

vices; 2) preparation of background reports generated from the public registers; 3) monitoring service – the customer can obtain current information, for example, about his counterparty (registration changes of founder, director, appearance or progress of trials involving designated persons etc.).

Still, the most of experts in jurisprudence look at the development of IT with optimism, seeing them not competitive threat, but new opportunities for the industry, the emergence of IT-law sector and new specialties within it (information engineer of legal issues, legal technologist, analyst of information processes, etc.) or in general –transformation law in social relations engineering. Thus, the availability of information, automation, commoditization, outsourcing, and eventually artificial intelligence will cause a decrease in spending on legal services. Technology cannot replace lawyers, but will make it possible to optimize their work, get rid of routine tasks and focus on more complex solutions. This will help to make legal services more efficient for business and probably more accessible to the public. In general, the legal profession is gradually changing, and a quote from the book "Alice in Wonderland" – "you have to run at full speed, just to stay in place, and to go somewhere you have to run at least twice as fast" for lawyers will be extremely important.

UDC 330.123.6:34

O. O. Nabatova

*Ph.D. in Economics, associate Professor
Yaroslav Mudryi National Law University, Kharkiv*

D. G. Movchan

*Student of International Law faculty, 3rd course, 1st group.
Yaroslav Mudryi National Law University, Kharkiv*

LEGAL PROCESS OUTSOURCING

In conditions of the world market variability and instability of the economic environment, the legal outsourcing is becoming an economically viable legal service. Legal outsourcing is not a new concept. Lawyers have always outsourced work to other lawyers with special knowledge as well as knowledge of foreign law elements of transactions in other jurisdictions. Some law firms have also started to «spin-off» or delegate parts of their business. In some cases, firms use their offices in other jurisdictions to offer their service to other firms abroad. Therefore, global legal process outsourcing (LPO) is becoming more popular.

Legal outsourcing is a comprehensive legal service of the company, which may include any range of legal services, in particular advice, representation, drafting of documents, reports and more. The principle of outsourcing: "I leave myself just what I can do better than others, and outsource to external performer the task that he can do better than others". The most popular international destination for LPO is India, closely followed by the Philippines, South Africa and New Zealand. Three quarters of the current India LPO business is generated by the US firms and corporations and one fifth comes from the UK. Outsourced work usually includes patent applications, management reports, document reviews, drafting pre-trial motions. Traditionally, this work is done by junior lawyers or paralegals in law firms.

There is a further distinction made between offshore and onshore outsourcing:

– offshore – the entire process of outsourcing is carried out abroad, in other jurisdiction. For example, London firm recruits a document review team of South African lawyers. To ensure confidentiality and security, the documents under review are only fully accessible in UK offices and can be viewed and worked on jointly but cannot be downloaded or printed abroad.

– onshore – is carried out within the same jurisdiction / country, but by different agents. As a rule, small regional firms are taking advantage of their low cost base to offer services to larger London firms. Thus 80% of Great Britain's firms prefer to outsource onshore.

The advantage of legal outsourcing is that this form of cooperation can significantly reduce the costs of the company and, in fact, is a legitimate way of tax optimization. There are other positive features:

1) capability to optimize their costs – services of outsourcing law firm is much cheaper than the maintenance the lawyers on regular basis;

2) legal outsourcing is the work of a group of people, each of whom specializes in a certain area of law. Only the biggest and richest organizations can afford themselves such a luxury as maintenance a large amount of lawyers on regular basis. At the same time, the most experienced and demanded experts choose "solo" career or job in the outsourcing company;

3) long-term relationship between the company and supplier of legal services;

4) equality of parties to the contract and simpler procedure for changing the relations between the expert and the organization. In particular, if a client is dissatisfied with the quality of legal services, it is sufficient to notify the supplier of such services on the termination of the contract. In the same way, the payment issues are addressed.

Thus, legal outsourcing helps the client company to release part of the internal resources for other purposes. It also provides the opportunity to use specialized knowledge and technologies, to distribute and partially transfer the legal risks to

performer company, to cut costs and greatly reduce the complexity and operational costs of information systems and applications, to focus on the company's main business processes without being distracted by the legal side of the issue.

Yet, despite the obvious advantages, legal outsourcing brings new challenges and risks into the work of the legal department:

- necessity of outsourcing project management skills for law firm headed by an experienced team of external lawyers;
- unpredictability of results (involvement of external lawyer could create new problems: the failure to achieve coherence of interaction with the staff of the law firm, the delay of task implementation, low quality etc.);
- due to the market immaturity there is a need for additional efforts, and sometimes investments, to develop optimal technology guidance by the lawyers involved and a set of legal instruments used in the work;
- lack of the comprehensive vision of the situation by involved employees.

Thus, legal outsourcing is a service that has already shown high efficiency for many representatives of the national business, and as expected will be in demand in near future. The most important objective obstacle to its more rapid development in Ukraine is the lack of an appropriate regulatory framework. Currently, the parties of business processes enter into agreements, guided by common terminology and Ukrainian legislation. Nevertheless, practice shows that such agreements are not always drawn up correctly and do not fully take into account the specific relationships between the outsourcer and the client. In addition, considerable psychological obstacle for legal outsourcing in Ukraine is the unwillingness of many leaders to entrust internal information to external performers.

UDC 338.46+34

O. V. Ovsienko

*Ph.D. in Economics, associate Professor
Yaroslav Mudryi National Law University, Kharkiv*

LAW BUSINESS AS AN INSTITUTE OF LEGAL ECONOMY

Disparity in implementation of the socio-economic rights (such as artificial restriction of individual rights on a selective basis; direct prohibition of implementing rights, which were acquired in a legitimate way; creation of the special legislative conditions for the certain types of business, etc.) is one of the most pressing