

A study on the Challenges and the Prospects of Advocate

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Abstract: An lawyer is the maximum misunderstood expert. he is the envy of many and scorn of others. it is therefore critical to strive a discourse on his responsibilities, rights, worrying conditions, expectancies and prospect. that is what i have tried on this essay.

Advocacy and raising consciousness approximately a charitable cause can be every difficult and nerve-racking. it could be quite difficult to get human beings to interact together along with your mind and keep away from coming across as self-righteous. Environmentalists and feminists are frequently negatively stereotyped, and road fundraisers branded as “charity muggers”. latest research backs this up: the ones negative stereotypes are a barrier to social change. Being an lawyer can be an unsettling, scary, heartbreaking, and frightening revel in. but, the revel in of closing silent inside the face of human beings being denied their rights would be immeasurably worse.

Keywords: *Envy,never -racking,charity muggers,revel,charitable,self righteous.*

I. INTRODUCTION

An advocate is the maximum misunderstood professional. he is the envy of many and scorn of others. it is therefore important to try a discourse on his obligations, duties, rights, challenges, expectancies and prospect. that is what i've attempted in this essay.

It's miles apposite to attempt a definition of who an advocate is as it conjures within the thoughts of an normal man or woman as that who has the oratory energy to persuade eloquently and is blessed with “sugar lined” mouth. this is alternatively pedestrian as an suggest is supposed to be a hardworking and industrious person with an organised thoughts as well as that person with an capability to recognise human nature. within the practice of the career, the lawyer has to cope with the finest viable form of human family members and have his mettle constantly tried from each point and it gives him a special opportunity to equip himself with the ones qualities, which remember for pre-eminence in society. The capability to examine and sift information, to penetrate the inmost recess of the human thoughts and to discover there the sources of guys's actions and their real reasons, and to perceive and present them with directness, accuracy and pressure, are characteristics which the practice of the profession each needs and develops. His genius to acquire results and unusual present of gaining knowledge of and disentangling complicated conditions, have received for him the reputation that a legal professional can achieve whatever. His career is, amongst all of the learned professions, the most independent one. Its independence, which could by no means be overlooked, is the mattress-rock upon which it claims to lead the u . s . are primarily based. No member of the prison profession ever hesitates to condemn injustice and tyranny. these qualities

which he possesses via education and by means of training make him the chief of society as a rely of course.

II. THE CHALLENGES OF ADVOCATE WITHIN THE HUMAN SERVICE

Jobs in the human services field support people and communities to function as successfully as possible. First-hand experiences with clients and the need to drive systematic changes often result in advocacy. Common advocacy activities include mobilising resources, affecting public opinion and engaging with other agencies that serve vulnerable populations. Human services professionals should understand the challenges that can emerge when advocating in the field in order to maximise benefits for those in need. greater Time needs

Human offerings paintings calls for a huge time commitment. everyday personnel positions -- as an example, social offerings employees -- require as a minimum 40 hours per week. every so often human offerings paintings, including that of institution home supervisors, extends into evenings and weekends. Human offerings leaders are frequently overextended and locate it difficult to function advocacy to manipulate, fundraising and different obligations. "The manual of Human services control" refers to a traditional locating that, among executive directors who interact in advocacy, pinnacle court cases consist of working too many hours and intruding on their personal lives. employees in the human offerings subject must therefore be inclined and able to commit informal and prolonged hours to recommend for those they serve.

lack of immediately payoff,because advocacy paintings requires an additional commitment inside the human

offerings area, employees have to view the funding as worthy. Leaders pressure decisions about whether or not to pursue those efforts -- but the overriding expectation is for leaders to target targeted, brief-term organisational desires. the ones at the helm in human offerings who want to integrate advocacy into an agency's work have to be prepared for a passionate fight. diverse stakeholders -- including the board of administrators -- will require sound arguments for the payoffs. despite the first-rate-laid advocacy plans, ongoing pressure to cope with competing priorities is likely.

III. THE CHALLENGES OF ADVOCATE

Advocacy and raising consciousness about a charitable purpose may be each hard and irritating. it can be pretty difficult to get human beings to have interaction together with your thoughts and keep away from discovering as self-righteous. Environmentalists and feminists are regularly negatively stereotyped, and road fundraisers branded as "charity muggers". recent research backs this up: those poor stereotypes are a barrier to social change.

How can advocates and activists keep away from this hassle? firstly, it's far really worth knowledge why many people react negatively. Psychologists refer to "cognitive dissonance": the ugly feeling that your ideals about your self do now not align along with your actions. this feeling can lead to a few results: you exchange your movements, you exchange your beliefs otherwise you give you a justification for why there isn't clearly a war between the two.

The 0.33 option is actually the perfect, and researchers have located that it's miles the maximum not unusual. One observe faced religious people with proof- fabricated however offered as authoritative – that disproved their faith. individuals who agreed that the proof changed into convincing also reported feeling greater convinced that their spiritual beliefs had been accurate than before.

human beings do now not like the sensation of cognitive dissonance, and will exit in their way to avoid having their empathy evoked. it's miles consequently important to frame your ideas as an interesting opportunity to do correct, rather than being judgemental or guilt tripping.

IV. ADVOCATE'S DUTY TOWARDS CLIENTS

To my customers I can be devoted; and in their reasons zealous and industrious. individuals who can

come up with the money for to compensate me, need to achieve this; however I shall in no way near my automobile or heart because my patron's

approach are low. those who've none and who've just causes, are, of all others, the first-class entitled to sue, or be

defended; and they shall get hold of a due portion of my services, cheerfully given."17

in my opinion an advise owes a responsibility to his consumer in several methods;

- He ought to give a patient listening to to the patron.
- He have to take a look at all his papers.
- He should after discussing the case along with his customer, recommendation him successfully, despite the fact that it be that the recommendation is not palatable to the patron.
- He must account for the clients' money strictly and return the unspent quantity to him.
- He need to represent his purchaser in court with undivided constancy and now not expose his secrets and techniques or
- confidences.
- He must not appear for 2 customers whose interest's battle.
- He should not in any way encourage an unlawful transaction.

• while a agreement of pending match or appeal is proposed, he should provide his honest opinion consistent with the satisfactory of his capability and go away it to the customer to observe it or not. An advise have to be vigilant to find out possibilities of compromising controversies. however he ought to no longer pressurise the consumer in that behalf. but wherein the client stands a brilliant hazard, inspite of advice, still desires to combat the case to finish, in keeping with me, it's miles the duty of the endorse to combat it for him and to use each valid argument to result in fulfilment.

except this, consistent with me, a consumer is likewise entitled to mention to his recommend; "I need your advocacy and not your judgement." In fact Lord Aitken says that, "an recommend can also urge freely a view with which he does not himself concur, for it frequently happens that the opinion of the decide differs from our own. an issue that won't persuade us may additionally persuade the decide before whom we urge it; and in the end, it's far his commercial enterprise to judge."

V. ADVOCATE'S DUTY TOWARDS THE COURT

in order to facilitate dialogue in the profession and, in the end, provide some guidance to practitioners on the subject of a attorney's responsibility to the court docket and capacity conflicts a lawyer may also understand regarding this duty, this paper is divided into 3 essential sections. the first segment addresses the query of why a lawyer's responsibility to the court docket matters. The section discusses the many elements that relate to the responsibility to the court docket and strike on the coronary

heart of a legal professional's position vis-à-vis customers and the general public interest. the second phase of this paper units out the three key responsibilities to the courtroom, which can be:

- (1) to use procedures that are prison, sincere and respectful to courts and tribunals;
- (2) to act with integrity and professionalism, at the same time as preserving his or her overarching responsibility to make certain civil behaviour; and,
- (3) To educate clients approximately the court docket approaches in the hobby of selling the public's confidence inside the management of justice.

with a view to illustrate those obligations and the consequences of their infringement, some of examples from case law and disciplinary panel decisions are mentioned. The 1/3 segment of this paper addresses whether or not a attorney's duty to the courtroom is paramount over his or her different responsibilities. sooner or later, the paper also includes truth patterns for dialogue at the war between extraordinary duties of a lawyer.

whilst it is not tough to agree that attorneys owe a responsibility to the court, defining the ones responsibilities in a complete way is not a simple mission. This problem relates, as a minimum in component, to the variety of standards that tell or are knowledgeable through a legal professional's duty to the court. those ideas include: obligations to the general public interest, the career's independence, the limits of zealous illustration of a client and the consequences of failing to uphold a attorney's obligation to the court.

With those many associated elements that strike at the coronary heart of a lawyer's position, formulating a definition that satisfactorily balances and debts for all of them is an vital assignment. however, formulating a definition is not merely an academic mission. It calls for a higher expertise of a lawyer's responsibility to the courtroom and having this information is supposed to serve very sensible ends: to assist become aware of and deal with the conflicts among specific obligations which could get up over the course of a profession in regulation. opposite to popular notion, it is able to now not be sufficient to rely simplest on one's intuition and the belief that "i will understand it when I see it".

VI. ADVOCATE'S DUTY TOWARDS OPPOSING COUNSEL

A) dating To The management Of Justice

1. when performing as an endorse, a attorney shall represent the patron resolutely and honourably within the limits of the

law at the same time as treating the tribunal with candour, fairness, courtesy, and respect.

2. A legal professional shall be courteous, civil, and act in good faith to the tribunal and with all humans with whom the lawyer has dealings in the course of litigation.

3. A lawyer shall strictly and scrupulously carry out an project given to the tribunal or to some other licensee in the path of litigation.¹⁴

B) relationship To The Society And other lawyers

1) A lawyer shall behave himself or herself in the sort of manner as to maintain the integrity of the profession.

2) A legal professional shall be courteous, civil, and act in properly religion with all individuals with whom the attorney has dealings in the direction of his or her exercise.

3) A legal professional shall conform to reasonable requests concerning trial dates, adjournments, the waiver of procedural formalities, and comparable topics that don't prejudice the rights of the client.

(4) A legal professional shall keep away from sharp exercise and shall not take advantage of or act with out truthful warning upon slips, irregularities, or mistakes at the a part of other licensees no longer going to the deserves or concerning the sacrifice of a consumer's rights.

(5) A lawyer shall no longer use a tape recorder or other tool to file a communication among the legal professional and a consumer or every other licensee, despite the fact that lawful, without first informing the opposite man or woman of the purpose to do so.

6) A legal professional shall not in the course of a professional practice ship correspondence or otherwise speak to a consumer, another licensee, or some other individual in a way this is abusive, offensive, or otherwise inconsistent with the proper tone of a expert communication from a attorney.

(7) A legal professional shall solution with affordable promptness all expert letters and communications from other licensees that require a solution, and a legal professional shall be punctual in pleasurable all commitments.

VII. ADVOCATE'S DUTY TOWARDS HIMSELF

An advocate has a responsibility to himself in making sure that he offers himself in a decent manner before the court docket, the patron and the whole world. As an advise, dressing is of extreme importance. He should be neat s this depicts his personality which creates a long-lasting influence in the thoughts of these assembly him for the first time.

It should be mentioned that in endorse usually, who is pronouncing what, is of importance as plenty as what is

being said. The persona and look of a legal professional is a mirrored image of the mental ability and stuff he's made of.

An recommend must exhibit seriousness in court docket ad have to always try to carry the impact that he is in earners and now not just playing a component.

It does no longer do credit to an endorse to depict the mood of being engaged in a informal verbal exchange in a club where little regard is paid to any serious difficulty. The court docket is a enterprise region and to that volume, all efforts need to be geared towards ensuring that nothing brief of this is given to it. Hon. Justice Opta 12 underscores this factor when he said a very good and perfect recommend need to stand erect in court docket, a determine of perfect dignity and have to talk with conviction and an air of seriousness..... He have to understand his case so nicely that he can present it with out meandering thru his document. for that reason he will deliver conviction. His case will appear alive and actual”.

As a member of the noble profession, an propose has a duty to observe what's known as the “Cab-rank doctrine” which means that you can't refuse a case for which you are properly briefed for which you are available and within your professional information. Advocates have been likened to cab drivers queuing in taxi-rank, he can not refuse to carry a passenger whilst it's miles his flip definitely

VIII. THE SEVEN LAMPS OF ADVOCACY

The Seven Lamps of Advocacy, which have been referred as the features of an suggest to achieve success on the bar, are as follows :

1) Honesty :

Honesty is the satisfactory coverage but in case of an recommend, it must be the most coverage for a professional attorney.

2) Courage:

courage is the weapon that's evolved through deep knowledge of regulation and power forwardness of the advocate. An advise can be a success through boldness that is developed by means of him consistently thru his inner qualities.

3) Enterprise :

excellent adequacy is the lifestyles of enterprise. handiest and industrious suggest can emerge as a successful attorney. The act of advocacy industry makes an advocate a success in his profession. An propose must examine in brief assimilate it inside the same manner as an actor research his part of acting before going to perform.

4) Wit

Wit is that lamp via which the suggest enlightens his point of view to the presiding officer of the court in his favour to win the case of his purchaser.

5) Eloquence :

Eloquence of way of an propose is the real eloquence. In Eloquence there is show of bodily in addition to psychological aspect of advocacy.

6) Judgement :

via the lamp of judgement, an recommend takes a very last choice for his success through perceptions and intuitions.

7) Fellowship :

it's miles the sensation of Fellowship most of the advocates through which an advise encourages his fellow advocates to walk within the mild of 7 lamps of advocacy.

8) Tact :

Tact is the eighth lamp which enlightens an endorse to transport forward in his career. Tact is the highbrow exceptional of an endorse. thru "tact" human facet of setting things into movement as a result of his judgement of taking decision, is carried on by means of an endorse.

IX. CONCLUSION

if you are going to absolutely be an advocate-for some rights there are some things I'd like to proportion with you.

First, there could be instances when you will be wildly unpopular. people in positions of energy and those whose advocacy efforts are broadly speaking a shape of self-serving lip provider will not like it while you bring their realities into the light. but, if your dedication to same rights is positive and heartfelt, bringing their realities into the mild is a need to.

second, there will be instances when the data, as you virtually apprehend them, will bring you to places and occasions you want they didn't. although, those are places you must move in case your allegiance is to the equal rights of each and each person. now and again the records will lead you to places where you may find out human beings you may like are, in reality, a part of the very manner that is impeding or outright denying equal rights. nonetheless you must proceed and convey the reality into the mild.

third, at instances you'll pay a charge. some advocates have misplaced their lives. Others have lost jobs, financial stability, relationships, and much extra.

Fourth, discover approaches to fill up your spirit, your body and your thoughts. after which, of path, the humans whose rights you're preventing for, in my case frequently people with brain injuries. My lifestyles is all higher and then some

for understanding as many as I do. As superb and resilient and brave a collection of humans as you'll be able to imagine. and then, finally, for me, reading books! irrespective of what you do to hold your spirits up, there might be times you'll need to give up. There can be instances the concern and heartbreak might be so terrible you'll want to curl up right into a ball and vanish into the earth. Please don't surrender. For if you give up, you hand individuals who deny equality a victory due to the fact giving up way you've surrendered your humanity.

Whilst I can now not get into specifics at the moment, i am starting to realise I may additionally need to carry certain matters into the open which could bruise people i really like and, possibly, in a few times, quit friendships or acquaintances. on the other hand, perhaps a number of those individuals will look at their hearts and discover that they too will positioned identical rights in advance of their honest, but possibly faulty allegiance, to governmental or private businesses in addition to for-earnings and non-income agencies.

Being an propose can be an unsettling, frightening, heartbreaking, and frightening revel in. but, the enjoy of remaining silent in the face of people being denied their rights would be immeasurably worse.

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