

case law, this order has been banned in a number of states. Thus, judges in the states of New-York, Washington and California have issued injunctions prohibiting its use throughout the country or a separate state and judicial district in respect of persons in the maintenance of the state.

Conclusion. Thus, one of the main objectives of the new migration policy of the USA is to reduce migration flows, restrict the entry of new immigrants, reduce the cost of supporting them and redistribute funds to Americans, who live below the poverty line. The result of the implementation of these tasks is a significant reduction in the entry of migrants, which is illustrated by statistical data: in 2019, compared to 2016, the number of arrivals amounted to 30 thousand instead of 110 thousand people [5]. Based on the above, we can conclude about the effectiveness of the implementation of the tasks and the corresponding trend of tightening the migration policy of the USA.

1. New immigration policy [Electronic resource]. – Mode of access: <https://business-visa-usa.ru/blog/immigration/item/128-novaya-immigratsionnaya-politika-trampa>. – Date of access: 20.10.2019.
2. Deferred Action for Childhood Arrivals [Electronic resource]. – Mode of access: <https://www.dhs.gov/deferred-action-childhood-arrivals-daca>. – Date of access: 21.10.2019.
3. Legal enforcement guidance on discrimination on the basis of immigration status and national origin [Electronic resource]. – Mode of access: <https://www1.nyc.gov/assets/cchr/downloads/pdf/publications/immigration-guidance.pdf>. – Date of access: 21.10.2019.
4. Closing immigration to the United States for people without health insurance [Electronic resource]. – Mode of access: <https://news.tut.by/world/656206.html>. – Date of access: 21.10.2019.
5. Immigration Data and Statistics [Electronic resource]. – Mode of access: <https://www.dhs.gov/immigration-statistics>. – Date of access: 21.10.2019.

HISTORY OF DEVELOPMENT AND FORMATION OF BELARUSIAN LAWYERS

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The process of development and formation of the bar is complex and contradictory. The bar can be described as an institution of civil society, which has its own public legal status. It should be noted that the development of the Belarusian legal profession is closely connected with the history of the judicial system and judicial proceedings as well as with the entire state legal system and the social process as a whole.

The origins of advocacy begin in the Statutes of the Grand Duchy of Lithuania. Each of the Statutes has its own historical roots. It should be noted

that already in the XVI century, this institution of civil society received legislative regulation. This emergence is due to the intensification of the socio-economic life of the state and the reform of the entire system of public relations, including in the field of the judicial system and judicial proceedings.

The purpose of this article is to analyze the history of the development and formation of the bar of Belarus, to identify the features of the historical legislative regulation of advocacy.

Material and methods. The scientific and theoretical basis was legislative documents in the field of advocacy during various historical periods. While writing the article, analysis, comparison and historical methods were used.

Findings and their discussion. Advocacy was first mentioned in the Statutes of the Grand Duchy of Lithuania in 1529. This period was the so-called breakthrough in the field of advocacy because of the significance of the written law, has more important than the custom. Thus, the need for knowledge of laws in litigation. Appears, no importance was given to the status of lawyers, that's why their activities were done by clerks and representatives of the city administration. There were also certain exceptions: this Statute prohibited foreigners to be engaged in advocacy. During this period, the main task of the lawyer was formed: to serve justice, but not private interests.

The 1566 Statute starts that foreigners have the right to engage in advocacy. But again, there were some exceptions: foreigners could engage in advocacy only if there it was a question of the death penalty or dishonor. Permission for the mandatory or free provision of a lawyer was introduced. The provision was considered mandatory when the lawyer participated in cases, the essence of which was to humiliate the prince's honor, at the request of those people "who could not speak and conduct their case in court themselves." A lawyer was appointed free of charge for cases of "the wretched, orphans and widows." If a lawyer cheats his client, he is punished by death.

The 1588 Statute established certain requirements and prohibitions: the judge, the clerk, the head of the administration, and the clergy could not be lawyers. Lawyers were forbidden to put forward new demands, take money and pay debts without the consent of the principal.

The legal profession in the Northwestern Territory of the Russian Empire in 1864 was a class of jurors united by internal self-government, namely, the jury and the external supervision of the highest judicial places.

In 1874, the institution of private attorneys was regulated. Higher education was not necessary, it was enough to pass the exam at the district court and get a special certificate. At the same time, the "Rules on People Eligible to be Attorneys in Court Cases" were approved. It was characterized by the fact that only the people who were issued a certificate of the right to petition in other people's affairs could be attorneys. Such people were called "private attorneys."

The basis for the development of the legal bar in the Belarusian SSR is the decree of the Council of People's Commissars of the BSSR on the organization of human rights in courts on November 26, 1921. Thus, institution, human

rights, was established, under the Nakomat of Justice of the BSSR. A human rights defender could be: a citizen of the republic who had the necessary theoretical and practical training, as well as the right to elect and be elected to the Council. A person who wanted to become a human rights activist had to pass a certain test given by the People's Commissar of Justice.

The action of the Institute of Human Rights March 25, 1922 get permission in the Regulation on Legal Advice and the Bureau of the College of Human Rights Defenders. The institute of advocacy in the republic was regally approved on June 26, 1922. People's Commissariat of Justice of the BSSR July 26, 1922 approved of the regulation on the bar association, which regulated in detail the organization and activities of this association in details.

In September 4, 1922 The People's Commissar of Justice of the BSSR the first bar association was approved. In October 1922, this bar was given to the High Court, to monitor its activity. The changes in the organization of the bar were associated with the changes in the administrative-territorial division and the changes in the judicial system of the republic. Thus, in 1925. The bar associations were formed at district courts.

In August 16, 1939 The Council of People's Commissars of the USSR approved the provision on the bar in the USSR. Regional bars of advocates began their activity in the republic, and the all-Belarusian bar was abolished.

In the late 80s and early 90s there was a change in the organization and activity of the bar. These changes were associated with transformations, which served as the judicial reform, which was April 23, 1992. It was approved by the Supreme Council of the Republic of Belarus.

Conclusion. Having familiarized with each of the stages, it can be concluded that advocacy should form a proper understanding of the right of citizens, its essence and role in civil society and the state. Thus, we can say that each of the stages of the formation of the bar has its own history and significance. It is necessary to highlight the fact that the bar has passed a difficult, but generally progressive path of evolution, which has a long history. The path of development is not completed, it will continue as long as the implementation of judicial and legal reform continues in the Republic of Belarus. The process of perfection is endless and multifaceted, like life itself.

1. Advocacy in the Republic of Belarus / I. I. Martinovich [et al.]; under. total ed. I.I. Martinovich, N.V. Kalmykova. - Minsk: Theseus, 2011. -- 458 p.
2. The history of the bar in the Republic of Belarus [Electronic resource]. - Access mode: <http://www.rka.by/museum/istoriya-advokatury-v-respublike-belarus/>. - Date of access: 10.28.2019.