

Advertising the legal services as a moral problem of advocacy

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Abstract

In the context of the contradictory tendencies of contemporary development of advocacy, the quality of the marketing offers to legal business is critically assessed, and the problem of solidity of legal services advertising is analyzed. Exclusive feature of legal services in a moral aspect is noted, and a characteristic of compatibility of the noncommercial nature of advocacy with advertising of legal services is given. As one of the most acute problem tendencies of modern advocacy, imposes its imprint on the permissibility of advertising of legal services, the absence of correlation between the results of the legal services and advocates' fees is discussed. Based on the contradictions between the monopolistic position of the Bar in the market for the provision of professional legal assistance, and pluralistic nature of market relations, assess of the prospects and risks of advocacy, in the context of its coming monopolization in Russia, has been given. Taking into account the practice of unfair treatment of advocates to their duties in providing professional legal assistance, attention is focused on the problem of imitation of advocacy. In order to counteract imitation of advocacy, measures of ensuring the moral viability of advertising legal services, are proposed. Practical importance of norms of professional morality for the solution of the question of responsibility for the negative consequences of abuse of legal services advertising is shown.

Keywords

Advertising of legal services, Imitation of advocacy, Legal marketing, Professional morality, Responsibility of the lawyer, The moral worth of advertising