



## THE ISSUES OF LEGAL SERVICE AND THE DEVELOPMENT OF THIS FIELD IN UZBEKISTAN

**Temirov Shohjakhon Boygun ugli**

2nd year student of the Faculty of Law

Samarkand State University named after Sharof Rashidov

Temirovshohijahon486@gmail.com

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### ABSTRACT

*The essence of the decision of President Shavkat Miromonovich Mirziyoyev on January 19, 2017 "On measures to fundamentally improve the activity of the legal service", the attention paid to lawyers, the opportunities given to them, the conditions created.*

How democratic the state is today depends on how well the rights and freedoms of citizens are ensured. And this depends on the lawyers, that is, if we say today, more lawyers. In this regard, large-scale reforms are being implemented in our country. For example, our president Shavkat Miromonovich Mirziyoyev states that "Rule of law and protection of human interests are the guarantee of the country's development and people's well-being."<sup>1</sup>

The original meaning of such words is to prevent deficiencies in the legislation by eliminating deficiencies in normative legal documents adopted or issued by state bodies and officials. This directly applies to legal services. For this purpose, the decision No. 2733 of January 19, 2017 "On measures to radically improve the activity of the legal service" provided great opportunities to lawyers in the new Uzbekistan. This is due to the fact that employees of legal services do not have sufficient and effective powers to take timely measures to prevent violations of the law, and their activity depends on the level of financial support of service employees, legal knowledge and practical experience in this field. Was hindering the attraction of highly qualified personnel. <sup>2</sup>

This had a negative impact on the quality of legal services. Decision No. 2733 was initially adopted on the elimination of problems in these cases. The question arises as to what kind of responsibility was assigned to them or what opportunities were created for them through this decision? Their five main tasks were defined by the decision of the President. In order to perform these tasks, the legal service employees were given a number of rights, and

<sup>1</sup> Sh. Mirziyoyev "Yangi O'zbekiston taraqqiyoti strategiyasi" asari <https://uz.arm.sies.uz>

<sup>2</sup> PQ 2733- SONLI QARORDAN OLINDI



due to the importance of their duties, special obligations and responsibilities were assigned to them.

The main tasks are as follows;

Organization of ensuring rule of law and legality in law enforcement activities of state bodies and organizations;

Control over the legality of projects of normative legal and other documents developed or adopted by state bodies and organizations;

Participation in the rule-making activities of state bodies and organizations, coordination of the work of their constituent structures in matters of preparation of proposals for the improvement of legislation;

To increase the legal culture and legal literacy of state bodies and organizations, to participate in conveying to them the essence of the accepted regulatory legal documents, including through modern information and communication technologies;

Conducting contractual-legal and claim cases, ensuring reliable protection of property and other interests of state bodies and organizations.

#### **RIGHTS:**

Acquaintance with the regulatory legal documents coming to the state body and organization, use them in the service and receive them first for systematized accounting;

To receive documents and information necessary for the performance of the duties and functions assigned to the legal service from the officials of the state body and organization, as well as the structures included in its system;

Participation in meetings, councils and meetings related to legal issues issued by the management;

Return drafts of normative legal documents and other documents that are contrary to the legislation and do not meet the requirements of the legislative technique to the executors for thorough processing, based on their objections, give legal conclusions on the elimination of identified shortcomings, to the management's task according to or on his own initiative, together with other structures, participate in the detailed development of these projects;

5 percent of the amount collected in connection with the disputes resolved in favor of the state body and organization in the claim procedure, but not more than 50 times the amount of the basic calculation.

#### **OBLIGATIONS:**

Immediately notify the higher authorities, the Ministry of Justice of the Republic of Uzbekistan and other law enforcement agencies about the detection of violations of the law in the state body and organization, as well as in the structures included in its system.

#### **RESPONSIBILITY:**

The legal service is responsible for the legality of the documents and conclusions it issues. The employee of the legal service shall be held responsible in accordance with the law for failure to fulfill his obligations and functions or failure to fulfill them to the required extent. Before that, legal service employees were not given such responsibility.<sup>3</sup> Now, through the decision of our president, the special responsibility of the legal service employee has

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<sup>3</sup> PQ 2733- SONLI QARORDAN OLINDI



become to respond to the normative legal documents issued by him. It was said above about the responsibility that is also responsible for the conclusion. This means that if the regulatory legal document that the legal service officer issues a visa for is found to be incongruent with the law, the legal service officer will not issue a visa to the decision of this number, and the body that issued this regulatory legal document is the same. returns to the body and proves it with his conclusion.

## **MINIMUM REQUIREMENTS:**

Our President Shavkat Miromonovich Mirziyoyev says, "Every person should do what he does every day as if he were doing it for the first time. only then there will be development in the work". We know that the performance of each employee directly depends on the conditions created for him. The level of financial support of the legal service was preventing the attraction of highly qualified personnel with high legal education and practical experience in this field. This has had a negative impact on the quality of legal services. This is also confirmed by the following figures. At the moment, the number of legal service units in state bodies and organizations is more than 3.3 thousand, but the number of practicing lawyers is about 2.6 thousand. it was noted that there are no regulations in state units. Legal services did not carry out effective work on studying the compatibility of rights with practice, preparing proposals for improving the legislation.

The work in this field showed the need to implement measures to eliminate identified deficiencies of rights and law violations by law enforcement and control bodies. The decision of our President on January 19 to improve the activity of legal services increased the role of lawyers in state bodies. Now drafts of orders, decisions, contracts and other documents are subject to mandatory legal examination by legal services. Obtaining the conclusion of legal services affecting the rights and freedoms of individuals and legal entities on the decisions of state bodies has been made mandatory<sup>4</sup>.

Now, in order to appoint and dismiss legal service employees in state bodies, it is mandatory to agree with the justice authorities. will be taken into account for the calculation and payment of additional payments for the years. Employees of legal services with three years of work experience in this specialty have the right to participate in the qualification exam for obtaining a lawyer's license without passing practice. The question arises why this right was given to them? The reason is that the legal consultant represents the enterprise or organization in the court, he protects the interest of that enterprise or organization in the court.

These are lawyers and legal consultants, so who is a lawyer? who is juristkonsult? Today we use two different terms for lawyer. These are lawyers and <sup>5</sup>legal consultants, so who is a lawyer? who is juristkonsult? Questions arise as to how they differ from each other. A lawyer is a person who protects the rights and freedoms of citizens in all spheres. A legal consultant is a person who protects the interests of enterprises, institutions and organizations. Now, when appointing a position in this field, the question arises as to how it will be checked whether they have sufficient knowledge and what will be the recruitment process. 2862 of February 28, 2017 was determined. An employee who wants to get a job or a person who

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<sup>4</sup> PQ 2733- SONLI QARORDAN OLINDI

<sup>5</sup> PQ 2733- SONLI QARORDAN OLINDI



graduated from a higher education institution first starts working in an enterprise, institution or organization. After that, the head of the relevant organization will inform the regional justice authorities about this within ten days. After that, the future employee will undergo an internship for a specified period. If the future employee passes the internship well, he will be officially hired, and he will be given professional and practical instructions on his professional activity. In addition, in order to ensure that their level of knowledge does not fall, the persons working as legal employees are certified every three years.

In addition, in order to raise the level of knowledge, qualification improvement works are carried out every three years. Qualification training is carried out at the center of professional training of legal personnel according to international standards under the Tashkent State University.

The main goal of carrying out such work is to protect the rights and freedoms of citizens and to ensure the legal interests of organizations. Therefore, opportunities are created not only for employees, but also for enterprises, institutions and organizations. Including, according to the 2021 regulation "On measures to further improve legal services to state bodies and organizations", free services were provided to twelve state bodies. Today, free service is provided to 23 state bodies. This field is taught as a subject in some law universities in order for students who want to work in this field to acquire qualifications and skills.

## References:

1. Sh. Mirziyoyev's work "New Development Strategy of Uzbekistan" <https://uzarm.sies.uz>
2. Mirziyoyev Sh. M. The implementation of the decision "On measures to fundamentally improve the activity of legal services" and changes in the activity of legal services.
3. Decision PQ 2733 dated January 19, 2017 "On measures to fundamentally improve the activity of legal services".
4. Regulation No. PQ-5168 of June 29, 2021 "On measures to further improve the legal representation of state bodies and organizations".
5. <http://www.xabar.uz/>
6. [www.lex.uz](http://www.lex.uz)
7. <http://www.gov.uz>