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Experience of European Countries in the Formation Priority Tasks and Development Strategies Training of Highly Qualified Lawyers

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Abstract

The question of having competent lawyers and judges is becoming increasingly important in the twenty-first century and is also attracting the attention of specialists from large law firms; students of educational institutions (lawyers, administrative staff); politicians and economic experts. Consequently, through the documentary method, this research work analyzes the problem of training highly qualified legal personnel, elaborating priority tasks and various development strategies. The authors examine the current situation in this area in European countries, emphasizing their experience. The article is addressed to experts in the field, such as specialists working in law firms (lawyers and staff), students of higher education institutions (lawyers, administrative staff), political scientists, economists, civil servants. It is concluded that competency-based education using cutting-edge technologies improves the educational system of Ukraine and, at the same time, adapts it to the standards of Western Europe with a gradual result of production of highly qualified lawyers.

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Keywords: education system; competency-based approach; lifelong learning; unlimited training; competent lawyers and judges.

Experiencia de los países europeos en la formación de tareas prioritarias y estrategias de desarrollo de la formación de abogados altamente cualificados

Resumen

La cuestión de contar con abogados y jueces competentes, adquiere una importancia progresiva en el siglo XXI y, además, está atrayendo la atención de los especialistas de los grandes bufetes; de los estudiantes de las instituciones educativas (abogados, personal administrativo); de los políticos y de los expertos en economía. En consecuencia, mediante el método documental este trabajo de investigación analiza el problema de la formación de personal jurídico altamente cualificado, elaborando tareas prioritarias y diversas estrategias de desarrollo. Los autores examinan la situación actual en este ámbito en los países europeos, haciendo hincapié en su experiencia. El artículo se dirige a los expertos en la materia, como los especialistas que trabajan en los bufetes de abogados (abogados y personal), los estudiantes de los centros de enseñanza superior (abogados, personal administrativo), los politólogos, los economistas, los funcionarios públicos. Se concluye que, la educación por competencias mediante el uso de tecnologías de vanguardia mejora el sistema educativo de Ucrania y, al mismo tiempo, lo adecua a los estándares de Europa occidental con un resultado paulatino de producción de abogados altamente calificados.

Palabras clave: sistema educativo; enfoque basado en competencias; aprendizaje permanente; formación por tiempo ilimitado; abogados y jueces competentes.

Introduction

1. The Experience of European Countries in The Formation Priority Tasks and Development Strategies Training of Highly Qualified Lawyers

A problem of training highly qualified legal professionals, increasingly important in the modern world, is beginning to attract more and more attention of specialists involved in law firms (lawyers and their assistants),

students of higher educational institutions (lawyers, administrative staff), politicians, economists, civil servants. The problem is of great significance not only to the sphere of education, but also at the level of use of legal knowledge in state administration and business. It is extremely important for country's economic development (Tong and Zhiyong, 2018).

The formation strategy of highly qualified personnel who have a comprehensive scientific subject matter base determines to a significant extent the success or failure of activities aimed at modernization and prioritizes certain aspects of public life. Highly qualified lawyers are characterized by high academic degree for training which must meet the standards set out in international specialized normative acts (Stepanenko *et al.*, 2020).

They are competent enough on both national issues and have acquired all necessary knowledge to be able to make valuable strategic decisions (Burganova *et al.*, 2016). The volume of work in this area is rapidly increasing; is important to ensure that they are relevant and can be used practically, which requires the application of competence-based approach to education.

This necessitates further development of specialized personnel at all levels - from policymakers who will create a competitive environment for economic growth, skilled managers capable of technological progress (IT) with the use of new technologies in the production process, up to professionals engaged in intellectual property protection, etc., as well as lawyers who have not only received theoretical knowledge but also trained practical skills.

They must give comprehensive legal advice on solving non-routine problems and participate in negotiations with business partners or state authorities. Lawyers with modern qualities should be able to act in multinational companies, create business structures with the use of new technologies and finance instruments (Elgoibar *et al.*, 2019).

When assessing the needs for highly qualified legal professionals, it is important to consider both internal needs of each country (the level of economic development, cultural factors), as well as external factors (multinational corporations, European integration). The main goal in this situation is to ensure that lawyers have received comprehensive knowledge in the field of law with emphasis on procedural aspects (Doner and Schneider, 2020). Besides that, they should develop high ethical standards and be capable of mastering new technologies which are used when solving complex problems. This will allow them not only to improve their professional skills but also widen their horizons.

2. Executive Summary

The research identified several logical solutions: an initial stage in pre-university education, a long-term experience in the legal profession and an active use of information technology for working with various sources of information. In practice, each country has its own strategy for how to provide educators with high professional skills when creating a new system for training highly qualified professionals. In addition to the place of training (undergraduate courses), educational institutions should be flexible enough to create conditions that will allow students to work on their own using modern information technologies, including foreign universities and law firms (Choroszewicz and Kay, 2020).

This is possible if we consider the latest trends in the organization and management of educational institutions. Comprehensive analysis of literature shows that European countries have different approaches in solving this task (Tong and Zhiyong, 2018). It can be determined by a variety of factors, including the level of economic development, cultural differences, and external factors such as multinational corporations and European integration. In countries with a highly developed legal profession, such as Germany and France, more attention is paid to the professional skills of future lawyers (Burganova *et al.*, 2016).

In this study we have focused on these two countries so as to be able to identify those approaches that are most effective. However, it should be noted that whatever strategies they follow in forming a new system for training highly qualified staff who will work at all levels (from policymakers to specialists), they must meet some common standards – comprehensive knowledge of law (including procedural) and high academic degrees (Choroszewicz and Kay, 2020). The situation in the Federation is the need for additional measures not only ensuring adequate training of professionals (overcoming existing gaps in the legal system), but also training highly qualified lawyers who are capable of mastering new technologies when solving complex problems.

This can be achieved by identifying priority tasks for further development strategies and ensuring that all professional activities comply with ethical standards. In this case, it is necessary to have a clear understanding of what high-level education is (Burganova *et al.*, 2016). When implementing a new system for training highly qualified lawyers, one of the main challenges facing countries is to establish partnerships between educational institutions and employers within an international network.

This will allow young professionals not only to get good theoretical knowledge but also become familiar with different approaches to implementing the lawyer's profession (Anatolii *et al.*, 2020).

In many European countries, where there are still major problems with the legal education system and its modernization has just begun, we should consider modeling their own system of professional education on these models and that will allow us to overcome existing gaps in the legal sphere and avoid false starts that lead to unnecessary costs (Doner and Schneider, 2020). In the development of priority tasks and strategies for further education, it is necessary to consider several factors, starting with the best practices developed in advanced countries and ending with changes in the forms of work on highly qualified lawyers using new information technologies.

Legal education should focus more on practice training rather than only on academic content alone to not only train specialists, but also help them find jobs after graduation (Tong and Zhiyong, 2018). The system must allow graduates not only to be good professionals who are able to work anywhere in the world, but also be aware of other cultures and traditions (Kuzminov *et al.*, 2019).

3. Purpose of the study

The goal of this article is to find a solution which will allow European countries to train their own highly qualified lawyers. This means finding out what they are and what is required from a lawyer with high qualifications.

4. Research Questions

1. How is training for highly qualified lawyers facilitated in developed European countries?
2. What are the problems faced by developing European countries while creating or reforming their training systems?
3. What are the best practices that should be used by countries to facilitate the creation of a training system for high-qualified lawyers?
4. What are the requirements for legal education to be able to train high-qualified lawyers?
5. How can European countries improve their current education systems to facilitate the training of highly qualified lawyers?

5. Hypothesis

1. The problem of developing European countries is not thinking about the issue of having really competent lawyers who will be able to work effectively using modern technologies, which is why it is not included in the legal system.
2. Because of this, the emphasis on graduates' qualifications is one of the most important and significant problems in today's society
3. Therefore, the quality of legal services provided by lawyers has a direct impact on judicial activities, lack of competence for which was one of the main reasons for the replacement court system
4. The number of judges and lawyers is not enough to meet demand, they lack professional quality, as well as the lack of necessary administrative and technical support for judicial and prosecutorial activities. People who can be considered highly qualified lawyers are those with extensive knowledge, skills and competence required to operate in the legal field. They have graduate or postgraduate study, they have received professional qualification by passing strict tests, which is why it can be said that they are competent or have high qualifications.

6. The Training for Highly Qualified Lawyers Facilitated in Developed European Countries (EU)

The system of training highly qualified lawyers in Germany is based on five years of undergraduate and graduate studies at universities followed by three years of practice at law firms or other organizations where trainees acquire professional skills. In France, although the long-term experience is not required before beginning employment as a lawyer, it is possible to specialize only after gaining some practical experience during studies (usually from 3 to 12 months).

In many European countries, where there are still major problems with the legal education system and its modernization has just begun, we should consider modeling their own system of professional education on these models and that will allow us to overcome existing gaps in the legal sphere and avoid false starts that lead to unnecessary costs.

In the development of priority tasks and strategies for further education, it is necessary to consider a number of factors, starting with the best practices developed in advanced countries and ending with changes in the forms of work on highly qualified lawyers using new information technologies (Tong and Zhiyong, 2018).

Legal education should focus more on practice training rather than only on academic content alone so as to not only train specialists, but also help them find jobs after graduation. In addition to the presence of labor market analysis during educational programs along with increased opportunities of internships at law firms, companies and other organizations that will allow students to master their profession from an early age (Doner and Schneider, 2020).

In this regard special attention should be paid not only to multilateral cooperation between universities and employers within a single system for training highly qualified lawyers, but also to the internationalization of educational programs. The system must allow graduates not only to be good professionals who are able to work anywhere in the world, but also be aware of other cultures and traditions.

7. The Problems Faced by Developing European Countries While Creating or Reforming Their Training Systems

Among the main problems that should be overcome in order to modernize the legal education system and train highly qualified lawyers, it is necessary to highlight issues related to insufficient attraction of teaching staff for law firms and other organizations willing to take on a young lawyer as a trainee, lack of funds for educational programs, low quality of initial general secondary education leading to a low number of graduates who have interest in studying law at universities. In addition, there is often no special attention from administration aimed at improving communication with students. The desire for fast development without learning from successful experience leads only to an increase in the overall level of commercialization and degradation of legal education.

The lack of a coherent system of relationships between universities and law firms limits the possibilities for professional training, as well as employment opportunities for graduates, who are often faced with a choice – either to take a poorly paid job or leave the profession altogether (Kuzminov *et al.*, 2019). In addition, practicing lawyers do not always have time to give advice to students interested in gaining practical experience during studies at their companies, which reduces the attractiveness of such an opportunity for them.

The stagnation or even slow development of legal professions is also due to insufficient social demand from citizens, who rely on public services provided by other countries due to a lower cost and potentially greater quality.

8. The Best Practices to Facilitate the Creation of a Training System For High-Qualified Lawyers

The experience of European countries in the formation priority tasks and development strategies training of highly qualified lawyers shows that there are a number of factors to be taken into account in order to modernize educational programs. A combination of these factors can help any country with difficult demographic problems to quickly create an efficient system for training high-qualified lawyers with increased opportunities for employment (Elgoibar *et al.*, 2019).

Among the best practices in legal education used in European countries can be identified: increasing quality at universities through greater independence from state authorities, involvement of employers engaged in law firms engaged in internship placement, academic mobility programs between universities aimed at developing international cooperation have been used successfully (Tong and Zhiyong, 2018). There is an increase in demand for legal literature abroad, which stimulates the production and circulation of Ukrainian textbooks abroad through targeted contacts with foreign colleagues.

The main task for leading educational institutions is to create conditions in which students can work efficiently, but at the same time have time to study.

Thus, it is necessary not only to reform training systems for high-qualified lawyers through international standards of education, but also to stop unnecessary state interference in educational process. Only free cooperation between universities and employers can produce long-term results that will meet modern requirements for quality legal education.

There is an urgent need for a systemic approach aimed at creating mechanisms that ensure effective communication between legal professionals and law graduates who take their first steps on the labor market and want to develop further.

9. The Role Specialization Play in the Formation of Priority Tasks and Development Strategies for Training Highly Qualified Lawyers

Specialization is a necessary condition for the formation of priority tasks and development strategies for training highly qualified lawyers. To become a high-qualified lawyer, one must first gain knowledge to ensure the competence and quality of legal services provided. Specialization allows students choose an area where they can apply newly gained skills and

competencies during their practical activities; creates opportunities to work as self-employed professionals; provides an opportunity to successfully compete with other graduates on the labor market at any stage of career.

In addition, specialization ensures that individual universities can meet demands from employers more effectively by increasing competition between educational institutions aimed at providing high-quality education that meets modern standards demanded by employers (Doner and Schneider, 2020).

The highest level of professionalism can be achieved due to the availability of specialties that can provide students with practical knowledge and skills using the most modern approaches to learning.

10. The Role Academic Mobility Play in the Formation of Priority Tasks and Development Strategies for Training Highly Qualified Lawyers

Academic mobility is a necessary condition for the formation of priority tasks and development strategies for training highly qualified lawyers. Academic works can be completed by taking advantage not only of existing international contacts with foreign universities, but also developing new ones. This is especially true when it comes to creating an effective system that allows students to gain experience through practical work and exchange experiences between Ukrainian graduates and their foreign counterparts (Choroszewicz and Kay, 2020). The latter has proved invaluable: with the assistance of our colleagues from abroad we were able to bring together various aspects of legal education, which allowed us to build a new legal education system that meets modern requirements.

11. Recommendations

- The Government should stop intervening in education through legislation aimed at increasing financing of educational institutions.
- Universities should be able to autonomously manage financial resources for education without additional state funding.
- The Government should stop financing educational institutions based on the number of teachers and students studying within the organization, but by investing in projects aimed at providing high-quality education to meet modern social needs.
- Specialization is a necessary condition for the formation of priority tasks and development strategies for training highly qualified

lawyers. To become a high-qualified lawyer, one must first gain knowledge to ensure the competence and quality of legal services provided (Burganova *et al.*, 2016). Specialization allows students choose an area where they can apply newly gained skills and competencies during their practical activities; creates opportunities to work as self-employed professionals; provides an opportunity to successfully compete with other graduates on the labor market at any stage of career.

In addition, specialization ensures that individual universities can meet demands from employers more effectively by increasing competition between educational institutions aimed at providing high-quality education that meets modern standards demanded by employers. The highest level of professionalism can be achieved due to the availability of specialties that can provide students with practical knowledge and skills using the most modern approaches to learning.

- To become a high-qualified lawyer, one must first gain knowledge in order to ensure the competence and quality of legal services provided (Choroszewicz and Kay, 2020). Specialization allows students choose an area where they can apply newly gained skills and competencies during their practical activities; creates opportunities to work as self-employed professionals; provides an opportunity to successfully compete with other graduates on the labor market at any stage of career.
- Universities should be able to autonomously manage financial resources for education without additional state funding.

12. Method

The methodology of the research was primarily based on the analysis and synthesis of scientific and methodological literature, which enables an effective system of training highly qualified lawyers in European countries.

12.1. Sample

The empirical part of the research an analysis of information from scientific and specialized journals, technical documentation, books on the organization of educational activity in European countries.

12.2. Instrument

The research used the following methods of data collection: analysis and synthesis.

12.3. Data Collection

The study used scientific literature on the organization of educational activity in European countries, which are taught to citizens by national legislation.

12.4. Data Analysis

The conducted analysis has allowed determining the following conclusions:

- The development of quality university education is possible only with the involvement of foreign experts.
- The development and implementation of modern teaching methods in teaching highly qualified lawyers will not be possible without cooperation between educational institutions.
- Education is the responsibility of society, government bodies and all stakeholders.

13. Results

The use of modern educational technology, including distance learning allows to determine the following priorities: adequate accreditation and licensing educational institutions; training highly qualified lawyers in EU countries and Ukraine; improvement and development of national education systems in accordance with European criteria. Also, the results of this research paper will allow employers to employ highly qualified lawyers, as well as identify areas where there is a lack of specialists.

14. Research Limitations

The research did not consider the formation of the education system and the legal market in more detail. This aspect of development should be considered in further studies of highly qualified lawyers' training systems in EU countries and Ukraine. An extensive analysis on the existing problems on employment law practice was not conducted due to financial limitations; instead, it will be possible after conducting additional research.

14.1. Recommendations

- Analysis of current legislation related to the organization of educational activity.

- Study existing problems on employment justice practices.
- Conducting patent searches on technologies that are used for teaching different subjects (jurisprudence, legal translation, etc.) in the European Union countries and Ukraine.
- Publication of articles on effective educational technologies.

14.2. Ethical Considerations of the Research

In accordance with international standards, this research paper does not contain the use of any personal data. The analysis was conducted using public information from scientific and technical sources that are open for free access. It is indicated in the publication that any trademark not belonging to its author belongs to their respective owners. As a result of the conducted research, it is possible to provide a general description of existing training systems for highly qualified lawyers in Europe and Ukraine.

15. Discussion

As technology and globalization evolve, there is a need to consider changes in current legislation in order to improve the quality and speed up the examination process. Also, there is a need for an effective system of training highly qualified lawyers in many European countries (Ergashev and Farxodjonova, 2020).

It is also necessary to consider the experience of the Baltic States, where preparation for admission to universities is conducted in cooperation with employers. Thus, it is necessary to define the economic and social problems of the transition period, which is a new stage in the development of higher education.

The study has identified a number of problems that should be solved in order to improve the quality and speed up the accreditation process, including: the formation of a national system of accreditation and licensing educational institutions; training highly qualified lawyers in EU countries and Ukraine; improvement and development of the national education system in accordance with European criteria (Welford, 2016). The research confirmed that there is a lack of highly qualified lawyers in European countries and Ukraine, which can remain as a limiting factor for foreign enterprises.

To resolve the problem of lack of highly qualified lawyers in European countries, it is necessary to improve the national education system in accordance with European standards, while taking into account the experience of other countries (Wright, 2019). The development of training

systems for highly qualified lawyers in EU countries will make it possible to improve the quality of legal education, ensure an effective system of training high-level professionals.

Training highly qualified lawyers should be based on different subjects (jurisprudence, translation studies, etc.) with the use of new technologies that are efficient for teaching students effectively. There is no evidence that the current organization of educational activity is very effective; it requires modernization by introducing new technologies that allow you to teach students more effectively.

It is also necessary to conduct patent searches on technology tools used to organize teaching activities at European universities and schools during different periods. To resolve these issues, it is necessary to develop new types of education that will allow students to master the modern trends and tools of teaching. Europe has accumulated experience in organizing training for highly qualified lawyers that can be used by Ukraine.

Thus, many universities have introduced special educational programs that are generally not available outside the university environment. There is a need for training under qualified human resources, including leading researchers at higher educational institutions, professors with scientific degrees, post-graduate students who conduct research work (Hantrais, 2017). The introduction of training systems on this basis allows you to form an effective system of accreditation and licensing educational activities.

The best practices of other countries will help improve the quality of legal education in Russia, reduce its cost for employers and make legal services more accessible to citizens. It should be noted that currently there are no all-Ukrainian strategies for training highly qualified lawyers; neither does Ukraine have any templates to work with. The lack of unified state policy on legal education requires the introduction of fundamental changes in the national system of education, its restructuring through innovation and integration into the global educational space (Burganova *et al.*, 2016).

This process will facilitate access to foreign educational institutions, including leading universities - partners offering their own programs for students who wish to receive complete secondary or higher legal education. The results obtained will allow improving the quality of legal education, develop high-quality university education, ensure an effective system of training professionals in Ukraine.

To solve these issues, it is necessary to improve the quality and effectiveness of teaching staff by introducing additional incentives for teachers who are ready to change their profession or teach in a new form, increasing interest in legal subjects among students.

Conclusion

The results of the study are aimed at improving the quality of legal education, the development and improvement of the national education system according to European standards. Also, there is a need to improve the accreditation and licensing system in accordance with higher education requirements.

Also, the results obtained will allow employers to employ highly qualified lawyers, as well as identify areas where there is a lack of specialists. The use of modern educational technology allows priority: adequate accreditation and licensing educational institutions; training highly qualified lawyers in EU countries and Ukraine; improvement and development of the national education system in accordance with European criteria.

The development of quality university education is possible only with the involvement of foreign experts. The development and implementation of modern teaching methods in teaching highly qualified lawyers will not be possible without cooperation between educational institutions. Education is the responsibility of society, government bodies and all stakeholders. With the development of technology and globalization, there is a need to take into account changes in current legislation in order to improve the quality and speed up the examination process.

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