



Some requirements for Vietnamese students on professional skills in practice at the Court

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Abstract: The issue of building professional skills for law students is increasingly practical and urgent when those skills are summarized through the activities of the Court. In fact, the activities of the Court are still quite unfamiliar to the people in general and law students in particular. Students only learn theoretical knowledge, so the knowledge level of each student is different. The article will present some professional skills for students with practical activities of the Court, meeting job requirements after graduation, contributing to improving the quality of law training in Vietnam.

Keywords: career skills, Court, Student, Law

I. Make a problem

It is especially important to build specific skills based on actual activities at the Court to meet the skill requirements of students working in the Court while still in school. Since then, creating high-quality human resources that are not only strong in expertise but also meet the skills, contributing to improving job opportunities in the right training major for students after graduation.

II. Some requirements for professional skills in practice at Court

2.1 Writing, presentation and listening skills

Writing is a skill that is used frequently whether in school or in the workplace. During the 4-year university journey, writing skills are applied in essays, scientific topics, dissertations, projects, etc. However, between the educational environment and the working environment, there are always conflicts.

When entering the law industry, it is not simply writing essays, scientific topics, theses, projects ... but employees have to be exposed to many different types of work and documents that need to be applied. Having entered the Law industry, it is inevitable that the drafting of contracts, decisions, resolutions, reports or may be writing letters, making minutes, drafting rules. And most importantly, the draft documents will be sent to competent state agencies for review and signature, so the misspelling in words or incoherent sentences is a very serious mistake. Writing skills for those working in the law industry is also an essential skill to help law graduates who have just graduated from school can compete with employers. When the employer reads a written document will not be there. A carefully written, complete text represents the writer to the reader with care and diligence on the part of the writer. The elaboration in each sentence to avoid generating thoughts that are divergent with the content to be conveyed. The written document “black and white paper” is valuable as evidence when arguing, so it is necessary to read it over and over and carefully adjust it, especially the content written in the legal field. Those who have good writing skills in the Law industry must have legal knowledge on theory and practical experience in their work. Exposure to a variety of legal documents along with the process of going through many difficulties and challenges will improve writing skills and make valuable documents useful for work.

Presentation is a particularly important skill for all professions in general and law in particular.



Law is a social profession and will mostly work with people. When Law students have good presentation skills, it will be a strong point to help them work in the industry in the future. For students who choose to study Law in the future, they can take on positions such as: Judge, Lawyer or lecturer teaching Law. Most jobs related to this industry require mastering presentation skills because presentations are the most effective activity to be able to convey a certain knowledge or field to others. In the field of Law, presentation skills include two areas, namely: Problem solving, sharing legal knowledge or even both. Regarding legal knowledge sharing, if Law students only master legal knowledge without good presentation skills, it is meaningless because the ultimate core purpose of this field is to impart knowledge to others, legal knowledge that they do not know in activities such as: Propaganda, law dissemination, legal discussions, talks, thematic activities on law... Regarding problem solving, in at the presentation, there will be cases to solve cases, cases, disputes, situations... At the same time, the presenter will make proposals and legal solutions. Sharp presentation skills will be the catalyst to convince solutions and recommendations. In the Law industry, there is a distinctive point about presentation skills that is that there are cases where the presentation is prescribed according to a pattern or even within a legal framework that Law practitioners must comply with. Presentation is a strong skill for Law students to help them work effectively and build potential relationships.

Listening skills can help law practitioners look at things in a dialectical way to fully understand a case from a client or a litigant. Especially listening skill is also a highlight when discussing with colleagues or when working with individuals, government agencies or helping to satisfy the needs of customers. To listen effectively to the subject of communication, it is necessary to have postures and gestures that show attention, focus and respect for the object of communication, through which we can guess the thoughts of others, know their psychological state. In the process of listening, when not understanding the content of information or how to give information of customers, litigants or state agencies are not clear in how to communicate, law practitioners can reflect their feelings. for the communicator to adjust the content and presentation of information. However, it is absolutely not allowed to interrupt the communicator, but must choose the right time at the right time, to avoid creating inhibitions for them because typically if a client goes to a lawyer to ask them to intervene in a case, then At least in their hearts, there were emotions such as

anxiety, insecurity, inhibition.... Listening skill is a career skill that helps Law students make assessments and analyze information: when combining perception with thinking, experience, and behavior to acquire, analyze and evaluate information believe.

2.2. Skills in attitude to customers, litigants, and legal proceedings

Attitudes of law practitioners in communicating and dealing with clients, litigants or with agencies and procedure-conducting persons, with other state agencies, organizations and individuals while practicing law and also in dealing Social interaction requires appropriate attitudes.

For clients, law practitioners need to have an attitude of respect for clients, protect their legitimate rights and interests, and keep client-related information confidential. Emotionally, law practitioners need to sympathize and share their clients' worries and frustrations when they share their own affairs.

For involved parties, the first factor that a law practitioner must ensure is respect and dedication to serving the People in accordance with the criteria in Clause 1, Article 2 of the 2013 Constitution:

The State of the Socialist Republic of Vietnam is a socialist rule of law state of the People, by the People, for the People.

Practitioners related to the judicial field need to have an exemplary attitude to strictly follow the guidelines and guidelines of the Party, policies and laws of the State, the performance of tasks and official duties, strictly observing the internal rules and working regulations of the agency or unit.

Behavioral culture of law practitioners is reflected in their behavior and attitudes towards the procedure-conducting agency. For the agency conducting the proceedings, the person must have an attitude of respect, goodwill and cooperation, but must maintain the independence of the profession with the goal of protecting clients and protecting justice. To create a cooperative, open and sincere relationship between people working in the field of justice and judicial assistance.

Law practitioners who have a proper attitude, have a culture of behavior in law practice help individuals, agencies and organizations have a good and positive view of that individual or the job position they hold. Each position in the Law profession has certain bright spots. Law students who practice good attitudes while sitting at school will be able to maintain their morality and dignity and, more importantly, enhance the good values and traditions of the profession when they are students. Law entering the working environment with a judicial



background makes communication effective and the field of Law is increasingly honored.

2.3 Foreign language skills in Law industry

In the era of international integration, the law profession no longer simply requires mastering legal knowledge. To be successful, students need both professional and foreign language knowledge. With the current context, many foreign businesses, companies, and economic groups exist, operate and develop strongly in Vietnam and spend a lot of capital in Vietnam, so it is important for Law students to know one or more Foreign language is a huge advantage. Students with good foreign languages will be a springboard to have the opportunity to work at enterprises, foreign companies, international law offices..., Lawyers, Dr. Pham Liem Chinh, Head of Chinh Law Office shared: "Foreign languages are a key issue, foreign languages in the law industry require even higher requirements". To be able to draft a document in a foreign language or communicate, give a presentation, or debate an issue or a law in another language, Law students must be able to learn a foreign language well. Debate sessions on international forums, seminars... if Law students master foreign languages, they can participate in dialogues or work for those international programs or in the future with a bachelor's degree in Law with outstanding foreign language ability, it will help those studying or working in the Law industry have an extremely fast promotion plan.

Promoting foreign language training in the higher education system in the face of the lack of foreign language skills for Law graduates, law training institutions need to understand the situation and propose appropriate solutions, creating conditions for Law students to have the opportunity to learn foreign languages well, balanced with specialized knowledge. With many law schools in the country have offered high quality programs with teaching with priority on foreign language development.

2.4 Skills in arranging, researching case files and looking up Law documents

Records will be arranged according to the court's records or in chronological order, so it is necessary to arrange the records right from the beginning when receiving the dossier, so that the research process is scientific and effective. Case files or documents related to the case carry a lot of important information and evidence to solve a case during the proceedings. The file is also the whole process of the development of a case. Having the skill to arrange records in a certain, scientific order is a must for Law students. Typically recently, the

Supreme People's Procuracy issued Decision No. individuals and families, business, commerce, and labor in the People's Procuracy. Comply with the provisions of law, regulations and guidance of the Supreme People's Procuracy on the preparation, management and use of procuracies; protect State secrets and work secrets of the People's Procuracy; ensure completeness, science and convenience in exploitation and use. The procuracy dossier must fully and accurately show information about the civil case, the court's settlement and the operation of the Procuracy. Regarding the archive of inspection records, the Archives Division of the Office of the Supreme People's Procuracy shall store the inspection records of the settlement of civil cases made or handed over by the Supreme People's Procuracy. This Decision also stipulates the preparation of dossiers to supervise the recognition of the successful conciliation results at the Court, the settlement of civil cases at the first-instance level; compile dossiers of supervision of the settlement of civil cases at appellate, cassation and reopening levels; make a dossier to supervise the review of decisions of the Judicial Council of the Supreme People's Court according to special procedures... A case is not simply a few notes but up to hundreds and thousands of records. Effectively organize records that are useful in searching, researching, and archiving

Studying case files is to consider, read, analyze, synthesize, compare, contrast and evaluate documents and evidences contained in the case file in order to grasp the nature of the case and developments of the case file. the case thereby determining the objective truth to solve the problem. That is the final destination in Law-related jobs, so Law students have to hone their skills in researching records. The research must ensure completeness and objectivity in the case. Depending on the specific case file, the case study will take place in chronological order, according to the procedural order or according to each set of documents related to each participant in the proceedings. Most in the field of Law, most professions have to use this skill continuously for future Law students to work in private institutions or state agencies. For example, when the procurator receives the case file and has to attend the first-instance court hearing, the procurator must study, enter the acceptance book, and report to the procurator to issue a decision to assign the procurator to participate. Or about the position of a lawyer when studying the investigation conclusion to understand the progress of the crime, the evidence that the investigating agency uses to understand the progress of the crime, the evidence that the



investigating agency uses to understand the progress of the crime. Investigation is used to prove the crime and the opinions and opinions proposed by the investigating agency to solve the case. In the process of studying the investigation conclusion, the lawyer needs to compare, contrast and record the defendant's acts mentioned in the indictment but not mentioned in the investigation conclusion, the inconsistencies between the indictment and investigation conclusions, opinions and suggestions proposed by the investigating agency for the settlement of the case are beneficial to the legal aid recipients they defend or protect. Through the evidences on the above situation, it shows that the skill of studying the records of Law students or practitioners is not simply done through the past, but that skill must be cultivated and practiced regularly to be able to master it. Especially carefully studying the case file is an important factor to improve the quality of litigation at the trial.

The core to completing a case is to properly apply the law to practical cases to handle, so the skill of quickly and accurately looking up Law documents is required of every Law student. Looking up legal documents for application must ensure their validity, and legal documents applied to settle the case must be in force at the time of the incident. In the system of legal documents in Vietnam is very diverse, so the search for application must ensure completeness and comprehensiveness. Laws and documents applied in the settlement of the situation must be quoted accurately, ensuring a proper understanding of the legal provisions. In fact, the Mediators must fully search for the provisions of the law related to the settlement of conflicts and disputes; The full search and search of relevant laws will be a key to handling the evidence well, resolving all legal relationships in the case, as a basis for providing the best solution, advantage in resolving conflicts and disputes between the parties. In addition to the laws that directly regulate the rights, obligations and responsibilities of the parties in the case, the mediator must also look for other relevant laws. When a case is ongoing, not finding enough relevant legal documents or applying documents that are no longer relevant to the time the case took place can lead to erroneous legal consequences. Combined with research skills of Law students, people working in the Law industry must research completely and accurately apply new documents and documents to improve the efficiency of resolving claims and disputes. It is not easy for law students to search and look up all relevant legal documents in an adequate manner due to limited experience and limited practical contact in the Law industry. Searching for

Law documents is still arbitrary, not updating new Law documents will lead to dissatisfaction with three principles: validity, accuracy and completeness in searching Law documents.

2.5 Legal thinking skills according to the facts

Future Law students will be those who work in the Law industry. And of course, when working in this field, learners or workers must be sensitive to thinking, analyzing, and seeing in a logical sequence. That is called legal thinking, also known as professional thinking of a lawyer to find a solution, a solution for a case. In fact, in order to find a solution for a case or specifically a civil or criminal dispute, etc., it is necessary to understand the development of that case by asking a system of questions related to the case. The peculiarity of the work related to the Law industry is to constantly collide with many different things. In order to thoroughly understand the core issue of so many different and continuous cases, it is necessary to ask legal questions related to the incident, consider the relevant facts. In the learning environment, Law students are only allowed to do case studies, not collide with real situations so they can have the opportunity to ask questions, learn, and review ongoing cases. A special feature about asking questions in the Law industry is that in order to be able to answer a question about the law most accurately, it is necessary to ask the opposite question to get the most accurate answer. In order to ask the legal questions of those questions, it is necessary to find out the facts that have happened and determine which are the main ones and which are the minor ones. Each case is a phase and a long process, so the legal thinking skills are actually quite diverse, the requirement for sharp legal thinking skills is a mandatory requirement for future Law students. The future can analyze cases scientifically and sensitively.

Regarding the development and innovation of the law, the thinking on human rights, the rule of law, etc. of scholars, jurists, etc., has had a significant impact on legislative and adjudication activities. Law practitioners in the process of their professional activities, the thinking of lawyers in different fields is always moving and changing, developing more perfect. When the breath of the trends of human rights, equality and freedom has blown into society, the society has changed, the thinking of judges, investigators, and lawyers... has also changed. They will have to accept critical thinking, accept equality, accept "innocent until the guilt of the accused, the accused has not been proven in an effective judgment and according to a due process, the law, accept to get used to the principle of presumption of innocence".



2.6 Skills in implementing court procedures

For law students who intend to work in state agencies in the future, they must understand the process of settling civil and criminal cases according to legal procedures.

Typically in civil proceedings, the summary process is carried out according to regulations. First, when filing a lawsuit petition, an individual must have full civil procedure act capacity, he or she can make the petition by himself or ask someone else to make the petition on his/her behalf. Information about the petitioner's name and residential address in the petition must include his/her full name and residential address. At the end of the application, that individual must sign or fingerprint. Assign a judge to consider the petition in Clause 2, Article 191 of the 2015 Civil Procedure Code, within 03 working days from the date of receiving the lawsuit petition, the Chief Justice of the Court shall assign a Judge to consider it. If the judge finds that the case falls under the jurisdiction of the court, the judge must immediately notify the petitioner so that they can go to the court to carry out procedures to pay the court fee advance in case they have to pay the court fee. The judge accepts the case when the petitioner submits to the Court the receipt of the court fee advance and enclosed documents and evidences. Pursuant to Article 195 of the 2015 Civil Procedure Code. Principles of conciliation conduct comply with Article 205 of the 2015 Civil Procedure Code, whereby the involved parties reach an agreement on the settlement of the case, except for cases may not conciliate or not conduct conciliation as prescribed in Articles 206 and Articles of the Civil Procedure Code 2015 or the case shall be resolved according to summary procedures. During the trial preparation phase within 1 month to prepare to consider the petition, the Court shall request additional documents and evidences, issue decisions to suspend the consideration of the application, solicit expertise, and appraise the property. opening a court hearing to settle civil matters... In case there are no results of property assessment and valuation, the time to prepare for consideration of the petition may be extended but must not exceed 01 month. And finally bring the case to trial at the first instance court according to Article 222 of the Civil Procedure Code 2015 which stipulates that the first-instance court hearing must be conducted at the time and place specified in the decision to bring the case to court or in the notice of resumption of the court session in case the court session must be adjourned.

In fact, at educational institutions, law students can only learn these steps in theory, but have

no practical conditions at the court, so the skills of law students to carry out the process at the court are still quite poor. The process in the field of Law is the order and method of carrying out the procedures and records, so it takes a lot to master all the actual process steps. However, it is not said that Law students only need to practice to understand all the procedures at the Court, the practice must be based on the theoretical basis, then the new practice will be in accordance with the order and procedures prescribed by law.

2.7. Negotiation and persuasion skills

Negotiation and persuasion skills have practical significance and take place frequently and continuously in daily life, and for law practitioners, this skill also serves as a tool to help them gain an advantage when doing business. Law students can practice this skill while in college through dialogues, forums about Law...

Negotiation skills are the use of all abilities and qualities to help two or more parties reach an agreement. This skill is a combination of many abilities such as: Flexible communication; Effective persuasion; Set up a reasonable plan; Effective harmonization of interests between the parties. Typically, the case of contract negotiation requires many different competencies of the participants in the negotiation such as character, social relations, personal prestige, understanding, confidence, persuasion ability, be patient, know how to prepare a negotiation plan and skillfully use negotiation tactics, know how to neutralize the opponent's tactics. The success of the negotiation depends a lot on the preparation work. The better prepared you are, the more confident you will be in your ability to conclude negotiations sooner. Negotiation skills are one of the important skills that Law students need to equip while still in school and are a factor to help Law students find suitable jobs in the future.

Persuasion is one of the attributes that make up effective negotiation skills. It is a process that leads the other party to consider and agree with one or more ideas. For example, with the position of a mediator when persuading the parties to voluntarily reach an agreement, dispute resolution is sophisticated, requiring the mediator to master the legal knowledge related to the dispute, to be skilled conciliation ability, prestige, moral qualities, life experience, know how to apply the law and social ethics to persuade the parties to come to an agreement to settle disputes. Convincing the parties to voluntarily resolve the dispute must be done by the mediator throughout the conciliation process. In essence, persuasion is the mediator giving arguments



and advice on how to behave so that the parties accept and agree to the mediator's advice, choose the method of dispute resolution themselves. best. In the process of conciliation, the mediator must always combine both facts and reasons to analyze, explain, and persuade the disputing parties to reconcile with each other.

Negotiation and persuasion skills are two but one, they are intertwined, complementary and inseparable in the whole process from beginning to end. Therefore, these two skills cannot be applied rigidly, but always require flexibility according to each situation. When negotiating persuasively, you should give specific evidences to prove that your opinion is correct, then the negotiation and persuasion will be successful. When students practice persuasive negotiation skills, they must always practice the discipline of being soft, persistent in persuasion, should not be impatient, think carefully, consider words, what to say first, what to say. What follows, what should not be said. In addition, it is necessary to be calm and persistent in solving each step for cases where litigants or customers are impatient and calm.

III. Conclusion

Occupational skills are a particularly important factor besides knowledge and attitude requirements. Through the knowledge learned in the lecture halls and skills training activities in many different modules, students will be equipped with a solid baggage for themselves, trained in the necessary skills to serve services for future jobs, helping students get a job that matches their interests and passions and brings high efficiency to their future work. From the above issues, it is clear that the necessary requirements for professional skills to work at the Court, thereby showing the actual situation of fostering professional practice skills for law students through practical activities at Court.

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