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Articles

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Awareness among the Students of Law within the Scope of Working as an Attorney-at-Law

Świadomość studentów prawa w zakresie wykonywania zawodu radcy prawnego

SUMMARY

Over a number of years, students choose the job of an attorney-at-law as the most popular profession after they graduate. This trend is very often highlighted in the studies performed at universities by many independent entities. Widely recognised and available reports and articles confirm both popularity and a great interest in the profession of the attorney-at-law among the students of law, however, there is no information concerning the awareness of future graduates of law studies related, among others, to the preparation for and exercising the profession of the attorney-at-law. In order to answer the above issues, the authors conducted voluntary and anonymous studies among the students of law at the Faculty of Law and Administration of the University of Maria Curie-Skłodowska in Lublin. The results provided a wider perspective of factors which influence the popularity of the profession of the attorney-at-law among the students as well as expectations and awareness connected with the profession.

Keywords: social research; legal professions; attorney-at-law; sociology of law; students' awareness

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INTRODUCTION

Making analysis of the awareness of students concerning the profession of the attorney-at-law, at first it should be explained what the profession involves and the notion of awareness must be defined. An attorney-at-law is a lawyer who provides legal assistance under provisions of the Act of 6 July 1982 on attorneys-at-law[1]. The profession of the attorney-at-law is the profession of public trust. According to the Act on attorneys-at-law, it is clear that the function of the attorney-at-law involves providing legal assistance. Whereas, providing legal assistance by the attorney-at-law is based on passing on advice and legal consulting, preparing legal opinions, preparing drafts of legal documents, and representing clients in offices and courts as an authorised representative or a defender, including appearing before the Supreme Court, the Constitutional Court, the Supreme Administrative Court, the Court of Justice of the European Union and the European Court of Human Rights. There are no limitations concerning the entities for whom the legal assistance can be provided by the attorney-at-law. Attorneys-at-law may practise in an office of legal counsel, based on a civil law contract, in a civil-law partnership, in the form of a general partnership, a limited partnership, a limited joint-stock partnership and in the form of a written employment contract[2]. On the other hand, awareness is connected with the knowledge, assessment and attitude of the respondents towards the profession of the attorney-at-law. Having awareness, certain features of the profession of the attorney-at-law can be indicated, requirements, powers can be determined. Furthermore, a way of obtaining qualifications can be described. As a result, difficulties in obtaining necessary qualifications and exercising the profession can be illustrated and the level of the prestige of the profession of the attorney-at-law can be indicated.

Therefore, by carrying out this analysis of the professions preferred by the students of law, it should be indicated that the profession of the attorney-at-law has been chosen most often by the graduates of law studies. This is confirmed in the research conducted both in April and in May 2017 at the Faculty of Law and Administration of the University of Maria Curie-Skłodowska in Lublin[3], as well as in the periodical research "Students of law in Poland" carried out by the Association "ELSA"[4]. From the studies carried out in 2015, every student out of three

[1] Consolidated text, Journal of Laws 2018, item 2115, 2193; Journal of Laws 2019, item 730.

[2] *Informacja o zawodzie radcy prawnego*, http://kirp.pl/informacja-o-zawodzie-radcy-prawnego [access: 24.06.2019].

[3] See M. Kępa, S. Pilipiec, *Preferencje zawodowe studentów prawa. Raport z badań*, Lublin 2018.

[4] The European Law Students' Association (ELSA) Poland (https://elsa.org.pl).

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(33%)[5] would like to pursue the profession of the attorney-at-law, and in 2016, its popularity increased up to 40%[6]. In 2017, this profession was also chosen by the students as the most popular one with the result of 37%[7] to increase by almost 6 percentage points – up to 43%[8].

Due to the constantly increasing popularity of the profession of the attorney-at-law among the students, the authors of this study have decided to conduct research concerning the awareness of the students of law in respect of exercising the profession of the attorney-at-law.

The subject of research which inspired the authors were the issues concerning the image of the profession of the attorney-at-law in the awareness of the future graduates of law studies and thus, in the vast majority, future attorneys. The study covered individual opinions and factors which have an impact on the development of the awareness within the range studied by the researchers. In order to make the research, two assumptions were accepted which were understood as the presumed dependence of the studied phenomenon on the other phenomena[9].

Firstly, the students of law, as a group indicating the occupation of the attorney-at-law as the preferred legal profession, and as the group, will have a high level of knowledge within the range studied. Secondly, with a high popularity of the profession of the attorney-at-law among the students, it is considered as prestigious – regarded and respected[10].

METHODOLOGY OF STUDIES

The survey, which was voluntary and anonymous, consisted of 14 questions including substantive questions and the so-called certificate of origin consisting of questions about gender, habitual residence and college level. The authors adopted the assumption that the gender is a set of characteristics which have the nature of structures and functions which divide organisms into male and female[11]. Habitual

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[5] Studenci prawa w Polsce 2015 – badania opinii studentów, http://elsa.org.pl/materialy/spwp/badanie-studenci-prawa-w-polsce-2015.pdf [access: 1.06.2019].

[6] Badanie „Studenci Prawa w Polsce", 2016, http://elsa.org.pl/materialy/spwp/badanie-studenci-prawa-w-polsce-2016.pdf [access: 1.06.2019].

[7] Badanie „Studenci Prawa w Polsce", 2017, http://elsa.org.pl/wp-content/uploads/2014/07/Badanie-22Studenci-Prawa-w-Polsce22-2017.pdf [access: 1.06.2019].

[8] Badanie „Studenci Prawa w Polsce", 2018, https://elsa.org.pl/wp-content/uploads/2018/06/Badanie-Studenci-Prawa-w-Polsce-2018-online.pdf [access: 1.06.2019].

[9] J. Wódz, *Socjologia dla prawników i politologów*, Warszawa 2000, pp. 155–156.

[10] *Prestiż*, [in:] *Słownik języka polskiego PWN*, https://sjp.pwn.pl/sjp/prestiz;2572402.html [access: 10.08.2019].

[11] *Słownik terminów biologicznych*, red. J. Strzałko, Poznań 2006, p. 495.

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residence was defined in Article 25 of the Act of 23 April 1964 – the Civil Code[12], and it is specified as the place of permanent residence in the location where the individual stays permanently. The intention of permanent residence should be understood as the place of residence where one's financial and personal interests are centred[13]. However, in order to provide consistency with the results of the above studies concerning professional preferences of the students of law, the authors assumed the place of residence as the social category connected with the structure of society where the citizens constitute one of the simplest social groups, and as such, the place of habitual residence of the examined person is the place of origin and the place of dwelling of the family in the broader sense[14].

The research focused on the quantitative methods and used the technique called CAWI (Computer-Assisted Web Interview)[15]. In total, 100 respondents from the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin, following uniform master courses in law, took part in the survey. Among all the interviewees, women accounted for 67% and men for 33% which reflects the female to male ratio among the students of law. Majority of them (40%) lived in big cities (i.e. with over 100,000 inhabitants). 29% of the respondents lived in the village defined as a settlement unit with compact or remote settlements and agricultural functions or with the service and tourist functions connected with them, which does not have city rights or the city status[16]. 13% of the respondents lived in the cities with the total population of 25,000, 10% in the cities with the population between 50,000 and 100,000, and 8% in the cities with the population of between 25,000 and 50,000. In order to provide coherence with the related studies concerning professional preferences of the students of law, the authors decided to ensure similarity regarding the tested years of the legal studies. 14% of the interviewees constituted first-year students, starting their higher education at the Faculty of Law and Administration of the University of Maria Curie-Skłodowska in Lublin, 30% – second-year students, 20% – third-year students, 33% – fourth-year students, and 3% – fifth-year students. At this point, the claim about the appropriateness of carrying out the studies in the winter semester, when all year classes have their curriculum subject courses, should be reiterated[17].

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[12] Consolidated text, Journal of Laws 2018, item 1025.

[13] Cf. judgement of the Supreme Court of 25 November 1975, III CRN 53/75, Legalis No. 19118; T. Sobolewski, *Art. 25*, [in:] *Kodeks cywilny. Komentarz*, red. K. Osajda, Legalis.

[14] M. Kępa, S. Pilipiec, *op. cit.*, p. 23.

[15] See T. Żmijewska-Jędrzejczyk, *Badania internetowe*, [in:] *Nowe metody, nowe podejścia badawcze w naukach społecznych*, red. P.B. Sztabiński, F. Sztabiński, Z. Sawiński, Warszawa 2004, *passim*.

[16] Article 2 (12) of the Act of 29 August 2003 on official names of places and physiographical objects (Journal of Laws 2003, No. 166, item 1612).

[17] M. Kępa, S. Pilipiec, *op. cit.*, p. 26.

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ANALYSIS OF THE RESEARCH

In the first question of the survey, which was open-ended, the respondent's task was to define the desired characteristics which an attorney-at-law should have. It should be noted that the interviewees did not have a set of features predetermined by the interviewers, but they had to give answers according to their own idea about the profession of the attorney-at-law. To describe the model attorney-at-law, the respondents indicated the feature of "reliability" (60 answers) most frequently. The next mentioned answers were "diligence" (54 answers) and "honesty" (48 answers). The next features considered desired when working as the attorney-at-law were, among others, "industriousness" (23 answers), "impeccable moral character" (22 answers), "intelligence" and "empathy" (17 answers each), "responsibility" and "professionalism" (16 answers each). Some of the respondents (10 answers) also indicated features such as "ambition", "patience", "communication skills" and "allegiance" and "meticulousness".

Among the female respondents, "reliability" (23% of all answers), "diligence" (17% of all answers) and "honesty" (13% of answers) were the most popular features. Significantly, the same features, given in the same order, prevailed among the male respondents reaching 24%, 23% and 17% of all the answers respectively.

The reference to the reliability and honesty as the features of the attorney-at-law can be found in Article 6 of the Code of Ethics of Attorneys-at-law[18], according to which attorneys-at-law, having regard to the text of the oath of office defined in the act on attorneys-at-law, are obliged to pursue their professional activities responsibly and honestly, in accordance with the law, professional ethics and morality. The declaration can be found in Article 27 of the Act on attorneys-at-law and includes the mention about the feature designated by the students as the third one, namely honesty – in the context of exercising professional activities fairly and honestly. All professional activities undertaken by attorneys-at-law shall be assessed on the basis of the text of the solemn declaration. The principle expressed in the Article 6 of the CEAL applies to trainee attorneys-at-law[19].

It is worth mentioning the feature of the attorney-at-law which was most frequently mentioned by the respondents, namely reliability. The criteria for reliability can be of a legal or non-legal nature[20]. The Polish language dictionary contains an explanation that "reliability" means "diligence" (the second most frequently

[18] The Code of Ethics of Attorney-at-Law, appendix to Resolution No. 3/2014 of the National Extraordinary Convention of Attorneys-at-Law of 22 November 2014, hereinafter referred to as CEAL.

[19] J. Sobótka, *Art. 6*, [in:] *Kodeks Etyki Radcy Prawnego. Komentarz*, red. T. Scheffler, Warszawa 2016, p. 75 ff.

[20] See L. Murat, *Rzetelność jako prawne i pozaprawne kryterium kontroli*, „Kontrola Państwowa" 2014, nr 4, passim.

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mentioned feature by the respondents), "solidity", "trustworthiness"[21]. According to J. Miodek, the criteria of reliability is "a set of factors which allow to check honesty, selflessness and solidity of a given undertaking, activity, conduct"[22].

As explained by D. Ampuła:

> Reliability involves evaluation of fulfilment of the obligations with professional care, contentiously and timely, fulfilment of the obligations in accordance with their substance, following in-house rules of an individual's performance (especially a specific set of tasks for each unit and person), documentation of specific activities or facts in accordance to reality, in due form and in due time, without neglecting specific facts and circumstances[23].

However, there is no normative definition of "reliability" as well as a uniform and stable interpretation of the notion. As such, one should agree with the postulate to develop such a definition[24], not only in order to improve the operation of the Supreme Audit Office, responsible for monitoring of the activities undertaken by state administration bodies, of the National Bank of Poland, state legal entities, national organisation units in respect of their reliability, but also to specify the requirements for attorneys-at-law.

The fact that the respondents highlighted "reliability", "diligence" and "honesty" as the features which attorneys-at-law should possess indicates, according to the authors, a certain level of awareness of regulations concerning this legal profession since these notions are used by the legislator, in the Act on the attorneys-at-law, as well as the lawmaker in the CEAL. Features such as "empathy", "impeccable moral character", "industriousness" and "professionalism" were among other characteristics highlighted in the survey.

Another question explicitly asked checked the students' level of knowledge since it referred to the requirements to be met by the attorney-at-law in order to exercise his profession properly. 6 statements were presented to the students and their task was to choose those they thought were true. The presented statements related to the requirement of having an impeccable moral character, the evidence of no criminal conviction, the requirement of completion of 26 years, the limitation to the obligation to graduate from a university regarding only the faculties of law at Polish universities, ban on simultaneous exercise of other legal profession and the compulsory insurance against civil liability policy for damage caused while providing services.

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[21] *Rzetelny*, [in:] *Słownik języka polskiego PWN*, https://sjp.pl/rzetelny [access: 1.06.2019].

[22] J. Miodek, *Ekspertyza na temat interpretacji pojęć: kryterium legalności, gospodarności, celowości i rzetelności, zawartych w art. 203 Konstytucji RP i w art. 5 ustawy o Najwyższej Izbie Kontroli*, „Kontrola Państwowa" 2002, nr 4 (special edition), p. 9.

[23] D. Ampuła, *Kontrola i audyt wewnętrzny w jednostce organizacyjnej*, „Problemy Techniki Uzbrojenia" 2014, z. 132, p. 25.

[24] L. Murat, *op. cit.*, p. 627.

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The requirement of having an impeccable moral character by a candidate for the attorney-at-law can be found in Article 25 (1) (5) of the Act on attorneys-at-law. According to the Act, only the person who has an impeccable moral character and whose past behavior is indicative of a proper performing of the profession of the attorney-at-law can enter the list of attorneys-at-law. The notion "impeccable moral character" is a vague term referring to discretionary rationale of assessment nature. According to the Supreme Administrative Court, the impeccable moral character should be understood as nobility, integrity and honesty. These are the features which do not valuate a specific person in the intellectual and professional sphere, but only in the ethical and moral sphere[25]. Even a one-off occurrence can undermine the credibility and impeccable moral character[26]. The notion of impeccability cannot be understood as a lack of any flaws or a lack of negative circumstances in the past candidate's attitude[27]. Making not only technical requirements for the candidates, but also preconditions referring to the impeccability of moral character and to giving students the tools to properly exercise their profession is justified by the nature of legal professions[28]. Requirements concerning the character of the person who will perform the profession of public trust as well the tools for proper exercising of their profession aim to ensure the proper professional and ethical level of the members of a given profession and, as such, ensure the proper performance of the tasks assigned to a given occupation[29]. 81% of the interviewees correctly indicated the statement about having impeccable moral character. According to Article 24 (2a) (1) added to the Act in 2009[30], information about having no criminal record, received from the National Criminal Register, must be attached with the application form by the candidates for attorneys-at-law, dated no sooner than a month before the submission of the application. The correct answer was given by 68% of respondents. Successively, the students were presented a statement that a candidate for the attorney-at-law must be at least 26 years. There is no possibility to find such a requirement in the relevant regulations which can be noticed in the students' responses – 38% of them incorrectly considered such a requirement obligatory. The requirement of completing relevant law studies can be found in

[25] Judgement of the Supreme Administrative Court of 18 June 2001, II SA 1610/00, Legalis No. 62667.

[26] Judgement of the Supreme Administrative Court of 15 April 2011, II GSK 458/10, Legalis No. 359629.

[27] Judgement of the Supreme Administrative Court of 5 February 2008, II GSK 325/07, Legalis No. 116602.

[28] W. Bujko, *Zawód radcy prawnego i samorząd zawodowy radców prawnych w orzecznictwie Trybunału Konstytucyjnego*, [in:] *Zawód radcy prawnego. Historia zawodu i zasady jego wykonywania*, red. A. Bereza, Warszawa 2015, p. 561.

[29] Judgement of the Constitutional Tribunal of 7 May 2002, SK 20/00, Legalis No. 54114.

[30] Act of 20 February 2009 on the amendment to the law – the Act on the Legal Profession, Acts on Attorneys-at-Law and Acts – the Law on Notaries (Journal of Laws 2009, No. 37, item 286).

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Article 24 (1) (1) of the Act on attorneys-at-law. The candidates must complete their law studies in the Republic of Poland and obtain their Master's degree or complete their law studies abroad which are approved by the Republic of Poland. As explained by R. Stankiewicz:

> Neither cannot "legal studies" be understood as the studies at other faculty than law which result in obtaining the Master's degree, nor the doctoral studies in the field of law. On the other hand, the third degree studies (doctoral) should be perceived as a separate stage of higher education whose completion does not influence a person's assessment of education at university level. The Act does not warrant the conclusion that completing the third degree studies can lead to the conclusion that the person concerned has qualifications which correspond to the qualifications obtained as a result of graduating from a university. In particular, the Act does not make completing legal, doctoral studies and completing legal studies equal[31].

Poland recognises foreign diplomas and academic degrees obtained in other countries with which international agreements on academic recognition have been concluded[32]. The list of the agreements is published on the official website of the Ministry of Science and Higher Education[33]. 19% of the respondents answered incorrectly that the candidate for an attorney-at-law must be a graduate of law studies at a Polish university only. Another statement referred to the prohibition of performing other legal profession by the candidate for the attorney-at-law. Such a limitation can be found in Article 26 of the Act on attorneys-at-law since, according to the rule included therein, persons who fulfil the function of a judge, an assessor, a prosecutor, a notary, a court executive officer, assistant prosecutor and notary, or attend court, prosecutor or notary application training cannot simultaneously be entered on the list of attorneys-at-law or perform the profession of the attorney-at-law. Performing a regulated profession (of an attorney-at-law, a notary, a court executive officer, a judge or a prosecutor) should not be understood as an actual performing of activities specific for a given profession, but as having formal powers to perform them[34]. A substantial minority of the respondents answered the question correctly – only 31% of the interviewees were aware of such a limitation. The last statement in the relevant question referred to the compulsory insurance against civil liability for damage caused by the execution of the activity. Such

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[31] R. Stankiewicz, *Art. 24*, [in:] *Ustawa o radcach prawnych. Komentarz*, red. T. Scheffler, Warszawa 2018.

[32] See *Uznawalność wykształcenia i kwalifikacji zawodowych w Polsce i zagranicą*, Warszawa 2016 (czerwiec), https://wupwarszawa.praca.gov.pl/documents/47726/695864/Uznawalność%20wykształcenia%20i%20kwalifikacji%20zawodowych%20w%20Polsce%20i%20zagranicą/614553ac-37db-4e5e-b9fa-0bc2ba615878?t=1427190492000 [access: 10.02.2019].

[33] See www.archiwum.nauka.gov.pl/uznawanie-wykształcenia/aktyprawne.html#Umowy_miedzynarodowe [access: 2.06.2019].

[34] R. Stankiewicz, *Art. 26*, [in:] *Ustawa o radcach prawnych…* See judgement of the Supreme Administrative Court of 20 September 2007, II GSK 128/07, Legalis No. 99689.

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a requirement is included in Article 22 of the Act on attorneys-at-law and refers to activities such as the provision of legal advice, especially involving passing on legal advice and legal consulting, providing legal opinions, preparing drafts of legal documents, and representing clients in courts as an authorised representative or a defender. 79% of the respondents were aware of the compulsory insurance against civil liability.

On the basis of the above findings, it can be stated that the level of knowledge of the students of law as regards the requirements put before the candidates for attorneys-at-law is quite high. On average, 72% of correct responses were given to the questions. Significantly, only 8% of the interviewees in total indicated all correct statements.

The next question's formula was the same as of the previous one, but it was connected with the terms of reference attorneys-at-law should display. The respondents were asked about the possibility of employment on the basis of a work contract, about taking on a role of a defense counsel in a criminal trial, about the possibility of performing duties in a foundation's or an association's management board, about the possibility of providing legal advice in the Free Legal Assistance points, about qualifications for representing clients before the Constitutional Tribunal and the Supreme Court and about a political party affiliation.

Despite the fact that the possibility of performing a profession of an attorney-at-law in the context of an employment relationship constitutes the most significant difference between the profession of an attorney-at-law and a lawyer, not all of the respondents answered the question correctly. 96% of the respondents were aware of such a possibility. From 1 July 2015, in the light of the amended Article 82 of the Act dated 6 June 1997 – Code of Criminal Procedure[35], in criminal matters the defense counsel can become the person entitled to represent clients in accordance with the bar association or the act on attorneys-at-law. Furthermore, the amendment of the Act on attorneys-at-law entered into force the same day, the amendment that added Act 6 to Article 8 which says that legal advice, involving taking on a role of a defense counsel in a criminal trial and fiscal offences proceedings, can be performed as part of the exercise of the profession on the basis of the civil law contract in a legal consulting office and in a company, mentioned in Act 1, provided that the attorney-at-law does not have an employment relationship. Prohibition of employment does not apply to academics and researchers. 84% of the interviewees correctly considered the possibility of taking on a role of a defense counsel in a criminal trial as attorney-at-law's authorisation. In generally applicable provisions of law, the prohibition of fulfilling the function in foundation's or association's management board cannot be found, whereof 92% of interviewees were aware. Similar percentage of the interviewees (93%) correctly

[35] Journal of Laws 2018, item 1987.

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recognised the possibility of providing legal advice and legal consultations in the Free Legal Assistance points. In accordance with Article 5 of the Act of 5 August 2015 on the free legal assistance, free civic counselling and legal education[36], free legal assistance is provided by an attorney or an attorney-at-law personally, and in duly justified cases a legal trainee authorized by them without determining by the legislator when the "justified cases" occur[37]. Both the regulations dated 30 November 2016 regarding the organization and proceedings before the Constitutional Tribunal[38], and those dated 17 November 1964 of the Code of Civil Procedure[39] and the Code of Penal Proceedings allows an attorney-at-law not only to appear before the Constitutional Tribunal and the Supreme Court, but also establish the scope of cases covered by the so-called advocate and attorneys-at-law's duress. The duress applies in the context of preparing and filing the constitutional complaint and the complaint against the decision on refusal to act on the complaint, and representing the applicant in the proceedings before the Constitutional Tribunal (Article 44 of the Act on the organization and proceedings before the Constitutional Tribunal), in civil proceedings before the Supreme Court and in procedural steps connected with the proceedings before the Supreme Court carried out before the courts of lower instance (Article 87^1 of the Code of Penal Proceedings). Furthermore, the cassation in a criminal trial should be prepared and signed by a defense attorney or an authorized representative who is an attorney or an attorney-at-law (Article 526 of the Code of Penal Proceedings). In accordance with Article 178 (3) of the Constitution of the Republic of Poland[40], a judge cannot be a member of a political party. A similar restriction also includes a prosecutor who, in the light of Article 97 of the Act of 28 January 2016 of the Law on the Prosecutor's Office[41], within the duration of holding a position, cannot be a member of any political party or take part in any political activity. Neither an attorney-at-law , nor an attorney are prohibited from such activities which, according to the results of the studies, is not of common knowledge since only 35% of students answered correctly stating that an attorney-at-law can be a member of a political party.

Similarly to the question about the requirements put before those who hold the position of an attorney-at-law or before the candidates, the analysis of the results of the question about the qualifications to exercise the profession shows a high level of knowledge. On average, 78% of correct answers were given. The task was properly

[36] Journal of Laws 2019, item 294.

[37] B. Paxford, *Art. 5*, [in:] B. Paxford, R. Rynkun-Werner, M. Wasylkowska-Michór, *Ustawa o nieodpłatnej pomocy prawnej oraz edukacji prawnej. Komentarz*, Warszawa 2016.

[38] Journal of Laws 2016, item 2072.

[39] Journal of Laws 2018, item 1360.

[40] The Constitution of Poland of 2 April 1997 (Journal of Laws 1997, No. 78, item 483).

[41] Journal of Laws 2019, item 740.

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solved by 22% of the interviewees which constitutes a marked improvement over the previous question where only 8% answered correctly.

Following questions in the survey concerned indicating the value which corresponded to the feelings of the student on the semantic scale (points 1–10). In order to analyse the results, the authors agreed on the descriptions of the scale for each question where 1 means the lowest option, and 10 – the highest. The questions referred to the difficulties in obtaining qualifications to exercise the profession of an attorney-at-law, to the assessment of exercising the profession and the assessment of its prestige.

Most of the respondents think that obtaining qualifications is extremely difficult since 38% of the interviewees answered the above question by choosing number 7 on the scale. Next, the most popular answer was the statement that it is very difficult to obtain those qualifications (point 8 – 19%). The third group of the respondents, with the result of 15%, was represented by those who claimed that obtaining those qualifications requires a lot of effort, marking the answer number 6. Both among women and men there was a widely held opinion that obtaining those qualifications is unusually difficult – respectively: 35% and 43% of the respondents chose point 7 as their answer. The average assessment of the difficulty in obtaining qualification to exercise the profession of an attorney-at-law equals 6.63 on the 10-point scale.

The next question referred to the evaluation of the difficulty of exercising the profession of an attorney-at-law. Similarly to the previous question, the largest group among the respondents constitute those who consider exercising this profession extremely difficult – 30% of the interviewees chose the answer number 7. The second largest group stated that it is difficult to exercise this profession – 28% of them chose the answer number 8. The third group of students (16% of the interviewees) stated that the profession of an attorney-at-law is extremely difficult and chose the answer number 9. Among women and men there was a small difference in their answers – the largest group of women (33%) chose the answer number 7, and men considered the level of difficulty a little bit higher since they chose the answer number 8. The average assessment of the difficulty in obtaining qualification to exercise the profession of an attorney-at-law among students equals 7.31 on the 10-point scale.

The question about the prestige of the profession of an attorney-at-law directly referred to the question about the most prestigious legal profession which was asked during the survey "Professional preferences of the students of law"[42]. The results of the survey show that a judge is considered the most prestigious legal profession, with the result of 72%. The next one is an attorney (9.2%), a prosecutor (8.5%), a notary (3.2%) and an attorney-at-law (1.6%). It is worth mentioning that despite the fact that the judge is considered to be the most prestigious profes-

[42] See M. Kępa, S. Pilipiec, *op. cit.*, p. 47 ff.

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sion, it is not the most commonly indicated as the profession which the student would like to perform. The results of the research "Professional preferences of the students of law" show that the most commonly chosen are the professions of an attorney-at-law, an attorney and a prosecutor[43]. The students' answers concerning the survey on awareness of the execution of the profession of the attorney-at-law indicate a broad spectrum of the answers to the question about the prestige. 15% of the students chose the answer number 5, 20% – 6, 14% – 7, 21% – 8, and 11% – 9. On average, the prestige of the profession of the attorney-at-law was assessed at the level of 6.42 in the 10-point scale. 26% of women and 39% of men indicated the mark lower than 5.

In the survey, the respondents also answered the question if they had ever used the service of the attorney-at-law. Among the respondents who answered the question positively, broadly high assessment of the prestige of the profession was observed. 33% of the interviewees marked the answer number 7, subsequent 33% – 6. The answers marked by the respondents who had used the service of attorneys-at-law before, were in the range of 5–9 which means that the sample group has positive and specific feeling about the prestige of the profession. The situation in the group which had never had a contact with attorneys-at-law looked quite different. The answers given were in the range 2–9 which constitutes a very broad assessment and shows lack of specific opinion in this group. The largest group among the students who had never used the service of attorneys-at-law before (39%) considered the profession highly prestigious and chose the answer number 7.

Correspondence with the results of the survey "Professional preferences of the students of law" can also be observed within the intention to exercise the profession of the attorney-at-law among the respondents. In the survey on the preferences, 420 people (44%) out of 958 stated in the open-end, multiple-choice question that they would like to perform the profession of an attorney-at-law in the future. A similar percentage was indicated in the research concerning awareness in terms of performing the profession of the attorney-at-law since 45% of the interviewees stated that their professional future would be connected with this occupation.

CONCLUSIONS

The assumptions made by the researchers were supported by the studies, both in terms of the awareness and the prestige of exercising the profession. The results clearly show that the students' knowledge in terms of legal professions stands on a high level, but is not complete. In the first question of the survey of the open-end nature, the respondents correctly indicated the features that an attorney-at-law

[43] *Ibidem*, p. 96.

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should have, among which the most popular ones were: "reliability", "diligence" and "honesty" which can be found in normative legal acts (both commonly and internally binding) governing the profession. Given the above, it should be stated that the students' idea of the profession reflects the reality.

To the questions concerning the requirements and qualifications for the candidates for the profession of an attorney-at-law put before the students, the answers were satisfactory, with the score of 72% and 78% of the correct answers on average. The above facts, according to the researchers, result not only from a high level of education offered by the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin, but also from a strong interest in the profession of an attorney-at-law. 45% of the interviewees declared their interest in exercising the profession of the attorney-at-law in the future which constitutes a high percentage considering a broad spectrum of possibilities waiting for a graduate of legal studies, both in purely legal professions and other sectors where legal knowledge and skills are appreciated.

Assessing the level of difficulty of obtaining necessary qualifications for the profession, the students mostly defined it as extremely difficult, responding to the difficulty of the profession itself. It is symptomatic that there is a strong interest in the profession despite being aware of the high bar set before both candidates and persons pursuing the profession. The above indicates not only the ambition of the candidates for the profession, but also the high prestige of this occupation.

On average, the prestige of the profession of an attorney-at-law was estimated at 6.42 on the 10-point scale by the students. The researchers pointed out the factors influencing the assessment of the prestige of the occupation. Interaction with a person performing the profession had a positive influence on the respondents' opinion, the interviewees who had used the service of an attorney-at-law before, tended to assess the prestige of the profession much higher. Due to this dependence, more intensive participation of the representatives of the District Chamber of Legal Advisers in the academic life should be postulated in order to raise the awareness about the profession and its prestige.

REFERENCES

Act of 23 April 1964 – the Civil Code (consolidated text, Journal of Laws 2018, item 1025).
Act of 17 November 1964 – the Code of Civil Procedure (Journal of Laws 2018, item 1360).
Act of 6 July 1982 on attorneys-at-law (consolidated text, Journal of Laws 2018, item 2115, 2193; Journal of Laws 2019, item 730).
Act of 6 June 1997 – the Code of Criminal Procedure (Journal of Laws 2018, item 1987).
Act of 29 August 2003 on official names of places and physiographical objects (Journal of Laws 2003, No. 166, item 1612).

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
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Act of 20 February 2009 on the amendment to the law – the Act on the Legal Profession, the Act on Attorneys-at-Law and the Act – the Law on Notaries (Journal of Laws 2009, No. 37, item 286).
Act of 5 August 2015 on free legal assistance, free civil counselling and legal education (Journal of Laws 2019 item 294).
Act of 28 January 2016 – the Law on the Prosecutor's Office (Journal of Laws 2019, item 740).
Act of 30 November 2016 on organisation and proceedings before the Constitutional Tribunal (Journal of Laws 2016, item 2072).
Ampuła D., *Kontrola i audyt wewnętrzny w jednostce organizacyjnej*, „Problemy Techniki Uzbrojenia" 2014, z. 132.
Badanie „Studenci Prawa w Polsce", 2016, http://elsa.org.pl/materialy/spwp/badanie-studenci-prawa-w-polsce-2016.pdf [access: 1.06.2019].
Badanie „Studenci Prawa w Polsce", 2017, http://elsa.org.pl/wp-content/uploads/2014/07/Badanie-22Studenci-Prawa-w-Polsce22-2017.pdf [access: 1.06.2019].
Badanie „Studenci Prawa w Polsce", 2018, https://elsa.org.pl/wp-content/uploads/2018/06/Badanie-Studenci-Prawa-w-Polsce-2018-online.pdf [access: 1.06.2019].
Bujko W., *Zawód radcy prawnego i samorząd zawodowy radców prawnych w orzecznictwie Trybunału Konstytucyjnego*, [in:] *Zawód radcy prawnego. Historia zawodu i zasady jego wykonywania*, red. A. Bereza, Warszawa 2015.
Informacja o zawodzie radcy prawnego, http://kirp.pl/informacja-o-zawodzie-radcy-prawnego [access: 24.06.2019].
Judgement of the Supreme Administrative Court of 18 June 2001, II SA 1610/00, Legalis No. 62667.
Judgement of the Supreme Administrative Court of 20 September 2007, II GSK 128/07, Legalis No. 99689.
Judgement of the Supreme Administrative Court of 5 February 2008, II GSK 325/07, Legalis No. 116602.
Judgement of the Supreme Administrative Court of 15 April 2011, II GSK 458/10, Legalis No. 359629.
Judgement of the Supreme Court of 25 November 1975, III CRN 53/75, Legalis No. 19118.
Judgement of the Constitutional Tribunal of 7 May 2002, SK 20/00, Legalis No. 54114.
Kępa M., Pilipiec S., *Preferencje zawodowe studentów prawa. Raport z badań*, Lublin 2018.
Miodek J., *Ekspertyza na temat interpretacji pojęć: kryterium legalności, gospodarności, celowości i rzetelności, zawartych w art. 203 Konstytucji RP i w art. 5 ustawy o Najwyższej Izbie Kontroli*, „Kontrola Państwowa" 2002, nr 4 (special edition).
Murat L., *Rzetelność jako prawne i pozaprawne kryterium kontroli*, „Kontrola Państwowa" 2014, nr 4.
Paxford B., *Art. 5*, [in:] B. Paxford, R. Rynkun-Werner, M. Wasylkowska-Michór, *Ustawa o nieodpłatnej pomocy prawnej oraz edukacji prawnej. Komentarz*, Warszawa 2016.
Prestiż, [in:] *Słownik języka polskiego PWN*, https://sjp.pwn.pl/sjp/prestiz;2572402.html [access: 10.08.2019].
Rzetelny, [in:] *Słownik języka polskiego PWN*, https://sjp.pl/rzetelny [access: 1.06.2019].
Słownik terminów biologicznych, red. J. Strzałko, Poznań 2006.
Sobolewski T., *Art. 25*, [in:] *Kodeks cywilny. Komentarz*, red. K. Osajda, Legalis.
Sobótka J., *Art. 6*, [in:] *Kodeks Etyki Radcy Prawnego. Komentarz*, red. T. Scheffler, Warszawa 2016.
Stankiewicz R., *Art. 24*, [in:] *Ustawa o radcach prawnych. Komentarz*, red. T. Scheffler, Warszawa 2018.
Stankiewicz R., *Art. 26*, [in:] *Ustawa o radcach prawnych. Komentarz*, red. T. Scheffler, Warszawa 2018.
Studenci prawa w Polsce 2015 – badania opinii studentów, http://elsa.org.pl/materialy/spwp/badanie-studenci-prawa-w-polsce-2015.pdf [access: 1.06.2019].
The Code of Ethics of Attorney-at-Law, appendix to Resolution No. 3/2014 of the National Extraordinary Convention of Attorneys-at-Law of 22 November 2014.
The Constitution of Poland of 2 April 1997 (Journal of Laws 1997, No. 78, item 483).
Uznawalność wykształcenia i kwalifikacji zawodowych w Polsce i zagranicą, Warszawa 2016 (czerwiec), https://wupwarszawa.praca.gov.pl/documents/47726/695864/Uznawalność%20wykształcenia%20

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 15/11/2026 17:38:42

i%20kwalifikacji%20zawodowych%20w%20Polsce%20i%20zagranicą/614553ac-37db-4e5e-b-9fa-0bc2ba615878?t=1427190492000 [access: 10.02.2019].
Wódz J., *Socjologia dla prawników i politologów*, Warszawa 2000.
www.archiwum.nauka.gov.pl/uznawanie-wyksztalcenia/aktyprawne.html#Umowy_miedzynarodowe [access: 2.06.2019].
Żmijewska-Jędrzejczyk T., *Badania internetowe*, [in:] *Nowe metody, nowe podejścia badawcze w naukach społecznych*, red. P.B. Sztabiński, F. Sztabiński, Z. Sawiński, Warszawa 2004.

STRESZCZENIE

Od wielu lat studenci prawa najczęściej wskazują zawód radcy prawnego jako najchętniej wykonywany po ukończeniu studiów. Trend ten jest bardzo często podkreślany w badaniach przeprowadzanych na uniwersytetach przez różne niezależne podmioty. Powszechnie znane i ogólnodostępne raporty oraz artykuły potwierdzają popularność i zainteresowanie zawodem radcy prawnego wśród studentów prawa, jednak nie ma informacji dotyczących świadomości przyszłych absolwentów studiów prawniczych m.in. co do zakresu przygotowania do wykonywania przez nich zawodu radcy prawnego. W celu bliższego przyjrzenia się powyższym zagadnieniom autorzy przeprowadzili dobrowolne i anonimowe badania wśród studentów prawa na Wydziale Prawa i Administracji Uniwersytetu Marii Curie-Skłodowskiej w Lublinie. Otrzymane wyniki umożliwiły szersze spojrzenie na czynniki wpływające na popularność zawodu radcy prawnego wśród studentów. Ponadto na ich podstawie skonkretyzowano oczekiwania co do wykonywania tej profesji.

Słowa kluczowe: badania społeczne; profesje prawnicze; radca prawny; socjologia prawa; świadomość studentów