

Personal qualities providing a lawyer activity

Abstract: It is considered a system of psychological qualities of a lawyer providing efficiency of his activity.

It is examined cognitive, communicative, emotional, cultural and other aspects of lawyer activity.

Practical recommendations are given.

Keywords: lawyer; activity; psychological qualities; communicative aspect; culture.

Personal qualities of a lawyer can be distributed into the groups according to the aspects of activity profession. So, to the psychological qualities that providing cognitive aspect of activity and objective passing of thought process are related: intellect, logical thought, imagination, attention, power of observation and memory. The following features are more preferable for thought activity: flexibility, swiftness change-over from one kind of the thought activity into other. It is important to possess with these features because a lawyer is needed to evaluate of the evidence is carrying various volume of information, to work constant unreliable, probability information. Independence of the intellect is meant an ability not to surrender of other influence, instilling, to check everything; wideness of the intellect is an ability to get into the heart of the matter with help of much number of the facts; deepness of the intellect is an ability to expose the root causes, to look deep into the basis of an item's essence; quickness of the intellect is an ability to solve the thought tasks in minimum period; purposefulness of the intellect is consecutive, systematic comprehension of a task, ability to keep it long time in mind (2, p. 137).

♦ **Nasibov Kamandar Rafi oğlu** – PhD in Law, advocate, a member of the
International Organization for Legal Researches (Azerbaijan). E-mail: info@iolr.org

The largest interest in psychology of lawyer's activity is its communicative aspect and, in particular, personal features of a lawyer, which are provided him an effectiveness of communication.

Psychological qualities, which are provided him a communicative aspect, are the following: sociability, emotional stability, ability to talk with people, "to speak effectively", to hear other people, culture of speech, literate writing, manner of behaviour appearance. A lawyer has to inspire a confidence with all his appearance, which is absolutely necessary to him in interrelations with representatives of the authorities and citizens.

Sociability is a distinguished feature of a lawyer. It is also important as professional training. Under sociability are understood natural charm, emotional responsiveness, and attractive power of simplicity.

Emotional stability, psychological self-disciplinary, balance attitude to himself of surrenders have also important significance. An individual who is nervous, easy loose serenity cannot be a good lawyer. One should not say something blunt answer in order to self-control. Hot temper, impatience, irritability, rudeness are signs of the professional weakness. A man is respected if he is kept with dignity, but without haughtiness and arrogance, shows approachability, benevolence, self-control, demonstrating a certain level of self-rating.

Ability to talk with people, "to speak effectively" is one of the important qualities providing communicative aspect. It is important to care about the culture of speech in order to affect on mind, will and feelings of people, to perceive and understand correctly a speech of others and in turn, to be understood by them. Speech culture of a lawyer is one of the premises his ethics. It is important not only to be able to speak literally and to write correctly but also a speech should be pithy, understandable, expressive and affecting. The speech is a process of expression of an individual, his feelings through language with purpose of affecting on a person he is talking. In connection with this, it appears an issue about psychological culture, about culture of the process of talking through a language, i.e. about communicative culture of speech (2, p. 138).

Under culture of speech is understood ability to express his thoughts correct, competently and accessibly. This is external expression of literacy and inner culture, which come with culture of the thoughts and feelings. It should note that Cicero's opinion is quite corresponded to the modern criteria: "The palm of supremacy is belonged to a man, who is smart and eloquent".

To write grammatically is also related to the communicative qualities. One of the indicators of high culture in lawyer's work is competent registration of the documents, which should be motivated, logically correct.

Culture of speech and writing grammatically are also important in the lawyer activity. A lawyer should be studied conducting an intimate conversation with people since emotion and sincerity in conversation, as rule, renders a strong influence.

It is very important to have ability to listen of an interlocutor. A man used to speak much himself as usual is impatient listener. Lawyer has to have an advancing understanding, i.e. ability to guess what a complainant wants to say. But, any case one cannot express his impatience, his open attitude to heard information. One should be a serious independent on importance of information. Expression of pleasure or disappointment in gestures, expression of his face, intonation of a voice can be caused negative impression. Attentive attitude to speaker, benevolence, a desire to understand of an interlocutor, a manifestation of true interest, ability to imagine himself a point of view of speaker, his psychology, interests are the main components of the ability to listen; the important quality of a lawyer. In a sense one can say that professional fitness is determined by this (1, p. 66).

Culture of behaviour and appearance of a lawyer are also important in establishing of communication. Culture of behaviour of a man is ethics rules. Lawyer is obliged constant to improve his culture in communication with people, not to allow familiarity, rudeness, arrogance. His appearance should inspire confidence, which is absolutely necessary in his interrelations with authorities and citizens.

Lawyer activity requires a certain personal features, occupational abilities, which are necessary for this kind of activity and further improving. Abilities are called those particularities of an individual, which provide successful possession of knowledge, formation special skills. Abilities of a lawyer is characterized with

quickness and accuracy organization of searching necessary information, creative it development, using on modern achievements of different sciences and examination of a specific fact from various sides. Such occupational qualities of a lawyer are:

- exceptional honesty, ultimate impartiality, tireless activity in searching of the truth, ability to make decisions corresponding to the law and his own conviction. A lawyer is an impartial researcher, the task of which is to establish the truth, achieve complete clarity in a case. He should be very sincere and truthful;

- sense of responsibility, under which should be understood a readiness to take for the most difficult and hard task. Sense of responsibility is not forced factor, and it is a deep necessity of daily activity. It is impossible to take initiatives, aptitude, and promptitude to a lawyer without readiness to take whole responsibility at him, without determination in actions on using his abilities;

- knowledge, education, erudition. Apart from special education a lawyer should have wide knowledge in social psychology, logics, education science, ethics, languages, literature, art, and culture. This is allowed supporting free and easy conversation on any issue, to eliminate tension in communication and establish psychological contact. We are not speaking about absolute knowledge of all sciences, and about desire to wide erudition, which is the most important factor for successful lawyer activity;

- high level of thinking development of a lawyer basing on knowledge, erudition, competence. Culture of thought is supposed logic, evidence, depth, ability to see old as new one, ability to select information, intellectual tolerance. Incompetence, lack of proper erudition, know-all, and superficial judgment about all issues are contra-indicated to a lawyer.

Criticism and flexibility are important for lawyer in sphere of thinking: not to be conformity and ability convincingly to give reasons for his conclusions. Sociability is inherent to a lawyer;

- ability to pass over quick from one kind of activity to other, ability to get to the heart of the matter, to work in various conditions. He has to possess with adaptability, capacity for work, physical endurance;

- adherence to principle and perseverance are in a base of a man's motivation. According to provisions of psychology, perseverance is "perceived" need: the more obstacles on the way of its satisfaction the stronger it manifested (3, p. 230). Exceptional perseverance with which the lawyers work on each civil or criminal case is evidence of big potential of opportunity of this reflex;

- tact, good attitude to people. Any profession imposes a certain legal and moral obligations. In addition, it is necessary also to have moral right and highly moral behaviour. Lawyer's activity is related to them.

Ability to convince, to defend his point of view is one of the preferable occupational abilities of a lawyer. Sound of a voice, timbre, intonation, emotional colour, and wide usage of lexical means is much informing about speaker. According to researchers, speech is warm and soft, rude and morose, frightened and timid, jubilant and confident, alive, triumphant and one more thousands of colours, which are expressing the various feelings, moods of a man and even his unspoken thoughts (1, p. 99).

Bibliography

1. Barshevsky M.Yu. Lawyer's ethics. M.: 2000
2. Nasibov K.R. Professiogramme of a lawyer. Juridical sciences and education. Tafaccur, No. 16, Baku, 2005, p. 137-142
3. Psychology: Dictionary/Under edition of A.V. Petrovsky and M.G. Yaroshevsky. – 2-nd edition. M.: Politizdat, 1990