



LEGAL STATUS OF THE ADVOCACY INSTITUTION IN UZBEKISTAN

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Received: 10 th February 2025 Accepted: 8 th March 2025	In this article, a deep analysis of the legal status, organizational foundations and the procedure for functioning of the Institute of jurisprudence in the Republic of Uzbekistan is carried out. The principles of legislative regulation of the legal profession, the procedure for entering the profession, independence and adherence to professional ethics are covered. It also reflects on the processes of reforming the lawyer's Office of Uzbekistan, the existing problems and the possibility of using the experience of the International, in particular Germany.

Keywords: *bar, legal status, bar, independence, professional ethics, legal aid, reform, German experience, legislation of Uzbekistan*

The Institute of jurisprudence in Uzbekistan is formed as an independent legal institution, which serves to provide qualified legal assistance to citizens, legal entities and state bodies, to ensure the protection of their rights and interests in court, state bodies and other organizations. The activities of the lawyer are regulated on the basis of the law of the Republic of Uzbekistan "on the lawyer", the Constitution of the Republic of Uzbekistan, the codes of Criminal Procedure and civil procedure and other regulatory legal acts.

Lawyers practice their professional career independently or through advocacy structures. Advocacy structures include law bureaus, law firms, and other established legal forms. To become a lawyer, candidates are required to have a higher legal education, at least two years of legal work experience, have completed special training courses and undergo certification, which is organized by the Chamber of lawyers under the Ministry of Justice. A person who has successfully passed the certification is issued a lawyer's certificate and is entered into a special register of the Ministry of Justice.

The main supervisory and coordinating body for the activities of lawyers in Uzbekistan is the bar of the Republic of Uzbekistan. The chamber protects the rights of lawyers, performs such functions as their professional training, professional development, ensuring compliance with ethical standards. The independence of lawyers is guaranteed by law, and they should not be subject to the influence of any body, organization or person within the framework of their professional activities.

The principle of confidentiality plays an important role in the activities of the lawyer — lawyers do not have the right to disclose information related to the client. At the same time, cases of interference in their activities, harassment or violation of the professional rights of a lawyer are prohibited by law and cause liability.

In recent years, Uzbekistan has taken important steps towards reforming the bar system, strengthening its status as an institution, improving the quality of services, expanding the scope of legal assistance and increasing the number of lawyers. These reforms serve to strengthen the position of the lawyer on the path to the construction of a democratic legal state. At the same time, recommendations are being developed to improve the Institute of advocacy on the basis of international experience, in particular advanced models of countries such as Germany.

The international experience of the legal profession is one of the main factors in the development of the principles of the legal state, the independence of the judicial system and the provision of a fair trial. This activity usually performs tasks such as providing legal assistance, protecting the rights and freedoms of citizens, expressing their interests in the courts, as well as forming a legal culture and ensuring the rule of law in society. In different countries, the legal framework, forms of operation, licensing processes and professional ethics of the Law Institute differ, but they are all aimed at establishing an independent, qualified and responsible law system before society.



The bar is a legal institution that includes independent, voluntary, professional associations of individuals engaged in the practice of law as well as certain individuals engaged in private law practice. The bar provides legal assistance to citizens of the Republic of Uzbekistan, foreign citizens, stateless persons, enterprises, institutions, organizations in accordance with the Constitution of the Republic of Uzbekistan.

In the international experience, especially in developed democratic states, the independence of the bar institution is strictly separated from other branches of state power. This allows lawyers to protect their clients without any political pressure or conflict of interest. There are also self-governing independent professional organizations in the practice of law in most countries, providing quality service through mechanisms such as Skill Development, Licensing, professional supervision, disciplinary responsibility, and enforcement of the code of ethics. For example, in countries such as the United Kingdom, the United States, Germany, lawyers have their own areas of specialization, and the legal services market operates on a competitive and customer-oriented system.

The international experience also shows that the field of Legal Services is enriched with modern approaches by digitization, online consulting, artificial intelligence-based legal analysis services, automatic document creation and virtual communication with customers. This not only increases the speed of services, but also their transparency and reliability. The legal system of Uzbekistan also seeks to use international experience in the reform process. By strengthening the independence of the lawyer, establishing cooperation with the judicial system on a balanced basis, expanding the role and powers of the chambers of lawyers, it is possible to make the bar institution more effective. Also, taking into account foreign experience, it is necessary to bring the legal field to the modern level by improving the quality of legal education, organizing practice-oriented qualification courses, and developing digital legal services.

In the International Organization of the legal profession, two main approaches are distinguished – the anglo-Saxon and continental systems of law. The formation of both models is closely related to historical, legal and cultural factors, which create significant differences in the legal status, specialization, procedure for functioning of lawyers and the quality and form of services provided to customers.

The Anglo-Saxon model is mainly used in countries such as the United Kingdom, the United States, Canada, Australia. In this system, the legal profession is free and competitive, and the service mechanism is focused on the interests of the client. Lawyers have various professional specializations in this system, among which the most famous are the "solicitor" and the "barristers". Solicitors usually communicate directly with the client, provide legal advice, prepare documents and prepare for court cases. Barristers, on the other hand, represent and represent the interests of the client in court. Each of them is deeply specialized in its field of activity, and the professional separation between them is strictly maintained. Such a system increases the quality and accuracy of legal services, but at the same time also creates complications in the organization and coordination of legal services.

On the other hand, the continental model involves more state participation and legal regulatory mechanisms become more stringent. This model is typical of France, Germany, Italy, Spain and many other European states, in which lawyers receive a single professional status and their activities are subject to state control through legal norms. The process of licensing, professional development and initiation into professional activities is carried out in strict order. Lawyers often work in partnership with the state, especially in areas of criminal defense, free legal assistance, and other socially significant areas. In the continental model, the Professional Responsibility of lawyers is high, and it is mandatory for them to work within the framework of the code of professional ethics.

In both models, the purpose of advocacy is to protect the rights and interests of one – citizen in a reliable, fair and competent manner. However, the choice of model directly depends on the legal system of the state, the legal culture of society and the general structure of the political and legal system. Therefore, it does not always work to completely copy the successful experience of one system to another. Each country should form its own system of advocacy, adapting international experience to the national legal context.

For Uzbekistan, it is advisable to develop the Institute of Advocacy in accordance with the national legal system by synthesizing advanced aspects of both models, that is, by obtaining a competitive services system and a specialized approach from the anglo-Saxon model, and regulatory and professional responsibility from the continental model. Through this, legal reforms are deepened, the role of lawyers is



strengthened, and modern, effective approaches to the protection of citizens' rights are introduced.

In many developed countries, the activities of lawyers are protected by law, and their independence is firmly separated from the judiciary and other branches of government. This situation ensures legal confidence in the protection of the interests of the client. Also, in international practice, such criteria as professional ethics of lawyers, contract work with the client, confidentiality, avoidance of conflicts of interest are strictly controlled. Through this, constant attention is paid to the reputation and quality of service of the legal profession.

The Institute of law in the Republic of Uzbekistan has undergone a number of reforms in recent years. The law of the Republic of Uzbekistan "On jurisprudence", No. 349 of 27.12.1996, basically recognizes lawyers as independent professional persons, but in practice their independence and free functioning are sometimes in a limited state. It is necessary to conduct an in-depth study of international experience, in particular, in such directions as strengthening the independence of the lawyers' chambers, simplifying the licensing system, introducing mechanisms for independent monitoring and evaluation from the state, and improving the system of continuous improvement of the qualifications of lawyers.

Also relevant in the adaptation of international experience are such innovative solutions as digitization, online legal services, the use of virtual consultations and legal platforms, remote legal assistance. This expands access to legal services and increases the legal culture of the population.

In addition, the international experience of the legal profession makes it possible for Uzbekistan to form a strong, independent and professional institution of advocacy not only by repeating external practice, but also by harmonizing it with the features of the national legal system. To this end, it is important to further develop international norms, exchange of experience, training programs and cooperation mechanisms.

Another important aspect is the liberalization and diversification of advocacy services. In international experience, the activities of large law firms, specialized legal consulting centers are widely established, which provide services not only in criminal law, but also in such areas as Business Law, Intellectual Property, International Arbitration, and financial law. It is necessary to encourage such specialization in Uzbekistan, to develop the legal profession through the private sector.

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In conclusion, in Uzbekistan, the bar institution is the main support for providing legal assistance, and its independence is important as a guarantee of a fair trial in a democratic society. Although the existing legislation has defined the main legal mechanisms in this area, it is necessary to use foreign, including German, experience to further improve the system, improve the qualifications of lawyers, ensure professional freedom and work on the quality of Service. Reforms in this direction serve to strengthen the principles of the legal state in Uzbekistan.

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