

17. *Степанова Т.В.* Процесуальний статус учасників позовного провадження у господарському судочинстві: теоретико-правові та праксеологічні аспекти: монографія. Одеса: Фенікс, 2017. 494 с.

18. *Пуданс-Шушлебін К.Ю.* Суб'єкт владних повноважень як відповідач у справах адміністративної юрисдикції. Київ, 2013. 212 с.

## REFERENCES

1. Code of Administrative Procedure of Ukraine dated 06.07.2005 No 2747-IV. Bulletin of the Verkhovna Rada of Ukraine. 2005. No 35–36, 37. Art. 446 [in Ukrainian].
2. *Teoriya gosudarstva i prava. Theory of state and law: textbook for universities / eds V.M. Korol'skiy, V.D. Perevalov.* 2nd ed. M.: Publishing house NORMA. 2002. 616 p. [in Russian].
3. *Pochechuyeva, O.S.* (2008) Nekotoryye voprosy voznikayushchiye pri realizatsii professional'nykh funktsiy advokata-zashchitnika i predstavatelya v ugovnom protsesse. "Some Issues Arising in the Implementation of the Professional Functions of a Defense Lawyer and a Representative in Criminal Proceedings". Gaps in Russian Legislation 2, 340–343 [in Russian].
4. *Vengerov, A.B.* (2002) *Teoriya gosudarstva i prava. "Theory of State and Law": textbook.* M.: Omega-L. 608 p. [in Russian].
5. *Ragulin, A.V.* (2014) Professional'nyye prava advokata-zashchitnika v Rossiyskoy Federatsii. "Professional Rights of a Defense Lawyer in the Russian Federation". Questions of Theory and Practice: thesis ... doct. sci. (Law): 12.00.11. Moscow. 462 p. [in Russian].
6. *Postnikova, V.V.* (2013) Trebovaniya k litsu, pretenduyushchemu na priobreteniyu statusa advokata, v Rossiyskoy Federatsii i v Velikobritanii. "Requirements for a Person Applying for the Status of a Lawyer in the Russian Federation and in the UK". Law Practice 5, 33–37 [in Russian].
7. *Solovyeva, Yu.I.* (2013) Aktual'nyye problemy pravovogo statusa advokata v Rossiyskoy Federatsii na sovremennom etape. "Actual Issues of the Legal Status of a Lawyer in the Russian Federation at the Present Stage". Actual problems of the implementation of constitutional and legal norms in the administration of justice in the Russian Federation: materials of an interdisciplinary round table dedicated to the 20th anniversary of the adoption of the Constitution of the Russian Federation (Vologda, May 31, 2013). Vologda: I.P. Valeeva V.N. P. 155–160 [in Russian].
8. *Prava cheloveka. Human rights: textbook for universities / ed. E.A. Lukashev.* M.: Publishing house NORMA, Publishing group "INFA M-NORMA", 2001. 573 p. [in Russian].
9. *Bessarabov, V.G., Kosarev, M.A.* (2005) Ponyatiye pravovogo statusa advokata. "The Concept of the Legal Status of a Lawyer". Law and Politics 11, 93–102 [in Russian].
10. *Voyevodin, L.D.* (2005) Yuridicheskiy status lichnosti v Rossii. "The Legal Status of a Person in Russia": a textbook. M.: Publishing house of Moscow State University, Norma, Infa-M, 1997. 304 p. [in Russian].
11. *Kudryavtsev, V.L.* Protsessual'noye polozheniye advokata v rossiyskom ugovnom sudoproizvodstve. "Procedural Position of a Lawyer in Russian Criminal Proceedings". Modern Law 4, 64–68 [in Russian].
12. *Strogovich, M.S.* (1990) Izbrannyye trudy. Selected works: in 3 volumes. M.: Nauka. Vol. 1. Problems of the General Theory of Law. 304 p. [in Russian].
13. *Sibirtsev, I.G.* (2014) Teoreticheskiye osnovy nezavisimosti zashchitel'noy yuridicheskoy deyatel'nosti v ramkakh ugovnogo protsesa. "Theoretical Foundations of the Independence of Defensive Legal Activity in the Framework of the Criminal Process". Eurasian Advocacy 1, 29–34 [in Russian].
14. *Skakun, O.F.* (2000) *Teoriya gosudarstva i prava. "Theory of State and Law": textbook.* Kharkov: Consum; University of Internal Affairs. 704 p. [in Russian].
15. *Kotenko, V.M.* (2011) Zabezpechennya protsesual'nykh prav i zakonnykh interesiv pozyvacha ta vidpovidacha v administrativnomu sudochynstvi Ukrainy. "Ensuring of Procedural Rights and Legitimate Interests of the Plaintiff and Defendant in the Administrative Proceedings of Ukraine": thesis ... Cand. Sci. (Law). Kyiv. 196 p. [in Ukrainian].
16. *Stetsenko, S.H.* (2007) Administrativne pravo Ukrainy. "Administrative Law of Ukraine": a textbook. Kyiv: Ataka. 624 p. [in Ukrainian].
17. *Stepanova, T.V.* (2017) Protsesual'nyy status uchastnykiv pozovnoho provadzhennya u hospodars'komu sudochynstvi: teoretyko-pravovi ta prakseolohichni aspekty. "Procedural Status of Participants in Claim Proceedings in Commercial Litigation: Theoretical, Legal and Praxeological Aspects": monograph. Odessa: Phoenix. 494 p. [in Ukrainian].

18. *Pudans-Shushlebina, K.Yu.* (2013) Subyekt vladnykh povnovazhen' yak vidpovidach u spravakh administratyvnoyi yurysdyktsiyi. "The Subject of Power as a Defendant in Cases of Administrative Jurisdiction": thesis ... Cand. Sci. (Law). Kyiv. 212 p. [in Ukrainian].

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**Huseinli Alaskar Mahbeth ohly,**  
postgraduate of the Institute of Legislation of the  
Verkhovna Rada of Ukraine,  
Kyiv, Ukraine

## THE CONCEPT OF THE LEGAL STATUS OF A LAWYER AS A PARTICIPANT IN ADMINISTRATIVE PROCEEDINGS

The need for an understanding of the "legal status" of an individual is one of the most fundamental and folding categories in jurisprudence. A lawyer is a person who wants to take part in the administrative court and who is responsible for a particular administrative law, as well as a person who hopes to have the right to commit murder before any state body, to represent the court in the back Permanent legal reform of the national legislation of Ukraine, including in detail the ambushes of the administrative court, to change the legal status of a lawyer in the administrative court. In order for it to be important to the understanding and to change the legal status of a lawyer as a participant in the administrative judiciary, it is necessary to thoroughly examine the legal nature of this particularity.

An analysis of the legal literature of the warehouse elements of the legal status of a lawyer as a participant in the administrative judiciary has proven the fact that a lawyer is a lawyer. However, it is important for a large number of people to work out the necessary elements of the legal status of a lawyer. to establish the rights of the law.

Given the above mentioned, we can conclude that the concept of legal status of a lawyer as a participant in administrative proceedings should be understood as a complex legal category that reflects the legal status of a lawyer in society and is characterized by the presence of legally defined and enshrined rights, professional responsibilities, legal guarantees and legal liability in the field of administrative proceedings, which are necessary and sufficient for the provision of professional legal assistance by a lawyer on the basis of absolute independence.

The elements of the legal status of a lawyer as a participant in administrative proceedings include rights and obligations as basic and generally accepted elements, legal guarantees, legal liability and administrative procedural legal personality. Only in the combination of all these five structural elements of the legal status of a lawyer can be achieved the necessary universal effectiveness and systematization of a lawyer's professional activity in administrative proceedings. All other legal categories, namely the grounds and procedure for acquiring, terminating or suspending the activities of a lawyer, etc., are only prerequisites for the emergence of a lawyer's legal status and cannot be included in its basic structural elements.

**Keywords:** lawyer, legal status, rights, duties, legal responsibility, administrative proceedings.

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