USAID efforts to support legal education reform in Ukraine
Why legal education?

The United States Agency for International Development (USAID) New Justice Program (New Justice) recognizes the fundamental importance of quality legal education to a well-functioning judiciary and legal system in a democratic society, as well as its inextricable linkages with promoting the rule of law and combating corruption. Quality legal education is a precursor for Ukraine’s self-reliance in modernizing its justice sector and restoration of public trust in the legal profession over the long term.

What are the challenges facing legal education in Ukraine?

With the adoption of the new Law “On Higher Education” in 2014, Ukraine is gradually introducing positive changes and innovations that emphasize the quality of education, with a particular focus on legal education. As such, a nationwide independent unified admission test for masters’ degrees in Law was conducted in 2016 as an experiment, which became mandatory for admissions to master’s degree programs in Law from 2017 and for masters’ programs in International Law from 2018. In addition, 2018 saw an increase in the minimum requirements for admissions to law schools.

Despite these improvements, the legal education system in Ukraine overall does not adequately prepare graduates for fulfilling the roles and responsibilities of legal professionals in a modern, globalized world to ensure access to justice, protection of fundamental rights and freedoms, and resolving disputes in a fair and timely manner.

According to the Unified State Electronic Education Database, over 300 educational institutions are licensed to train lawyers, of which 183 train bachelors of law and 120 train masters. The Ministry of Justice of Ukraine reports that there are over 105,000 law students in the legal education system (for comparison – 65,000 students study finance and economics,
25,000 – computer science, 16,000 – agro-engineering). At the same time, only one in eight law school graduates can find a job in the legal profession (according to the State Employment Service).

The survey of employers recently conducted by the Ministry of Justice shows that many of those who are successful in entering the legal profession are unable to apply theoretical knowledge in practice, lack critical thinking, problem solving, and foreign language skills, and in most cases, an adequate sense of professional values, responsibility, and high standards of professional conduct.

One of the key tasks in reforming legal education is to ensure transparent and fair competition of both public and private law schools for public money and for the best applicants. The ability of the Ukrainian legal education system to adequately ensure and reward quality is crucial for enhancing its international competitiveness.

How do we assist the Ukrainian government in legal education reform?

New Justice supports the government and law school efforts aimed at improving legal education quality and advancing a comprehensive legal education reform in Ukraine.

Pursuant to its Objective 4 “Quality of Legal Education Strengthened”, New Justice assists its governmental, academic, and civil society partners on the following:

- Development of a National Strategy and Standards for Legal Education and Accreditation;
- Building the capacity of Ukrainian law schools to improve quality of teaching and learning;
- Integrating value-driven, skills-based and practice-oriented learning into the legal education;
- Implementation of external, independent, standardized exams for law school admissions and graduation.
Our partners:

- Judicial Reform Council;
- Ministry of Education and Science of Ukraine (MOE);
- Ministry of Justice of Ukraine (MOJ);
- National Agency for Higher Education Quality Assurance;
- Ukrainian Center for Education Quality Assessment;
- Verkhovna Rada Committee on Science and Education;
- Verkhovna Rada Committee on Rule of Law and Justice;
- Leading law schools, including the Taras Shevchenko National University School of Law, the National University “Kyiv-Mohyla Academy”, the Yaroslav Mudryi National Law University, the National University “Odesa Law Academy”, the Yuriy Fedkovych Chernivtsi National University School of Law, and the Ukrainian Catholic University School of Law;
- Association of Ukrainian Advocates’ Committee on Legal Education Policy;
- Association of Ukrainian Lawyers’ Commission for Improving Legal Education Quality;
- Students’ League of the Association of Ukrainian Lawyers;
- European Law Students’ Association;
- OSCE Project Coordinator in Ukraine;
- EU Pravo-Justice Project.

Legal education reform milestones achieved with the USAID support:

- Development of the Methodology for Independent, External, On-Site Assessment of Legal Education Quality (2013);
- Testing the Methodology for Independent, External, On-Site Assessment of Legal Education Quality and assessments at Ivan Franko Lviv University Law School (2014);
- Legal practice analysis regarding professional knowledge, skills, values and attitudes that law graduates need to meet current job market requirements (2014-2015);
- Development of the Strategic Planning Guidelines for Law Schools (2015);
- Improved Methodology for Independent, External, On-Site Assessment of Legal Education Quality applied in three more leading Ukrainian law schools (2015, 2017, 2018);
- Development of the first honor codes for law school communities (2015);
— Development of the first rules of procedure for better implementation of honor codes (2018);

— Supporting the MOE and nine leading law schools in designing and piloting external, independent, standardized entrance exam for master’s degree programs in Law (2016);

— Establishment of the two first Legal Education Quality Assurance Units at leading law schools (2017-2018);

— Implementation of the first national opinion surveys of judges, court staff, and practicing lawyers on legal education reform issues (2017-2018);

— Development of the Methodology for External, Independent, On-Site Assessment of Legal Clinics and its piloting in 12 law schools (2018);

— Implementation of the mandatory, external, independent, standardized entrance exam for master’s degree programs in law and international law for all law schools nationwide (2017, 2018);

— Development of the Modern Legal Education Toolkit for Ukrainian Legal Educators (2018);

— Development of the Innovative (Model) Law School Curriculum and assistance to five leading law schools in its implementation (2018-2019).

Expert support to the MOE, the MOJ, and law schools with developing and public discussion of the documents:

— Draft Legal Education Reform Concept Paper;

— Draft National Standards for Bachelor’s Degrees in Law;

— Draft Model Regulation on Legal Clinics in Ukraine;

— Draft Bylaws on Legal Education Quality Assurance Center;

— Draft University Anti-Corruption Policy Paper;

— Draft Recommendations for Improving the Management of Student Externships.

Study visits for Ukrainian policy makers, law schools’ administrators, and opinion leaders:

— Study visit of key partner representatives to Bonn, Cologne, and Dusseldorf, North-Rhine Westphalia, Germany, conducted in partnership with the German Foundation for International Legal Cooperation (IRZ) (2016);

— Study visit to Washington, DC, Charlottesville, and Lexington, Virginia, USA (2017).
Major public legal education reform events:

- International Conference “Improvement of Legal Education in Ukraine: Fundamentals” (2013, Kharkiv, Ukraine);
- International Conference “Modern Trends in Legal Education” (2015, Lviv, Ukraine);
- International Conference “Legal Education Quality Assurance, University Autonomy and Academic Freedom in Preparing Legal Professionals for the 21st Century” (2018, Kyiv, Ukraine);
- Expert discussion at the MOE “Presentation of the Draft Standard of Academic and Professional Training Program in Law and International Expert Comments and Recommendations on Improving the Draft” hosted by the MOE (2015, Kyiv, Ukraine);
- Roundtable discussion “Optimal Structure of Legal Education in Ukraine: Two-Tier Model (Bachelor – Master) or Cross-Cutting Master Program?” hosted by the MOJ (2016, Kyiv, Ukraine);
- National roundtable discussion “Modernization of Legal Education in Ukraine: Achievements of the pilot project on external, independent, standardized entrance exam for master’s degree programs in Law in 2016. Presentation of the draft Legal Education Reform Concept Paper” (2016, Kyiv, Ukraine);
- International roundtable discussion “The Uniform State Qualification Exam as a Precondition to Access the Legal Profession: International experience and ways of its implementation in Ukraine” (2018, Kharkiv, Ukraine);
- National Round of Client Counseling Competition of Legal Clinics (2017);
- 1st and 2nd Kharkiv International Legal Forums (2017, 2018);
- 5 Winter Schools of the MOJ Council of Young Lawyers (2014-2018);
- 3 International Anti-Corruption Workshops in Kyiv (2017), and Kharkiv (2017, 2018);
- 2 All-Ukrainian Anti-Corruption Moot Court Competitions (2017, 2018);
- National Round of the Jessup International Moot Court (2018);
Key educational programs and courses developed and implemented:

- Rule of Law Lecture Series with the Ukrainian Catholic University Rule of Law Center (2015 – 2018);
- International Online Anti-Corruption Course in cooperation with the Washington and Lee University School of Law with participation of eight leading Ukrainian law schools (2015, 2016, 2017, 2018);
- Syllabus of the Ukrainian Component of the International Anti-Corruption Course (2017);
- Professional Responsibility Course Syllabus (2018);

Ukrainian law schools benefited from external, independent, onsite assessment of legal education quality:

- Ivan Franko National University School of Law (2014);
- Yuriy Fedkovych Chernivtsi National University School of Law (2015);
- National University “Odesa Law Academy” (2017);

Workshops and trainings for Ukrainian faculty and students on the following key topics:

- Strategic planning for law schools;
- Interactive methods teaching of law, legal ethics and experiential legal education;
- Legal education quality assurance and implementation of internal and external assessments;
- Development and piloting of quality test items;
- Management of student externships;
- Law school community ethics and teaching of legal ethics.
USAID support for legal education reform by numbers:

- **33,000+** law graduates benefited from merit-based, transparent and corruption-free admissions for master’s degree programs in Law and International Law.

- **100+** faculty and administrators trained on fundamentals of interactive teaching of law and professional responsibility.

- **100+** faculty trained on fundamentals of legal education quality assurance.

- **25+** law school administrators trained on student externship program management.

- **65+** faculty trained on developing quality test items.

- **20+** sponsored teams of Ukrainian students participated in national and international rounds of reputable moot court competitions.

- **15+** Ukrainian law schools benefited from USAID-facilitated external, on-site assessments and self-assessments of legal education quality.

- **7** Ukrainian law schools attended by **800+** law students, academics, legal practitioners, and public officials.

- **15+** Ukrainian law schools and watched by **35,000+** online viewers.
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This publication is made possible by the support of the American People through the United States Agency for International Development (USAID)