

## INITIATIVE, CREATIVITY AND A CREATIVE APPROACH TO BUSINESS IN THE ACTIVITY OF A LAWYER

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**Abstract:** These articles analyze the personal qualities of a lawyer, in particular, initiative, creativity and Creative approach. In addition, compliance with the professional Ethics of a lawyer is analyzed, regardless of what field of law he works in. In 2009, within the framework of the project ""the project"" was created. This article lists the main conclusions made by the scientist.

**Keywords:** Lawyer, creativity, initiative, creative approach, Professional Ethics, rules.

Law, like other professions, imposes different professional requirements. This means that a lawyer must have the necessary set of qualities, professional knowledge, skills and abilities. Personal qualities include: high citizenship, intelligence, decency, a developed sense of duty and responsibility for the performance of their duties, dedication to their work, a sense of intolerance to offenses, justice, high humanistic orientation, compliance with professional ethics and personal integrity.

### LITERATURE ANALYSIS AND METHODS

International journal sources and scientific literature on the Internet were used in the preparation of the article. Lawyer (from lat.Jus-law) (German lawyer, English lawyer) - specialist in the field of jurisprudence, legal sciences; practical worker in the field of law. Consequently, lawyers include: people who have received a law degree; lawyers, scientists studying law; practicing specialists in

the field of law. Regardless of which area of activity a lawyer works in, he ultimately has to work with a person, with his problems and appeals, they will have to face it. And the judge, and the prosecutor, and the lawyer, and the employee of the notary office or civil registration institution, and the investigator, or the prison warden - all-all-the client of most living people will be the same people as himself. Consequently, since citizens turn to lawyers, the concern of one of them is that the situation in which they find themselves is not quite similar to the situation of others.

In many other professions, the opposite is true. For example, for engineers-restorers of buildings, builders, there are certain norms, certain norms in order for the building to be durable, safe, convenient to use. For example, for a reliable concrete structure, it will be precisely determined how much and what size gravel, stone, sand, iron (reinforcement), cement and even the amount of water that will be mixed. The builders' unwavering compliance with the same requirements is a sufficient reason for putting the structure into operation on time and in high-quality condition. Arbitrariness in this regard, violation of established norms or the introduction of untested innovations in them can cause serious problems and even lead to disasters. A person's life is complicated, contradictory in that the situations and problems he faces in this life do not fully correspond to any norm, do not resemble each other, in a word, do not have a single norm. It requires an individual approach to each of them, to find only your own solution to each problem.

When preparing a scientific article, such methods as generalization, deduction, a systematic approach, comparative legal analysis, and the study of statistical and practical material were used.

## **DISCUSSION AND RESULTS**

Creativity, among other characteristics, is a quality that occupies an important place in the activity of a lawyer. Because it is advisable for a lawyer to use creative ideas when working directly with citizens, in particular with persons whose rights and legitimate interests are violated, providing them with legal assistance.

Today, creativity is an important criterion of personality, a factor of its holistic development. Therefore, in the state educational policy, special attention is paid to creativity-active creativity at the intellectual level, of course, on the basis of cognition, at the present time. The mummy of the creativity of a modern personality becomes even more relevant. A developing society needs individuals who are able to think creatively, first of all - intellectually and creatively, boldly, unconventionally and in an original way, effectively solve problems. Diversity of activities in modern society

The concept of "creativity" in its content is presented as a social and status phenomenon. Creativity is a firm guarantee and reliable factor of personal development, its comprehensive improvement and productive and useful social formation. Creative, intellectually and creatively developed youth is proclaimed the mainstay of the state, the key to the successful development of society, the key to the success of the country in all areas of its development.

Creativity (creativity) is the ability to create something new, unique, a thought process that leads to new thinking, an original idea and a solution.

As can be seen from the definition given to the concept, creativity does not necessarily have to be an innate, divine gift, as well as traits of initiative, creative approach to work. While creativity is a mental process, there are bound to be inexhaustible ways and means to elevate the human mind, its development, and the use of its limitless possibilities.

Well, naturally, in the legal sphere - industries where most situations, circumstances, approaches to the phenomenon require to be exclusively and exclusively based on laws, codes, established legal norms - is there a place for creativity - "creating something new, unique". Moreover, won't every lawyer - judge, prosecutor, lawyer or notary - lead to innovations in every case ("case"), to legal arbitrariness, to anarchy?

That's the thing. When we talk about creativity, initiative and a creative approach to the work of a lawyer, we should not lose sight of the fact that all this applies within the framework of the laws, following them, even for a moment. It is clear that creativity, initiative and creativity will never lead to violation of laws, their "circumvention" or incorrect and inappropriate application, but, on the contrary, will serve a more complete, effective and correct use of the opportunities provided to a lawyer.

Creativity in the legal field is understood as a creative, maximally new approach to solving legal issues. Although this trait is actually characteristic of most lawyers, only a professional who can apply it in practice, succeeding in this, stands out among his colleagues, the number of his clients will also be correspondingly greater.

The reasons, place and ways of showing creativity in the lawyer's activity will be found at will. For example, the legislation of Uzbekistan, a country in which a number of countries, especially ours, have not created so much independent legal space, in general, in the legal sphere still has a number of shortcomings, problems and questions that are waiting for an answer. It is in this space that it is impossible for a lawyer not to approach the issue creatively, creatively, not looking for solutions to problems. This approach, which we discussed above, although it seems superficially similar, is actually the only

guarantee of the most rational solution to conflict situations, in legal situations that do not duplicate each other in subtleties, details, causes and consequences, their scale and variety of significance. From a lawyer who knows how to find such a solution, and therefore, creatively, creatively approach the situation, both clients and their managers will be grateful.

In the professional activity of a lawyer, initiative is also an important personal quality. As for the quality of the initiative in the activity of a lawyer, throughout his career, a lawyer also works in several separate areas. In particular, rulemaking, participation in scientific activities, interviews in the media, participation in legal propaganda, reaction to legislative and other regulations, etc.

Therefore, it is impractical for a lawyer to systematically deal only with existing legal norms, being content with them, in practice this is also impossible. After all, as a devotee of his profession, he naturally strives for novelty, improvement. It is in this sense that the most important activity required of specialist lawyers is rulemaking. To do this, he does not have to be elected a deputy of the Oliy Majlis or define the same activity as his profession.

It is desirable for any representative of the industry to take the initiative, show creativity and make a certain semantic contribution to the life of society through the creation of new legal norms. Otherwise, there is a suspicion that the lawyer is a mature specialist. After all, maturity is achieved by constant search, diligence, creative work. That is why a person should develop such qualities, build a successful career, using them on the spot and with benefit. Also, we should not forget that any initiative carries with it certain difficulties and responsibilities, or rather, leads to itself. For example, the development of a draft regulatory legal act is a rather complex process and requires a large amount of

mental and intellectual strength. From the moment of the initiative in this regard to the achievement of the set goal, the lawyer must timely and adequately implement all necessary measures. If he does not bring this process to an end, the initiative he has shown may even put him at a dead end in front of society and colleagues.

It is known that under the previous regime of salt fisheries, the question of citizens knowing their rights and freedoms well, studying ways to legally protect them, using methods that require justice, was as unbearable as possible, and therefore attempts were made to instill in the minds of millions of people the idea that "the state knows all the problems and decides for itself." The mass executions carried out during the salt industry empire, the outrages of millions of innocent people subjected to harsh punishments and exile without trial, are the result of the same policy - ignorance and dishonor of citizens regarding their rights and freedoms, and the system of their protection is absolutely not functioning. Even because of this, people, although not to blame, would suddenly argue vigilantly if they saw a policeman, a prosecutor, and almost no one would think of going to court.

Unfortunately, this worldview, the attitude that has been formed and tempered for almost seventy-five years, has not yet left the consciousness of some of our citizens, especially the older generation. In other words, legal illiteracy, and sometimes outright legal ignorance, is the reason that a huge number of problems arise in real life, just disagreements turn into a serious conflict. As a result, trivial domestic conflicts are followed by such terrible phenomena as hand-to-hand combat of people with serious crimes or even murder. While illiteracy, ignorance of the law does not exempt any citizen from responsibility. Thus, today one of the most important tasks is to increase legal

literacy, increase the legal culture of our citizens. One of the most reliable and effective ways to do this is legal advocacy and propaganda. To be honest, the back of many people's heads hardens, even angers when these phrases are used. A saying is a fact of life. I mean, in most cases, "legal propaganda and propaganda" is what people imagine in the heat of cancer or in the winter cold, gathering thirty or forty people in the meeting room of the district and reading a boring two-hour lecture by one person, without looking up from the paper, at the end of which the chairman of the meeting says: "if anyone has questions, then there are no questions, we should give our speaker a big thank you," many, many useless actions come, such as completing a mashwart. Taking into account that a truly creative, enterprising lawyer can cope with the same task in such a way that it becomes clear from his efforts how many people will receive a lesson for life, vital knowledge and skills.

Today's technical and technological innovations make it possible to create and put into practice many methods and techniques for the effective introduction of necessary knowledge and skills into people's minds, in particular, legal culture. This requires a lawyer-propagandist to take a creative approach to his work, to take a good initiative, to invent new ways of propaganda that are interesting to the audience.

In fact, a creative approach to your work, task should be unique for each profession. After all, without this it is impossible to imagine the development and improvement of the industry. For example, let's compare early cars and airplanes with modern cars, giant one-on-one airliners. Are there any changes in all their internal and external aspects without exception - engine power, volume, load capacity and load capacity, appearance, comfort and hundreds of other

indicators-growth-change of parameters? What is the basis of this growth, change, improvement?

Of course, engineers, designers, designers and hundreds of other professions have an indefatigable desire, creative thinking, and an unquenchable passion for innovation! That's all - a creative approach to work, task, problem solving and tasks is also an incomparable pledge and guarantee of universal progress. Such creativity, focused on creativity, cannot but be even a mandatory aspect inherent in jurisprudence.

On a large scale, this is law-making, the legal doctrine of the country, as well as the development of legal sciences, the improvement of legal practice. After all, creativity, scientific and practical research in these areas, by their influence and significance, lead to a high improvement of the concept of law in the general sense.

As for the specific area that lawyers are engaged in and the problems that have accumulated in it, we can recall, for example, the issues of corruption, the fight against it, the prevention of this evil, which seriously hinders the development of our society.

As you know, in a number of countries around the world, such as Finland, Norway, Germany, New Zealand, Singapore, this problem has already lost its relevance, the level of danger. So how did these same states achieve this result, due to which the vices that constantly bother us, such as bribery, bribery, embezzlement of the state budget, familiarity, were decisively eradicated in these societies?

The answer to these questions is obvious: lawyers from those countries are struggling with such a dangerous disease as corruption, first of all, painstakingly relying on the waist



what they started brought the same positive results. First of all, they discovered new, unexpected, effective ways, mechanisms, legal ways to rid their ranks, and then the whole society of this social evil.

Is it possible to creatively study and assimilate this foreign experience, and most importantly-based on our real state, the mentality of our people, national opportunities to implement a new initiative, methods of struggle, methods of propaganda and effective actions? In our opinion, it is not only possible, but also necessary, necessary!

Also, if we briefly touch on the professional ethics of a lawyer, then compliance with the requirements of professional ethics is ensured by the power of mental influence, public opinion I, the inner trust of a person, conscience. The specificity of professional ethics lies in the fact that it regulates the behavior of people in all spheres of life, namely in work, in the family, in relationships between people and in other relationships. Professional ethics also applies to group and interstate relations. The principles of professional ethics are universal in nature, cover all people, consolidate the basis of the culture of mutual relations of society, which is created in the process of historical development.

Any action, appeal of a person may have different content - legal, political or otherwise, but his behavioral side, moral essence are evaluated in the same level indicator. The norms of professional ethics continue to be processed in society by the force of traditions, generally accepted and supported by all discipline, public opinion. Compliance with the norms of professional ethics is monitored by everyone. In professional ethics, responsibility is moral and high, that is, it condemns or approves behavior, in the form of a moral assessment, which a person must first understand, accept sincerely and, accordingly, regulate and direct his behavior. Such an assessment should comply with generally

accepted norms and principles, generally accepted concepts of necessary and unnecessary, worthy and unworthy, and others. As for the analysis of normative legal acts concerning the rules of professional ethics of civil servants and lawyers in the international framework, in the middle of the XX century, international acts concerning the ethics of public officials and lawyers were adopted.

### **CONCLUSIONS AND SUGGESTIONS**

Based on the above considerations and analysis of international regulations, it can be concluded that creative people who generate new ideas and approach tasks in an unconventional way are of constant interest to most employers. The qualities of creativity and creativity occupy a high place in the rating of skills, qualities required from a specialist.

Today's development boom requires every state and its citizens to systematically strive for innovation, new ideas, initiatives, unexpected approaches and solutions. A short-term shutdown or lagging behind this process will eventually lead to a significant lag, which means dependence on advanced states in all spheres.

Today's lawyer, on the other hand, keeps pace with rapidly changing times, is a full participant in it. Because almost every day in our republic alone, so many new legislative acts and legal norms are approved, and another is introduced instead of one. It's no secret that this process is also going smoothly, without flaws. In the new laws, codes, there are, if desired, repetitive or contradictory norms, contradictory prescriptions. In order to raise, discuss in detail and effectively resolve these and similar issues, to reform our legislation, the national legal system, we need both air and water, legal personnel with creative, research, initiative abilities. That's right - only creative lawyers who are

able to boldly promote new ideas and initiatives play a decisive role in the formation of our country among the developed countries in the field of law.

#### REFERENCES

1. The Constitution of the Republic of Uzbekistan.
2. Decree of the President of the Republic of Uzbekistan "On the Strategy of Actions for the further development of the Republic of Uzbekistan" dated February 7, 2017 No. PF-4947 // Code of Laws Of the Republic of Uzbekistan, 2017, No. 6, Article 70
3. The Law of the Republic of Uzbekistan "On Amendments and Additions to Some Legislative Acts of the Republic of Uzbekistan in connection with further reform of the judicial and legal system" (Code of Laws of the Republic of Uzbekistan, 2012, No. 38, Article 433)
4. The Law of the Republic of Uzbekistan "On combating corruption" dated January 3, 2016 // newspaper "Halk Slovi"
5. The Law of the Republic of Uzbekistan "On Advocacy" dated 27.12.1996. The Law of the Republic of Uzbekistan // Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 1997, No. 2, article 48
6. The Law of the Republic of Uzbekistan "On guarantees of advocacy and social protection of lawyers" dated 25.12.1998. The Law of the Republic of Uzbekistan // Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 1999, No. 1, article 12
7. The Law of the Republic of Uzbekistan "On Courts" dated 14.12.2000. The Law (new edition). // Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 2001, No. 1-2, article 10

8. The Law of the Republic of Uzbekistan "On the Supreme Council of the Republic of Uzbekistan" dated April 6, 2017//Collection of Legislation of the Republic of Uzbekistan, 2017., No. 14, article 214

9. Parliamentary Control of the Republic of Uzbekistan dated 11.04.2016. Law of the Republic of Uzbekistan // Bulletin of the Chambers of the Oliy Majlis of the Republic of Uzbekistan, 2016. No. 4, article 123

10. Resolution of the President of the Republic of Uzbekistan dated January 19, 2017 No. ^ PQ-2733 // published in the newspaper"Halk suzi" dated January 20, 2017 No. 15 (6709).

11. Speech by the President of Uzbekistan Shavkat Mirziyoyev at the solemn ceremony dedicated to the twentieth anniversary of Independence of the Republic of Uzbekistan <http://www.press-service.uz/uz/lists/view/981/31.08.2017>

12. Ismailov B.I. Professional ethics of a lawyer.-T.: Academy of the Prosecutor General's Office of the Republic of Uzbekistan. 2019.-188 P.