

EVOLUTION OF LAWYER TRAINING IN PANAMA AND COLOMBIA

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ABSTRACT

Comparison of the regulation of the legal profession and the generation of careers and / or law programs in Panama and Colombia and the importance of ethics in people responsible for this profession, and the social context and social networks and new trends in crime. An opinion is presented regarding the ethical responsibility of people who are legal professionals or are in training and the impact of staying updated through continuing and/or formal education. We end with reflections that brings us these times of modernity taking into account artificial intelligence and the extensive knowledge found on the web and the need to practice the profession in the public and private.

Keywords: Legislation, career, law, training, artificial intelligence.

INTRODUCTION

In order to approach the subject of the formation of the lawyer, we must know a little of the history of the profession, going through the most ancient legislations, up to the most recent ones in this discipline.

In the beginning the legal framework was governed by the code of Hammurabi, a legislation of direct punishment, an eye for an eye, a tooth for a tooth, there was not even the concept of rights and less of human rights, today so fashionable and also so necessary in these times, but there is no real evolution as there is in other disciplines, this profession should be at the forefront since it contributes to the coexistence of all.

In Panama they approved in third debate the project of Law 809 through which regulates the practice of law, in Colombia Law 1123 of 2007 through which the disciplinary code of the lawyer was established.

The role played by the universities that have approved the Bachelor of Laws degree program, whose title is that of lawyer, is very important for the formation of human beings with critical, humanistic, ethical and moral thinking, with criteria based on the reality of the countries, the differences, the inequalities and human rights.

ANALYSIS OF LEGISLATION

Legislation in Panama

IMPORTANCE OF LEARNING IN LAW

The formation in law, the student must be the main actor in the construction of his learning, using the investigation, the development of analysis as the jurisprudence, simulation of trials with cases from diverse branches of the law, using the sources of law, solution of problems.

The lawyer is made every day in its projection, in its goals, the law is very broad from its various branches of law. Updating is very important to know the advances of the system, that is why continuing education offers us those training resources, such as seminars, diploma courses, workshops, congresses and postgraduate training such as specializations, masters, doctorates and post-doctorates.

The search for a solution between the parties is important that the lawyer through mediation can offer alternatives for conflict resolution. The satisfaction of the attention we bring in a process is valued in the study of law.

One of the actions in Panama established by Bill 809, which regulates the practice of law in Panama is the training of the duties and rights in the justice system. The competencies of a lawyer in Panama must guarantee the ethical and efficient service of the legal professional, who must put into practice the theoretical and practical knowledge. Training in law is broad, professionals can specialize in various areas such as family law, civil, criminal, labor, administrative, maritime, among others, each offering the graduate the opportunity to acquire specific skills and be able to perform in the labor field.

In Panama, there is a great need for professionals in the accusatory criminal system, today this allows to speed up the processes and solve the criminal acts in the shortest time, that is why the

experience of the lawyer is necessary.

FROM A SOCIAL CONTEXT

The formation of the lawyer must respond in a high level of social responsibility, it is through the values and actions where great efficient efforts to citizens are driven.

We must create spaces for discussion and implement new initiatives to generate job opportunities in Panama in law. Many of the opportunities are in the public sector for example Public Ministry, Judicial Body, but from the private sector, NGOs, offers vacancies so that the professional can contribute from the skills acquired in their academic training from a legal approach. The recognition of the lawyer's day is very important in Panama when it is celebrated on August 9, it is a space in which the actions of the country are highlighted, for its part, education represents training and updating in the practice of the profession, in addition to building a legal culture that contributes to the development of Panama. On the other hand, the National Bar Association in Panama has made great advances in the social formation of the legal professional, offering trainings, webinars, symposiums throughout the year, which allows him to use the knowledge acquired in the business sector.

It is important to have the participation of legal professionals who can contribute in actions that contribute to the improvement of the new law updates in positive changes for the country. In human rights issues, it is necessary to raise awareness among citizens.

It is important to mention that currently the function exercised by the Justices of the Peace is carried out by people who are not lawyers. It is there where we stop to think: Will another professional have the necessary skills to be in the Houses of Peace, handling cases that require conflict resolution between the parties. It is advisable to supervise and give the rightful place to legal professionals to perform this function.

Legislation in Colombia

At the legislative level, Decree 196 of 1971, which dictates the statute of the practice of law, was the act that for more than 35 years regulated the practice of law in our sister country, and even more so Decree 1221 of 1990, which regulated the creation of law programs and legal practices, This led to a very slow legislative development, but a great jurisprudential development following the amendment of the Political Constitution of 1991 and the creation of Law 30 of 1992, which developed the principle of university autonomy, and we mention it as a reference in the formation of the legal professional.

What to do in the face of legislation that does not take into account the social reality and the context of developing countries?

Faced with the above question we can say that today university careers, especially that of Law have a significant challenge and that is to keep up with modern times, cybercrimes, teleworking and everything that historically we were taught in the animated series “The Supersonics” created by William Hanna and Joseph Barbera, which today we see come true. This leads to the fact that the human being and more precisely the Lawyer is in one of the races to disappear, since it is being replaced by artificial intelligences, initially by the IBM Watson robot and then by Ross, which uses artificial intelligence and makes literal readings and comparisons of the doctrine, jurisprudence, laws and theories, very difficult for any human being, to compete with this type of intelligence, it only remains to return to the human being itself and evolve and accompany people in their judicial processes, the question that is on the web, is would you trust a robot for your defense? Or in a judge or court that is composed of artificial intelligence?

SOCIAL RESPONSIBILITY OF THE FORMATION OF THE LAWYER.

To address this transcendental issue we must talk about the responsibility of the States when conferring the approval or authorization to educational institutions and/or universities, which would be the second actor, which creates its programs and makes its studies and diagnoses, justifies before the respective body or authority, in the case of Colombia before the CONACES room of the Ministry of National Education and in the case of Panama to the Technical Commission for Academic Development (CTDA) attached to the University of Panama, who must enforce the legislations and requirements to approve a career. Therein lies a responsibility of teachers who are preparing our future generations to be done conscientiously, because we must be clear that there must be a generational renewal with more knowledge, more creative, more modern, but above all with more ethics that will allow you to put up this worthy profession that for some has been affected and that sometimes people do not believe.

CORRUPTION IN THE LEGAL PROFESSION AND WHAT TO DO ABOUT IT.

Today we must take a step back and solidify the values and principles that should be taught at home, in the family, in the first education to our children, it is there where people who have obtained a doctorate degree (PH D) should train the little ones, which allows to inject in the DNA principles that should not be negotiated from any point of view.

Parents, siblings, the fracture that exists today with so much modernity, with so many social networks, with so much information available to all people, sometimes does not allow them a detailed analysis of the oceanic knowledge that today brings the web, the theft of data and ownership

of our staff data that are sold for indiscriminate use on the web.

And what to say about human rights, so much mentioned since the election of the host city for the World Cup 2022, where mention has been made of the violation of foreign workers, as they are at the mercy of the employer, with the “kafala” system that has been controversial these days by several media.

CONCLUSIONS

According to what has been expressed in this article we want the reader to make a contribution to the formation of the lawyer from the Colombian and Panamanian legislation, highlighting that since its creation it is important the accompaniment of the state authorities, universities, teachers and the students themselves to carry out their studies conscientiously and including within the curriculum the professional ethics that contribute to the formation of the same taking into account the update.

The current purpose of training lawyers leads us to search for action alternatives, to link legal professionals in teaching and learning scenarios that are innovative, critical, leaving a great contribution to society.

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