing legal assistance and protecting the interests of one party, but not resolving the dispute. A lawyer can understand the laws in his own way create his own priorities of norms, submit sufficient evidence for his convictions with his own consent, and so on. But a lawyer is not a judge! Forsyth William pointed out that "it is the judge who must fully understand the law… and if the guilty person sometimes escapes with impunity, the culprit is not a lawyer or a defendant, but a judge who did not have the mind to distinguish between right and wrong" [22, p.394].

Peter J. Henning (2006) in "Lawyers, Truth and Honesty in Representing Clients" noted that litigation is a search for truth. Therefore a distinction should be made between the purpose of the judiciary and the broader category of representation and defense, which contains rules governing the way lawyers represent clients. Professional standards should establish minimum criteria for how lawyers represent clients at work and with the judiciary and others, including adversaries. Although these rules should not threaten the judicial system they also should not reflect the goals that this system is trying to achieve" [23, p.209].

Thus scholars and practitioners have not formed a unanimous understanding of the ethics of concluding an agreement on the provision of legal assistance by a lawyer. The researched works allow to allocate three directions of doctrines: 1) the lawyer has no right to accept to support of immoral civil cases under any conditions, but is free from a moral assessment of criminal case; 2) the lawyer is obliged to accept any civil and criminal case by virtue of professional duty; 3) it does not matter whether the case is immoral or not as the lawyer is not a judge and therefore does not make any significant legal decisions.

Ethics of refusal to conduct a legally unpromising (unprovable) case as a professional ethical duty of a lawyer

The filing of applications complaints and other legal documents the acceptance of a lawyer's power of attorney to conduct a civil case in court is possible under the following conditions: that the disputed legal interest is based on the law; to confirm the claims or objections of the citizen already exists or evidence can be obtained that meet the criteria of belonging, admissibility, sufficiency and reliability; the legal perspective of the trial is favorable; the claims of the citizen and the means of its substantiation and protection do not call into question the sense of their moral perfection. "To dis-

ISSN 1995-6134

courage the client from a failed process – means to provide him with a great service" [24, p.51], – said F. Mollo.

Due to the absence of a lawyer's obligation to deal with any proposed cases, as well as the right of everyone to access to justice, in the implementation of which lawyers play an important role, the European Court of Human Rights did not find a violation of the right of access to justice. refused to intervene on the grounds that the principal's complaint left no chance of success, ie had no legal basis (AW Webb v. the United Kingdom) [25].

In another case the European Court of Human Rights noted that national laws should contain rules and procedural mechanisms for reviewing such decisions. In cases where the lawyer appointed by the defense attorney refused to file a complaint to the Court of Cassation, considering such an action hopeless, such a decision of the lawyer must be made in writing to be able to verify his arguments (Staroszczyk v. Poland, March 22, 2007) [26, pp.121–139]. In particular the refusal should not be worded in such a way as to leave the client in a state of uncertainty as to his legal basis. If existing requirements regarding the written form of failure in compiling and appeal, including its causes – it could at least make possible an objective not a random post-assessment special grounds for refusal counsel to prepare the appeal in a particular case.

And although these two examples relate to the lawyer's refusal to provide legal assistance to the client to file an appeal and cassation appeal the legal conclusions about the futility of the case can be taken into account when deciding on the acceptance of a power of attorney.

The point of view of M.Y. Barshchevsky on the admissibility of cases in the absence of sufficient evidence provided that the lawyer explained to the client all the possible risks but the client still decides to try his luck. Such adventurism is permissible for the client but not for a professional lawyer who by definition is a lawyer [27, p.72]. However it is the lawyer's responsibility to explain the situation to the client.

Therefore the means of achieving the purpose of the power of attorney must be reasonable and honest or as they were called by S.L. Aria, morally flawless [28, p.49–51]. The ability to honestly, reasonably and honestly defend the claims of the principal must be correlated with the provisions of the law and since the steps to the goal are made by the lawyer in agreement with the principal he as a lawyer can not be wrong in their legal meaning. It remains to add that if legally correct and legally questionable cases can be accepted by a lawyer for legal support then legally hopeless cases should be immediately rejected by the lawyer at the stage of resolving the issue of accepting the client's power of attorney. It is proposed that paragraph 3 of Article 18 of the Rules of Advocacy be worded as follows: "If in the presence of factual and legal grounds for the execution of the power of attorney for the lawyer there is a widespread unfavorable (in terms of hypothetical result desired for the client) practice of law the lawyer is obliged to notify the client in writing with the substantiation of the grounds for refusal to execute the client's order".

Ethics of the lawyer's contract integrity and fee

The fact that since ancient times lawyers did not provide their services for free is confirmed historically but in ancient Rome by the Law of Zintius from 204 BC payment for the help of lawyers was considered a gift not a reward [29, p.198–239].

Dr. David Štros states that Cicero and Ulpian regarded the knowledge of the law as the most sacred thing which should not be calculated or refuted by money. However the same Cicero admitted that he would prefer to choose his clients from among the wealthier Roman citizens because they could pay more. Lawyers seem to find themselves between the noble idea of protecting the rights of their clients and the hard and simple fact that someone has to pay their bills [30].

According to S.N. Gavrilova professional lawyer ethics arose from the issue of fees [29]. By the logic of this statement the ethical problem of accepting a power of attorney is also due to financial reasons. After all by refusing to accept a power of attorney the lawyer loses the opportunity to receive a fee. Therefore E.V. Vaskovsky makes an obvious conclusion that "it is advantageous for a lawyer to be dishonest" [21, pp.I–III].

Apparently such conclusions were not unfounded. In his memoirs, V.I. Nemyrovych-Danchenko mentioned a case in the practice of Lokhvytskyi's lawyer, who when asked by a client: how can one be thanked for being saved from a criminal case? – replied: Ever since the Phoenicians invented banknotes there can be no question! [31].

Despite the anecdotal situation – the famous lawyer Lokhvytsky was absolutely right. Both then and, for example in the modern Law of Ukraine "On Advocacy and Advocacy" the form of remuneration of a lawyer for the protection representation and provision of other types of legal assistance to the client is a fee. The procedure for calculating

ISSN 1995-6134

the fee (fixed amount, hourly rate), the grounds for changing the amount of the fee the procedure for its payment the conditions of return etc. are determined in the contract for legal assistance (Article 30) [32].

Prominent Ukrainian lawyer J.L. Bronze recommends from the first meeting with the client, finding out the essence of the problem and analyzing their own workload, to determine the physical and practical possibilities of the order. If the lawyer decides to enter into a contract, the first issue to be discussed with the client is the amount of the fee and the procedure for its payment (the entire amount of the fee once, monthly in certain amounts or hourly, if you know how this hourly work is paid and recorded). It is necessary to build the relations with the client on the principles of mutual respect, performance of the undertaken obligations, punctuality of the appointed meetings [33, p.18–19].

If a lawyer refuses to accept a power of attorney, it is the duty of the lawyer to explain in detail and without delay the reasons for not accepting a power of attorney.. For example in Germany and Austria liability for breach of this obligation is provided for if the principal incurs damages or otherwise damages him as a result of such delay. These rules are set out in § 16 of the Professional Regulations for Lawyers (BORA) [34] and the Austrian General Civil Code (ABGB) [35].

Of course in the first stage of the case it is difficult for a lawyer to anticipate all the problems he will face: refusal to obtain evidence delays in responding to lawyers' inquiries, failure to provide case or criminal proceedings waiting for examination results, and so on. These are issues that require not only extra time but also costs. "When choosing one of the possible solutions the lawyer should advise the client the simplest and most economical of them which will save the client from having to resort to lengthy and complex legal procedures. From the point of view of the lawyer's financial interest in receiving legal aid (fee) such The approach can hardly be considered optimal but due to the principle of priority of the client's interests it is the only ethically acceptable one. The lawyer's actions aimed at initiating and maintaining the litigation in a legal dispute that could be resolved without compromising the client's interests by amicable settlement, as well as intentional, purposeful and unreasonable delay of the process, committed to increase the amount of fees compared to which the lawyer would receive in the case of a speedy resolution of the case, should be regarded as a gross violation of professional ethics" [36, p.121], – rightly notes A.M. Biryukova.

The issue of intentionally increasing the number of unnecessary and inappropriate services in order for a lawyer to receive a higher fee in our opinion is part of the imperative of integrity. According to prof. S.O. Ivanytsky the imperative of integrity is one of the trends of recent years as evidenced by the principle of integrity of judges prosecutors [37, p.59] and others. Despite the validity of this remark the scientist still considers the principle of integrity of a lawyer only in a narrow sense by going through the examination procedure similarly to judges or prosecutors. First of all scholars see the need to submit a declaration of income and expenses, given the corruption component of the activities of individual lawyers when they evade taxation taking money to circumvent the contract for legal aid. In our opinion this issue is debatable. But obviously is a need to broaden the understanding of the principle of integrity counsel.

By virtue is meant a positive moral quality due to the consciousness and will of man which is a generalized stable characteristic of man, his way of life, actions; quality that characterizes the willingness and ability of the individual to consciously and steadily focus in their activities and behavior on the principles of goodness and justice [38, p.387]; as a property in the sense of "virtuous", high moral purity, honesty. Virtuous – who lives honestly follows all the rules of morality. Which is a manifestation of honesty, morality [39, p.308].

That is first the integrity of a lawyer should be understood first of all the inner trait of a person when he acts in accordance with certain principles and values without compromising in professional activities or in private life. This means honest, conscientious, correct and dedicated professional duties.

Secondly it is reasonable to think that the fee is a special type of salary paid to lawyers for their work. And the right of lawyers, as subjects of professional activity, to remuneration, cannot determine or even more so substitute the appointment of the bar as a social institution, because neither the current Law of Ukraine "On Advocacy and Advocacy" nor any previous legislation has ever determined the purpose of the bar institute to make a profit [40, p.166]. Becoming a participant in a risky operation, only partially dependent on the professionalism of the lawyer and to a greater extent – on other circumstances the lawyer in fact is involved in business activities. While the subject of the contract is the provision of professional legal assistance.

In accordance with Part 1 of Article 27 of the Law of Ukraine "On Advocacy and Advocacy" [32],

the contract for legal assistance is concluded in writing which contains provisions on the payment of fees for services provided by a lawyer. It follows from Part 2 of Article 27 of this Law that in certain situations the contract on payment of the fee may be concluded orally. However there is no such norm in the Rules of Advocate Ethics so Article 14 of these Rules needs to be supplemented by the provision that "in certain situations, the fee agreement may be concluded orally".

Lawyer ethics and free secondary legal aid

It is generally accepted that before accepting a power of attorney the lawyer assesses the subject and grounds of the claims of the person who applied to him for legal assistance. However when appointed for protection or representation by the Center for Free Secondary Legal Aid a lawyer is not required to make a moral assessment of the circumstances of the case.

For example in criminal cases counsel is appointed by the Center for Free Secondary Legal Aid only to the suspect accused; the appointment to the defense may be based only on the range of entities specified by law which have the authority to apply with the relevant requirement: investigator, prosecutor or court; The participation of a defense attorney is provided only with the consent of the suspect or accused, except in cases of mandatory participation of a defense counsel provided for by the Criminal Procedure Code of Ukraine.

R.G. Melnychenko noted that "such a public lawyer exercises his powers without a fee (because for their services, public lawyers are paid from the state budget), and therefore highlighted the following features of this activity: appear at any time of the day and anywhere in the city; loyal to all actions of the investigator; try to make all procedural actions as soon as possible; may offer the defendant to proceed to a special procedure of criminal proceedings, which provides for the consent of the accused to the accusation; sometimes they never try to see the client, etc. [41] by them called "pocket lawyers" and identifies risk groups, which include lawyers, prepared with a high degree of probability neglect professional independence. It attorneys (for example, provide legal assistance by appointment in order of art.49, 52, 53 of the Criminal Procedure Code of Ukraine); beginners who feel the lack in clients; lawyers – former employees of courts and law enforcement agencies.

Practically assessing the issues raised by R.G. Melnichenko unfortunately we must agree with such conclusions. A professional lawyer will never be exchanged for one-time assignments of the Center for free secondary legal aid. Professionalism is not only the quality of the client's order but also the inner experience and responsibility for the task at all stages of its implementation. The means of achieving the purpose of the power of attorney must be reasonable and honest or as S.L. Aria called them morally flawless [28, p.49–51]. The ability to honestly, reasonably and honestly defend the claims of the principal must be correlated with the provisions of the law and since the steps to the goal are made by the lawyer in agreement with the principal he as a lawyer can not be wrong in their legal meaning. Otherwise the interests of not only a particular person in need of assistance may be affected but also the prestige of the entire law firm which has special responsibilities to society.

By providing services on behalf of the Center in providing free secondary legal aid lawyer not may abandon the provision of their services on the grounds that the nature of the proposed business seems to him questionable or behavior or beliefs potential client ineligible for it regardless of point of view and thoughts that it could be made regarding the reputation guilt or innocence of the client. Based on this when being appointed for defense or representation by the Center for Free Secondary Legal Aid a lawyer is not required to make a moral assessment of the circumstances of the case. The Law of Ukraine "On Advocacy and Advocacy" only provides that a lawyer may provide free legal aid (Article 25) [42]. If the law imposes an obligation and does not provide for exceptions the person acts in accordance with this obligation regardless of other circumstances (morality of the case). According to Part 5 of Article 27 of the Law of Ukraine "On Advocacy and Advocacy" the content of the agreement on the provision of legal assistance may not contradict the Constitution of Ukraine and the laws of Ukraine, the interests of the state and society, its moral principles, the oath of a lawyer of Ukraine and the Rules of Advocacy [42]. The Rules of Advocacy Ethics also do not stipulate that a lawyer is free from a preliminary moral and ethical assessment of a case taken on purpose. Therefore when deciding on the acceptance of a power of attorney a lawyer must be guided by the principles of legality and morality including the provision of free legal aid.

Concluding the study of this aspect of the ethical component in concluding a contract for legal assistance by a lawyer, it should be noted that Article 26 of the Law of Ukraine "On Free Legal Aid" establishes that a lawyer of the Center for Free

ISSN 1995-6134

Secondary Legal Aid, which provides free secondary legal aid, is obliged to strictly comply with the requirements of the Constitution of Ukraine, this Law, international treaties of Ukraine, the binding nature of which has been approved by the Verkhovna Rada of Ukraine, and other normative legal acts; and a lawyer who provides free secondary legal aid on a permanent basis under a contract or on a temporary basis on the basis of a contract has all the obligations established by the Law of Ukraine "On Advocacy and Advocacy", other laws of Ukraine [42]. At the same time this Law does not contain a single word about the lawyer's observance of the norms of the corporate act - the Rules of Advocate Ethics. At the same time the Rules of Advocacy Ethics regulate this issue in Article 8: a lawyer who provides free secondary legal aid on the basis of an order of the body (institution) to provide free secondary legal aid must proceed from the interests of the person to whom he instructed to provide free legal aid before their own interests and not to encourage it to enter into an Agreement on the provision of professional legal (legal) assistance with him personally or with a law firm bar association or other entity or lawyer. A lawyer with whom a body (institution) for the provision of free secondary legal aid has concluded an agreement (contract), is obliged to proceed from the priority of the interests of the person, before his own interests and the interests of others [43]. That is, there is a certain inconsistency of legislative acts, and therefore Article 26 of the Law of Ukraine "On Free Legal Aid" requires amendments to the compliance of lawyers who provide free secondary legal aid, the Rules of Advocacy Ethics.

Conclusions

1. It is impossible to establish universal ethical criteria for a lawyer to choose a case. The set of rules of ethical conduct of a lawyer when concluding a contract for legal aid in some cases obliges to accept a power of attorney (even if he has legal doubts), in others he can not refuse to conduct the case (for example, in cases of free legal aid), in the third – the lawyer must refuse to accept the power of attorney, no matter how promising the case may seem (in particular, in a conflict of interest). In addition, the lawyer has the right to apply their own individual moral criteria in their activities.

2. Ethical and legal requirements for concluding a contract for professional legal assistance by a lawyer should be defined as a set of legal and moral rules for advocacy at the stage of acquaintance with the case (legal situation) of the principal, governing the assessment of requirements and circumstances that contribute to or prevent the conclusion or refusal to conclude an agreement on the provision of professional legal assistance, as well as at the same time guarantee the observance of the legitimate interests of persons who have applied for this assistance, and guarantee the provision of qualified professional legal assistance by lawyers.

3. Ethical principles enter into legal aid contracts for lawyers who create and apply those that exist in favor of those issues and credibilities that remain within national codes of conduct which provide useful guidance that exists in specific cases when lawyers practice normal work. To these principles should be followed the principle of mandatory (caution) lawyer in choosing a decision at the stage of deciding on a legal aid agreement and we propose to add an appendix to Rule II: "But they cannot evaluate their results in the proposed circumstances or you will see that individuals have discovered their defeat or correctly or identify the client. If you don't find one the lawyer should see involvement in such matters".

Conflict of interest

The author declares no conflict of interest.

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REFERENCES

1. Bakaianova, N. M. (2008) Etychni aspekty pryiniattia advokatom doruchennia na vedennia spravy [Ethical aspects of a lawyer taking a case]. *Aktualni problemy derzhavy i prava*, (36), 163–168 (in Ukr.).
2. Dekhanov, S. A. (2011). *Advokatura v Zapadnoj Evrope: opyt i sovremennoe sostoyanie* [Advocacy iD Western Europe: experience and current status]. Extended abstract of doctor's thesis (12.00.11). Moskva (in Russ.).
3. Vilchyk, T. B. (2016). Vidpovidalnist advokata pered kliientom: napriamy harmonizatsii zakonodavstva Ukrainy do yevropeiskykh standartiv [Lawyer's Responsibility to the Client: Directions of Harmonization of Ukrainian Legislation with European Standards]. *Forum prava*, (1), 30–36. http://nbuv.gov.ua/UJRN/FP_index.htm_2016_1_7 (in Ukr.).

4. Catherine Gage O'Grady (2015). Behavioral Legal Ethics, Decision Making, and the New Attorney's Unique Professional Perspective. *NEV. L.J.,* (15), 671– 697.
5. Michael G. Karnavas. Lawyer's Ethics. Skopje: *OSCE*, 2016. 104 p.
6. Tremblay, Paul R. (2018). At Your Service: Lawyer Discretion to Assist Clients in Unlawful Conduct. *Florida Law Review, 70*(2), 251–314.
7. *Platon. Fileb. Gosudarstvo. Timej. Kritij*. (1999). Moskva: Mysl (in Russ.).
8. Tomas Mor. *Utopiya.* [Utopia]. https://www.ukrlib.com.ua/world/getfile.php?tid=3752&type=1 (in Russ.).
9. Burobin, V. N. (2005). *Advokatskaya deyatelnost* [Lawyer activity]. Uchebno-prakticheskoe posobie. Moskva: Statut (in Russ.).
10. Kolmakov, N. (1886). Ocherki i vospominaniya [Essays and Memories]. *Russkaya starina*, (12), 535–536 (in Russ.).
11. Reznik, G.M. Lekciya *"O spravedlivosti"* (k 150-letiyu sudebnoj reformy v Rossii) [Lecture "On Justice" (on the 150th anniversary of judicial reform in Russia)]. http://openlecture.ru/lectures/reznik (in Russ.).
12. CHelcov, M. V. (1940). *Ob advokatskoj professii i yuridicheskoj prirode sovetskoj advokatury* [About the legal profession and the legal nature of Soviet advocacy]. *Sovetskoe gosudarstvo i pravo,* (7), 108–125 (in Russ.).
13. Dzhanshiev, Gr. (1886). *Vedenie nepravyh del (etyud po advokatskoj etike)*. [Conducting wrong cases (study on advocacy ethics)]. Moskva: Tipografiya A. I. Mamontova i K. (in Russ.).
14. Bojkov, A. D. (2007). *Etika advokata* [Ethics Attorney]. Moskva: Yurlitinform (in Russ.).
15. Makalinskij, P. V. (1889). *S.-Peterburgskaya prisyazhnaya advokatura: Deyatelnost S.-Peterburgskogo soveta i obshchih sobranij prisyazhnyh poverennyh za 22 goda (1866–1888 gg.)*. [St. Petersburg Sworn Advocacy: The activities of the St. Petersburg Council and general meetings of sworn attorneys for 22 years (1866–1888)]. SPb.: Tip. N. A. Lebedeva (in Russ.).
16. Gessen, I. V. (1915). Ahillesova pyata advokatskoj etiki [Achilles heel of advocacy ethics]. *Pravo: ezhenedelnaya yurid. Gazeta*, (4) (in Russ.).
17. Nevyadomskij, D. (1886). *Vechnye voprosy advokatury* [Eternal questions of the bar]. Moskva (in Russ.).
18. *Disciplinarnoe proizvodstvo o prisyazhnom poverennom Lohvickom, obvinyaemom v postupkah, nesootvetstvennyh zvaniyu prisyazhnogo poverennogo, sovershennyh im po delu Elkina* [Disciplinary proceedings on the attorney-in-law Lokhvitsky, accused of deeds inconsistent with the title of attorney, committed by him in the case of Elkin]. http://oldlawbook.narod.ru/lohvitsky.htm (in Russ.).
19. *Reshenie po delu Elkina* [Elkin judgment]. http://oldlawbook.narod.ru/lohvitsky.htm (in Russ.).
20. Gessen, I. V. (1914). *Advokatura, obshchestvo i gosudarstvo v 1864–1914. Istoriya russkoj advokatury* [Advocacy, society and the state in 1864–1914. History of Russian Bar]. Tom I. http://elib.shpl.ru/ru/nodes/10889-t-1-gessen-i-v-advokatura-obschestvo-i-gosudarstvo-1864-20-xi-1914-1914#mode/inspect/page/375/zoom/4 (in Russ.).
21. Vaskovskij, E. V. (2004). *Osnovnye voprosy advokatskoj etiki. Tradicii advokatskoj etiki. Izbrannye trudy rossijskih i francuzskih advokatov (19 –nachalo 20 v.)* [The main issues of advocacy ethics. The traditions of advocacy ethics. Selected works of Russian and French lawyers (19 – beginning of 20 century.)]. S-Pb.: Yurid. centr Press (s. 279–330) (in Russ.).
22. Forsyth William. Hortensius: An historical essay on the office and duties of an Advocatehe. London: John Murray, Albemarle street. 1874. 412 p.
23. Peter J. Henning. Lawyers, Truth, and Honesty in Representing Clients, 20 Notre Dame J. L. Ethics & Pub. Pol'y 209, 2006. https://scholarship.law.nd.edu/ndjlepp/vol20/iss1/8
24. Mollo, M. (1894). *Pravila advokatskoj professii vo Francii* [The rules of the law profession in France]. Moskva: Izdanie N. P. Shubinskogo (in Russ.).
25. Case of A.W. Webb v. the United Kingdom. European Court of Human Rights. http://echr.ketse.com/doc/9353.81-en-19830511/view
26. Case of Staroszczyk v. Poland (2007) (excerpts). European Court of Human Rights. https://www.legislationline.org/documents/id/17423
27. Barshchevskij, M. Yu. (2000). *Advokatskaya etika* [Lawyer Ethics]. Moskva: Profobrazovanie (in Russ.).
28. Ariya, S. L. (1996). *Mir spasyot dobrota, o nravstvennyh nachalah advokatskoj deyatel'nosti* [Kindness will save the world about the moral principles of advocacy]. *Rossijskaya yusticiya,* (2), 49–51 (in Russ.).
29. Gavrilov, S. N. (2008). Razvitie advokatskoj etiki v Rossii (istoricheskij aspekt). [The development of advocacy ethics in Russia (historical aspect)]. In: *Moral i dogma yurista: professionalnaya yuridicheskaya etika. Sbornik nauchnyh statej*. Moskva (s. 198–239) (in Russ.).
30. Dr. David Štros. Pactum de quota litis – The Czech Approach. http://www.fbe.org/barreaux/uploads/2017/07/Rapport_David_STROSS-1-en.doc

ISSN 1995-6134

31. Lohvickij Aleksandr Vladimirovich. *Library of legal rarities*. http://oldlawbook.narod.ru/lohvitsky.htm (in Russ.).
32. *Pro advokaturu ta advokatsku diialnist* [On Advocacy and legal activity] Zakon Ukrayni (05.01.2017 No 5076–6). https://zakon.rada.gov.ua/laws/show/5076-17 (in Ukr.).
33. Bronz, I. L. (2019). Eticheskie problemy advokatskoj deyatelnosti: povtorenie urokov i zadanie na budushchee [Ethical issues of advocacy: repetition of lessons and assignment for the future]. *Visnyk Odeskoi advokatury*. *Spetsialnyi vypusk "Advokatska etyka",* 17–20 (in Russ.).
34. Berufsordnung in der Fassung vom 01.01.2018. https://www.brak.de/w/files/02_fuer_anwaelte/berufsrecht/bora_stand_01.01.18.pdf
35. Allgemeines bürgerliches Gesetzbuch (ABGB). https://www.jusline.at/gesetz/abgb
36. Biriukova, A. M. (2017). *Pryntsyp priorytetu interesiv kliienta v systemi etychnykh zasad advokatskoi dialnosti* [The principle of priority of client's interests in the system of ethical principles of advocacy]. *Visnyk kryminalnoho sudochynstva*, (4), 121–128 (in Ukr.).
37. Ivanytskyў , S. O. (2018). Dobrochesnist advokata [Virtue of a lawyer]. In: Moskvych L. M. *Aktualni problemy sudovoho prava*: materialy Mizhnar. nauk.-prakt. konf. (Kharkiv, 23 kvit. 2018 r.). Kharkiv: Pravo (s. 59–60) (in Ukr.).
38. Toftul, M. H. (2014). *Suchasnyi slovnyk z etyky* [Modern Dictionary of Ethics]. Zhytomyr: Vyd-vo ZhDU im. I. Franka (in Ukr.).
39. Busel, V. T. (2009). (Red.). *Velykyi tlumachnyi slovnyk suchasnoi ukrainskoi movy* [Large Explanatory Dictionary of Modern Ukrainian Language]. Kyiv, Irpin: Perun (in Ukr.).
40. Kadenko, O. O. (2018). Advokatura yak sotsialnyi instytut [Bar as a social institute]. In: Bakayanov, N. M. (Red.). *Tvorchyi shliakh vchenoho: do 80-richchia profesora V. V. Dolezhana*. Odesa: Yurydychna literatura (s. 165–167) (in Ukr.).
41. Melnichenko, R. G. (2007). Advokat po vyzovu [Call lawyer]. *Advokat,* (6). 5. (in Russ.).
42. *Pro bezoplatnu pravovu dopomohu* [On Free Legal Aid]. Zakon Ukraïni (02.06.2011 No 3460–6). https://zakon.rada.gov.ua/laws/show/3460-17#n78 (in Ukr.).
43. Pravyla advokatskoi etyky *[Rules of Attorney Ethics].* (09.06.2017). https://unba.org.ua/assets/uploads/legislation/pravila/2019-03-15-pravila-2019_5cb72d3191e0e.pdf

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