Psychological features of the lawyer's training in the field of the administration of justice

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Abstract. As part of this work, a study was conducted on the specificity of psychological aspects in the work of lawyers, which allowed the authors to identify a number of difficulties faced by law graduates after completing their studies. The authors come to the conclusion that the traditional system of training young lawyers used for this period of time does not fully respond to the needs of the labor market in its psychological component. The formation of psychological knowledge and skills of law graduates requires new information methods of training.

1 Introduction

Traditionally, the judiciary and its functioning have attracted the attention of not only specialists and researchers, but also the public. This is probably due to the fact that the judicial power, represented by a judge, is perceived as the embodiment of the possibility of human's rights realization and their protection. Thus, the social significance of the very existence and functioning of the judiciary is a direct consequence and at the same time a condition for the establishment of the rule of law in Russia.

In recent years, the issue of the functioning of the judicial system has been increasingly raised in the public space, indicating the need for its reform. Among the arguments, supporters of the reform note the statement of the Prosecutor General of the Russian Federation Yu. Chaika that from 2011 to 2013 more than 14 thousand people were illegally prosecuted from the mistakes of law enforcement agencies. Accordingly, the question of the need to conduct a public opinion poll on the Russian judicial system has become acute. The independent non-commercial organization "Independent Research Center" conducted a survey of 1,450 Russians - residents of 31 regions of Russia from January 15th to 29th 2018, an important condition was that the sample was multi-stage, representative, stratified with quota parameters [1].

Half of the Russians surveyed - 50% - don't trust the Russian judicial system, have varying degrees of distrust, while 34%, on the contrary, have varying degrees of trust. 14.6% - found it difficult to answer, 1.4% - chose their own answer. (Fig. 1)

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Fig. 1. Confidence in the judicial system of the Russian Federation.

Among the reasons for people's distrust of Russian courts, respondents identified:

- Corruption in courts - payment for the right decision (44.6%);
- Red tape and bureaucracy (24.8%);
- Obvious splicing with other branches of government (executive, legislative), which leads to custom decisions (23.5%);
- Inability to obtain a fair decision, the judge judges not on the basis of law and principles of justice, but on the basis of "his internal conviction" (23%);
- Non-enforcement of court decisions (13.8%);
- Constant criticism of the judicial system in the media (5.3%). (Fig. 2)

More than half of the surveyed Russians (56.5%) are not satisfied with the level of objectivity and impartiality of the courts to varying degrees. Every fourth respondent (25.4%), on the contrary, is satisfied with the level of objectivity and impartiality of the courts to varying degrees. 17.6% of respondents found it difficult to answer, and 0.5% chose their own answer.

In modern conditions, judicial decisions largely determine the quality of the country's legal space, which is undoubtedly a prerequisite for the development of all spheres of social and economic life of the State and society. Activities in the administration of justice are significantly complicated and affect the internal, psychological resources of the individual, which contributes to the understanding of legal phenomena, attitudes, opportunities, activities in the legal field. The high sensitivity to psychological problems and individual characteristics of a person, the ability to use them in conditions of interpersonal relations regulated by law, become professionally significant qualities of the modern lawyer's personality.

Fig. 2. Reasons for distrust of the judicial system of the Russian Federation.

The peculiarities of psychological education that future lawyers receive remain within a certain and largely conditional paradigm of knowledge, which, in turn, absolutely does not correspond to the modern professional situation that graduates find themselves after completing their studies. Thus, the contradictions between the requirements for a modern graduate of a higher law school and the lack of their conceptual and psychological and pedagogical support in the process of professional training are clearly highlighted. All this testifies to the scientific legitimacy and practical necessity for qualitative changes in the psychological component of legal education.

To date, there is a need and prerequisites for qualitative changes in the structure of psychological training of future lawyers to carry out professional activities in the field of legal proceedings. Solving this problem will help future judges, prosecutors, and lawyers develop practical skills to master the methods of studying the individual, analyzing the data obtained, and developing the psychological qualities necessary for future activities, and expand the range of opportunities for personal and professional development.

Traditional legal education, which undoubtedly has a number of undeniable advantages and high efficiency in terms of forming knowledge and a special legal worldview, can not be called successful in relation to the psychological skills of professional activity. The traditional model of psychological education of a lawyer is focused on strong-willed memorization of psychological knowledge, and therefore is not able to form psychological thinking. Thus, the consciousness of future legislators and law enforcement officers, the fear of failure, rather than the desire, and need to achieve success, is embedded.

The need to make changes in the structure of psychological training of law students is determined, among other things, by the needs of students themselves. Young professionals experience significant difficulties not only in mastering their profession, but also in solving specific legal problems that contain a particular psychological factor. Future lawyers are aware of the insufficient level of their own psychological competence and differentiate the types and forms of necessary psychological assistance [3].

That is why we can talk about the need to change and reorient the entire system of legal education to a type that would involve training specialists who are able to carry out their activities in modern conditions, taking into account the psychological characteristics of such activities.

2 Materials and method

To conduct research on possible problems in the psychological education of students of higher educational institutions – future lawyers, we studied data from open sources on the specifics of the perception of young lawyers by society, the level of effectiveness and involvement in professional problems being solved, as well as data on the psychological stability of law enforcement officers who received professional legal education.

3 Results

A lawyer in the traditional sense is a specialist in the field of law, working with documents and conducting legal cases that are essentially certain life situations. It is necessary to understand that such situations arise in real life and are inevitably characterized by a pronounced psychological coloring. In this regard, the professional competence of a lawyer consists not only of special legal, but also professional and psychological training. The latter is due to the fact that professionalism is associated with the art of communication, working with people, and influencing them. It is irrelevant to the perfect performance of legally significant actions in the conduct of legal cases, since it is impossible to remove a person from them, to ignore the dependence of the success of their conduct on understanding and taking into account psychological factors [4].

Legal activity looks like a fairly simple set of actions, which at first sight does not require the development of additional knowledge. However, in reality, this is a complex of cognitive, volitional and emotionally rich mental activity. Changes in the psychological characteristics of professional skills of lawyers have made higher demands on the methodology of their formation and full-fledged development [5].

The skills that a lawyer must have are very diverse and include document management skills, communication skills, skills in using weapons and special tools, computer skills, skills in performing professional actions, skills in analyzing the situation and analyzing the results of actions, etc. [6] The use of such skills and effective solution of legal problems is impossible if it is limited only to the legal side of the issue. Therefore, practical skills of understanding the full range of psychological nuances and dependencies of their work characterize the real readiness of the lawyer for it and his professionalism [7].

In this regard, there are professional and psychological readiness of a lawyer, which is understood as readiness to perceive and take into account psychological aspects in the implementation of legal activities, to overcome psychological difficulties in solving professional problems. In addition to special legal education, psychological readiness contributes to the formation of professionalism [8].

Building a model for training a future lawyer that takes into account the psychological aspects of professional activity requires specifying and making psychological training more functional. These include: professional psychological knowledge, professional psychological skills, professionally significant psychological qualities, professional psychological stability [6].

Professional and psychological knowledge is mainly knowledge adapted to the specifics of legal activity (on the psychology of people, groups, psychological factors that affect the state of law and order, etc.).

Professional psychological skills are understood as methods of practical consideration of psychological aspects in professional activity, which can include:

- analytical and psychological skills (to see the psychological aspect in planned and implemented professional actions, analyze it, correctly assess its role and its impact on actions, make psychologically sound professional decisions, correct and implement them) [9];

- tactical and psychological skills (methods of psychological actions based on professional and psychological knowledge and expressed in the professional's mastery of the ability to perform psychological actions included in the process of solving legal problems, as well as use psychological techniques that increase the effectiveness of legal actions themselves);

- the ability to study and evaluate the psychological factors that determine the choice and use of tactical techniques (to make a psychological portrait of individuals and groups; psychologically competently conduct professional observation; psychologically analyze the professional situation; perform psychological analysis of a criminal event; perform psychological analysis of texts; psychologically analyze and evaluate the operational situation, etc.);

- the ability to create favorable psychological conditions for the implementation of professional actions (design and create favorable situational conditions; establish psychological contact, trusting relationships; prevent and overcome conflicts in relationships; psychologically competently prepare and carry out professional communication; exercise self-management, etc.);

- the ability to provide psychological means to solve professional and legal problems (to perform role-playing behavior; use psychological techniques to optimize professional thinking; correctly use psychological influence techniques; develop a psychological scenario for solving a professional problem; conduct a psychological struggle, seize and hold the initiative in situations of countering the administration of justice, etc.);

- technical and psychological skills characterize the degree of possession of the lawyer basic psychological means: verbal, nonverbal, and behavioral role (the ability to choose words and build phrases, pronounce them with the appropriate emotional overtones, give with paralinguistically tools need expressive words and actions, etc.) [6].

Professionally significant psychological qualities that are part of the structure of professional and psychological training of a lawyer include qualities that are of special significance for professional activity and receive professional development in the course of training and practical experience. These include: professional sensations (increased sensitivity to professionally important signs, sounds, smells, temperature detection by touch, sensitivity of the side field of vision, sensitivity of night vision, etc.); professional perceptions (visual, auditory, olfactory, etc.); professional observation, professional attentiveness, professional memory (increased ability to remember names, addresses, car numbers, photos, verbal and other portraits of persons; details of situations of legal significance, words, indications, data about different persons, information stored in the case file, etc.); professional representations (the ability to well imagine in the mind the terrain plan, upcoming actions, etc.); professional thinking (social, legal, investigative, operational, psychological, pedagogical, tactical, etc.); professional artistry (ability to transform, role behavior, etc.); professional vigilance, readiness for the unexpected, etc.

4 Discussion

These qualities are based on the general level of their development in a particular person. However, with professional development, there is a significant increment to the general

indicators of new, acquired, specifically professional, improving their manifestations in the activity [6].

A significant component of the lawyer's psychological training is professional and psychological stability. Law enforcement activities are carried out in conditions of significant psychological impacts that can have a negative impact on both the success of solving professional tasks and the psychological health of a lawyer. In this regard, the psychological stability of lawyers should be high and professional. Stability is an integral characteristic and consists of the following components: general psychological stability; familiarity with the list of psychogenic factors that make them expected and, consequently, less frustrating; experience in solving professional problems under the influence of psychogenic factors, which can significantly weaken their influence on the professional lawyer and the results of his activities; developed skills of mental self-regulation [10].

A significant component of the future lawyer's education is moral and psychological training. It reflects the ability of a lawyer to carry out their activities in accordance with the norms of morality, the presence of a conscious need and the ability to balance professional functions with ethical requirements.

We can distinguish the following components of psychological support for the personal and professional development of the future lawyer, which should be formed during the period of study at the university:

1) cognitive activity (broad-minded, flexible, creative thinking, analytical mindset, predictive abilities, intuition, etc.);

2) organizational skills (ability to organize your own work and work together with other officials);

3) communication skills (the ability to establish emotional contacts with various participants in communication, the ability to understand the inner world of the interlocutor, the ability to cooperate, adequate self-esteem, sense of humor, etc.);

4) emotional and volitional stability (stress resistance, high performance, ability to respond adequately to various events, etc.);

5) a high level of professional adaptation associated with the normality of the lawyer's behavior in difficult, including extreme situations of professional activity (developed legal awareness, honesty, civic courage, integrity, integrity, etc.) [3].

The multiplicity of components of psychological competence of a lawyer, their belonging to different levels of mental reflection actualize the need to search for system-forming factors around which the components of psychological training of a future lawyer can be integrated.

Psychological education, which includes a set of individual and typological characteristics that explain the main manifestations of the person in professional legal activity, can act as a regulator of the process of psychological training of a lawyer. As such an integrative education that affects the professional development of a lawyer and determines the direction of his psychological training, professional self-consciousness can act. Professional self-awareness is the main factor that integrates the professionally significant qualities of the person and their manifestations in activity and behavior, representing a complex, hierarchical structure that combines ideas about one's personality, content and conditions of activity, models of professional behavior and development [2].

The current requirements for future lawyers include the formation, along with theoretical knowledge of practical socio-psychological (communicative) competence, which implies not only a reserve of knowledge of psychological laws manifested in communication between people, but also the presence of strong skills and skills in using them in professional activities for the implementation of justice, mastering the most effective means of solving communicative problems in a wide range of life situations: from "simple" contact with another person to complex forms of organizational activity [11].

Personal and professional development of lawyers in the educational process requires a focus on the development of creativity, individual and general abilities. To do this, students should focus on those aspects of the work of a lawyer in which creative abilities are formed and implemented and at the same time improved, developed and enriched.

5 Conclusion

As a conclusion, we would like to present the characteristics of the university from the point of view of the educational space organized and provided to students, which carry and have a decisive effect on the formation and development of the socio-psychological competence of the future lawyer. So, firstly, it should form and develop the knowledge, skills and abilities necessary for a qualified lawyer in his professional activity. Another main component of it will inevitably be the ability to influence the development of personal and behavioral traits that correspond to a high level of social relations in the activity [12]. In addition, the created educational space should prepare the future specialist for professional involvement in personal and collective relations. The educational space is designed to develop professionally important patterns of behavior, create guidelines for professional activities through specially created organizational forms that organize the student's educational and cognitive activities.

Unfortunately, we come to the conclusion that the solution of these issues and problems is objectively impossible while we will use traditional information methods of training.

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