

UNIVERSITY OF  
MONTENEGRO



LAW FACULTY  
PODGORICA



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University of Montenegro

**Capacity Building of the Faculty of Law, University of  
Montenegro - curricula refreshment, boosting of international  
cooperation and improving human, technical and library  
resources (CABUFAL)**

# **Status Quo Analysis**

**of the Faculty of law**  
**University of Montenegro**

**Podgorica, 2017**

# **Capacity Building of the Faculty of Law, University of Montenegro - curricula refreshment, boosting of international cooperation and improving human, technical and library resources (CABUFAL)**

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# **Capacity Building of the Faculty of Law, University of Montenegro - curricula refreshment, boosting of international cooperation and improving human, technical and library resources (CABUFAL)**

## **Introduction**

Bearing in mind the consortium's project tasks, analysis is the starting point for further work, as it will potentiate all members of the consortium to become familiar with: the most important facts about the University of Montenegro and the Faculty of Law; current curricula of the Faculty of law; new curricula that is currently being accredited by the Montenegrin Council for Higher Education; the legal framework governing higher education in Montenegro; current capacity of the Faculty of Law; legal framework governing the employment and further advancement of the law graduates in Montenegro; as well as analysis of the labour market needs in Montenegro with statistical data on unemployment in the previous years with a special focus on employment of graduates of lawyers.

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## **1. History of the University of Montenegro and Faculty of law**

### **1.1. History of the University of Montenegro**

The University of Montenegro was founded on 29 April 1974. when three faculties (Faculty of Economics, of Engineering and the Faculty of Law from Titograd), two colleges (Teaching College and Maritime Studies College) and three independent scientific institutes (for History, for Agriculture and for Biological and Medical Research), signed an Agreement on Association into the University in Titograd. A year after it was founded, it changed its name into the University "Veljko Vlahović", and since 1992 it has its present name.

The University of Montenegro has developed in accordance with the spirit of time and the growing needs of Montenegro. University of Montenegro is the oldest higher education institution in Montenegro.

Since 2004, teaching and examinations are being carried out in accordance with the principles of the Bologna Declaration. The University is organized on the model of modern European universities. The headquarters of the University are in Podgorica, with faculties located in Niksic, Cetinje, Kotor, Herceg Novi, Bar, Budva, Bijelo Polje and Berane.

The Rectorate is the central management unit at the University of Montenegro. It includes the Rector, Vice-Rectors, the Secretary General, the Head of Finance and adequate expert services.

The University of Montenegro is organized like most European universities. It has united academic, business and development objectives. The Managing Board governs the university and the Rector manages it.

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The supreme academic body is the University Senate. Deans are heads of faculties and directors are heads of institutes. The highest academic bodies at faculties i.e. at institutes are Councils. The highest student body is the Student Parliament. Representatives of students are elected in all bodies of the University and of the faculties.

University of Montenegro is a member of the European University Association (EUA).

At this time there are more than 20,000 students studying at nineteen faculties and two institutes of the University of Montenegro.

Universities annual enrollment is usually more than 4,000 students. In 2015 4,306 students were enrolled, 1,640 financed by the governmental funds and 2,517 self-financing students (including 349 foreign students).

### **1.2. History of the Faculty of law**

Faculty of Law in Podgorica was founded on 27 October 1972 as a scientific and educational institution which organizes and develops educational and scientific research in the field of legal and related social sciences.

During the adoption of the Law on the Establishment of the Faculty of Law, at the Parliament of the Socialist Republic of Montenegro, it was pointed out that "from the point of total social needs of the Republic the establishment of this institution is essential". The Faculty of Law is one of the founders of the University of Montenegro

The Faculty has grown into a modern, contemporary, educational, scientific and research institution. About 17,000 students have been enrolled, and 4285 have graduated. Part of the best students have continued their vocational training, master and doctorates studies, at some of the the world famous university centres. Most of the former students are continuing their activities in Montenegro.

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Thru the history of the Faculty 88 teachers and teaching assistants has been working at the Faculty, of which 26 teachers were visiting teachers. Faculty now employs all the staff needed for the curriculum implementation, which is comprised of its former students. Faculty organizes undergraduate and postgraduate studies.

As a university unit Faculty of Law realises a substantial part of its program goals and objectives and addresses many important issues of organizational and human resources. The international cooperation network of the Faculty is beeing developed thru the University.

Faculty follows global trends and developments in the field of higher education in order to harmonise of its own activities with the European and international requirements.

Faculty was created as an expression of the needs of socio-economic, political, cultural and social development of Montenegro, and during its entire existence shared the fate of the Montenegrin society, and will do so in the future making strides towards implementation of the new practices and applying the modern European trends.

The government budget funds of Montenegro are the main source of education financing at the Faculty of Law for the students of bachelor and specialist studies for budgetary students.

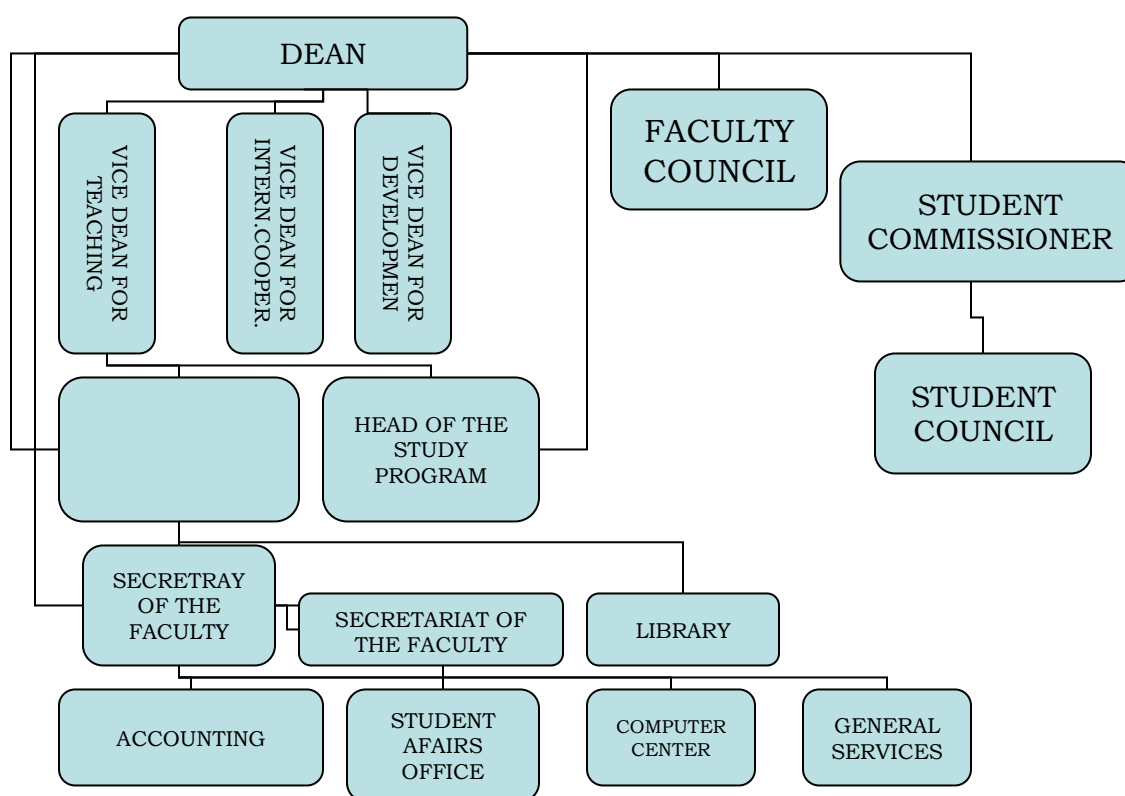
Tuition fees paid by students are being used to fund other programs of study: Department of the Faculty of Law in Bijelo Polje, postgraduate studies (self-financed students), master studies, doctoral studies, as well as the Department of Safety and criminology.

The funds from tuition fees are allocated according to the Regulations of the University of Montenegro. A percentage is allocated to the cost of teaching; a certain percentage of income after statutory obligation is transferred to the University of Montenegro, while the portion of the proceeds may be used to

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improve teaching, scientific research work, and other material and administrative costs.

Faculty has now become a complex organization and management structure. The management system is shown in the following scheme.



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## **1.3. Library of the Faculty of law**

Library of the Faculty of law has existed since 1974. as the organizational units of the Faculty. The work process is carried out through three divisions: the main library in Podgorica (procurement, receipt and processing of publications), and divisions Budva and Bijelo Polje (where publication are only rented to users). Library can be used by students, teaching staff and external users.

Library funds are organized into several sections. Monographs publications are numbering over 22,000 library units in law, sociology, philosophy, history and related sciences. Special collections of this fund are: a collection of reference literature, a collection of master and doctoral theses, the collection in the field of women's studies and the collection of foreign languages publications in legal clinics. Periodical publications number over 2356 volumes in the field of law and other social sciences and humanities.

The library cooperates with many institutions (20 libraries of law faculties, five university libraries, and two national libraries, constitutional and supreme courts). Interlibrary loan and exchange of the publications contributes significantly to the enrichment of the library).

Faculty of law Library is a member of professional associations: Association of Librarians of Montenegro and the Association of legal and related library of Southeast Europe. The library is a member COBISS.CG.

Library is equipped with reading room with 50 places of reading and 8 computers for free use by the user. A reading room is open from 8 am to 8pm, and library is oepn from 8am to 4pm.

Students can use the services of the Library in accordance with the Rules of Procedure by which a user can simultaneously use up to three



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publications, with a return period of one month, by depositing index or ID card. The electronic catalogue of the Library is available on the website of the Faculty. Students have access to the funds of all 26 libraries involved in COBISS.CG

**1.4. Student participation in the management bodies of  
the University of Montenegro and Faculty of Law**

Students are an important part of ensuring quality improvement through their representatives in the infrastructure for the improvement of quality of the University. Primarily, students are represented through their representatives in the Board for quality improvement that are nominated by the student parliament. Also, students are involved at the Faculties level through their representatives in the Commissions for the safeguard and improvement of quality.

In the process of decision-making and other activities of the quality improvement, students participate in the work of the Senate and the Council of the organizational units. In the Senate of the University of Montenegro, students are being represented by 20% of the total number of members of the Senate, always taking into account that the structure reflecting students at all levels of study (undergraduate, graduate and doctoral).

Student representatives in the Faculty Councils are represented by 20% of the total number of members of the Council. Student representatives in the councils are elected by the student organizations at the faculty level, taking into account that the structure reflecting students at all levels of study (undergraduate, graduate and doctoral).

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### **1.5. Student participation in study programs and teaching staff quality assessment**

The student has the right to express their opinion on the quality of the academic staff.

The student has the right to appeal to the dean in case of violation of the freedom of expression of opinions on issues relating to the studies, the benefits arising from student status, consultations, conducting examinations in the manner and time limits as defined by law and university rules , use of libraries, computer rooms and other resources at students disposal.

The student has the right to appeal to the University Senate on the quality of teaching, and the quality of the academic staff of the Faculty.

The mechanism by which students evaluate the quality of study programs and teaching staff is the student survey, which is conducted twice a year.

The student survey is anonymous. Conduction of the survey is the responsibility of student trustee and Vice-Dean for Academic and Student Affairs at the organizational unit. During conduction of the surveys other members of the academic staff and students, can be included as determined by the Dean and Student Parliament, or student council. The survey must be enforced after the end of the semester. The survey can be conducted during the semester, at the proposal of the Student Parliament or the student council at the Faculty. Decision on the student survey, terms of its conduction, its content and method of processing, as well as guidance on survey conduction is beeing made by the Senate.

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Evaluation data for each subject (course) are entered in the personal file of the teachers. Dean is obliged to conduct a meeting with every teacher whose scores are significantly below the average, point out the flaws and recommend changes that will remedy teaching deficiencies. Summary assessment of the student survey is published on the website of the University.

Reports on conducted evaluations serve as a basis for the report on self-evaluation of the Faculty.

The results of the conducted evaluation procedure are being used:

- for the reports preparation,
- in proces of teachers and teaching assistants future advancements,
- for the proposals of the corective measures in teaching proces,
- in other cases set by law and other regulations.

Survey results are being calculated automatically for each subject, for each teacher and staff member. Individual reports for each teacher and each subject are available through the Centre of the information system to any teacher.

After the survey is concluded, the Commission for quality insurance and improvement analyzes and formulates written reports, which among other things include:

1. Information on the implementation of the survey, the student's responses, and any specifics that arose during the survey, the work of the Commission for quality insurance and improvement during the process of survey conduction and similar data,
2. Presentation of the survey results by study programs and categories - teacher, teaching assistant, subject, compared to results from previous years from the corresponding semester (with trends, comments and explanations)

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3. information on the measures taken in order to improve the quality and efficiency,
4. Planned programs improvements for the future period.

Reports are being considered by the Faculty Council, which adopts the conclusions that are being submitted to the Committee for quality management. Based on the processed data obtained from the Commission for quality insurance and improvement, in some cases, teachers and staff members are required to plan suggestions for improvement of individual subject teaching.

On the joint meeting of the members of the boards for quality management the presidents of the Commissions for insurance and improvement of the quality, elaborates reports to the Council. The conclusions of the joint meeting are being submitted to the Senate of the University.

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## **2. Analysis of the current program at the FoL**

All European education systems have three levels of studies: bachelor, master and doctorate. Incumbent Montenegrin system, however, has four degrees, with a specialist degree not recognisable by other countries, which substantially excludes Montenegrin students from the integration process of education. In addition to the inherent asymmetry of the pan-European education system, this model is problematic from the quality perspective.

The current diplomas competences are not individually clearly defined.

Comparability only exists only on the level of four year studies, which indicates that current model is only formally reformed and that it represents a masked former system of studies, with new factors of revised concept of testing and evaluation (by the Bologna system), which had led to its the questionable quality.

### **2.1 Analysis of the currently accredited curriculum of the bachelor studies**

Current program of the legal studies is being performed in six semesters. All six semesters are devoted to the basic legal disciplines necessary for the education of lawyers. According to the current plans of study, students don't have a choice of specific modules during undergraduate studies, and there are no elective courses during the study.

On the undergraduate level, having in mind the selected model of studies 3 + 1 + 1 + 3, the student thesis is not the final exam at Faculty of law.

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| No                             | Subject                              | Sem | No. Of classes |   |   | ECTS |
|--------------------------------|--------------------------------------|-----|----------------|---|---|------|
|                                |                                      |     | T              | P | L |      |
| 1st Year                       |                                      |     |                |   |   |      |
| 1                              | Roman law                            | I   | 4              | 1 | 0 | 8    |
| 2                              | Legal history                        | I   | 4              | 1 | 0 | 8    |
| 3                              | Theory of law                        | I   | 4              | 1 | 0 | 8    |
| 4                              | Contemporary political systems       | I   | 3              | 1 | 0 | 6    |
|                                |                                      |     |                |   |   |      |
| 5                              | Constitutional law                   | II  | 4              | 1 | 0 | 8    |
| 6                              | Labour law                           | II  | 4              | 1 | 0 | 8    |
| 7                              | Fundamentals of economic policy      | II  | 4              | 1 | 0 | 8    |
| 8                              | Fundamentals of sociology            | II  | 3              | 1 | 0 | 6    |
| Total hours of active teaching |                                      |     | 30             | 9 | 0 |      |
| Total ECTS                     |                                      |     |                |   |   | 60   |
| 2nd Year                       |                                      |     |                |   |   |      |
| 9                              | Criminal law I                       | III | 4              | 1 | 0 | 8    |
| 10                             | Introduction to civil law            | III | 4              | 1 | 0 | 8    |
| 11                             | Family law                           | III | 4              | 1 | 0 | 8    |
| 12                             | Inheritance law                      | III | 3              | 1 | 0 | 6    |
|                                |                                      |     |                |   |   |      |
| 13                             | Criminal law II                      | IV  | 4              | 1 | 0 | 8    |
| 14                             | Property law                         | IV  | 4              | 1 | 0 | 8    |
| 15                             | Administrative law                   | IV  | 4              | 1 | 0 | 8    |
| 16                             | Foreign language                     | IV  | 2              | 1 | 0 | 6    |
| Total hours of active teaching |                                      |     | 29             | 8 | 0 |      |
| Total ECTS                     |                                      |     |                |   |   | 60   |
| 3rd Year                       |                                      |     |                |   |   |      |
| 17                             | Law of Obligation                    | V   | 4              | 1 | 0 | 8    |
| 18                             | Criminal procedural law              | V   | 4              | 1 | 0 | 8    |
| 19                             | Public international law             | V   | 4              | 1 | 0 | 8    |
| 20                             | Company law                          | V   | 3              | 1 | 0 | 4    |
|                                |                                      |     |                |   |   |      |
| 21                             | Business transactions                | VI  | 3              | 1 | 0 | 6    |
| 22                             | Civil procedural law                 | VI  | 4              | 1 | 0 | 8    |
| 23                             | International private law            | VI  | 4              | 1 | 0 | 8    |
| 24                             | Financial law                        | VI  | 3              | 1 | 0 | 6    |
| 25                             | Foreign language (legal terminology) | VI  | 1              | 0 | 0 | 2    |
| Total hours of active teaching |                                      |     | 30             | 8 | 0 |      |
| Total ECTS                     |                                      |     |                |   |   | 60   |

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## **2.2 Analysis of the currently accredited curriculum of the master studies**

With regard to the system of studies - 3 + 1 + 1 + 3, the level of master's study is divided into two levels, one-year specialist studies and a one-year master's studies.

The implemented system is partly a result of the envisaged method of governmental funding of the programs, as governmental funding was provided only for four years of study, with the exception for regulated professions. This solution has proven to be unsustainable due to that the degree of specialist studies is not recognized as an option by external evaluators, which amounted to a recommendation that the degree of studies at University of Montenegro should be aligned with those at European Higher Education area.

### **2.2.1. Analysis of the currently accredited curriculum of the specialist studies**

Taking into account the breadth of the legal profession, the Law Faculty has accredited seven programs, in order to offer a greater choice of specialisation to prospective students.

Program specialist studies are carried out in two semesters, with usually one of the subject per semester dedicated to the study of an elective course which students can choose from a list of 28 elective sources.

Given the level of study, during the last semester, after passing all the exams, a specialist paper is the last exam that student have to pass before obtaining a diploma of a "specialist of legal studies".

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The following table contains the overview of all seven programs of specialized studies, as well as a list of elective courses.

| No                             | Subject                      | Sem | No. of classes |   |   | ECTS |
|--------------------------------|------------------------------|-----|----------------|---|---|------|
|                                |                              |     | T              | P | L |      |
| Bussines law                   |                              |     |                |   |   |      |
| 1                              | Maritime law                 | I   | 3              | 1 | 0 | 8    |
| 2                              | Customs law                  | I   | 2              | 2 | 0 | 8    |
| 3                              | Commercial law clinic        | I   | 3              | 2 | 0 | 10   |
| 4                              | Elective subject             | I   | 2              | 0 | 0 | 4    |
|                                |                              |     |                |   |   |      |
| 5                              | Law of commodities           | II  | 3              | 1 | 0 | 8    |
| 6                              | Tax and budget law of the EU | II  | 3              | 1 | 0 | 8    |
| 7                              | Elective subject             | II  | 2              | 0 | 0 | 4    |
| 8                              | Specialist paper             | II  | 0              | 0 | 0 | 10   |
| Total hours of active teaching |                              |     | 17             | 8 | 0 |      |
| Total ECTS                     |                              |     |                |   |   | 60   |

| No                             | Subject                           | Sem | No. of classes |   |   | ECTS |
|--------------------------------|-----------------------------------|-----|----------------|---|---|------|
|                                |                                   |     | T              | P | L |      |
| International law              |                                   |     |                |   |   |      |
| 1                              | International law of human rights | I   | 3              | 1 | 1 | 10   |
| 2                              | International organisation        | I   | 2              | 1 | 1 | 8    |
| 3                              | International legal clinic        | I   | 3              | 1 | 0 | 8    |
| 4                              | Elective subject                  | I   | 2              | 0 | 0 | 4    |
|                                |                                   |     |                |   |   |      |
| 5                              | Euro – Atlantic integration       | II  | 2              | 1 | 1 | 8    |
| 6                              | International humanitarian law    | II  | 2              | 1 | 1 | 8    |
| 7                              | Elective subject                  | II  | 2              | 0 | 0 | 4    |
| 8                              | Specialist paper                  | II  | 0              | 2 | 3 | 10   |
| Total hours of active teaching |                                   |     | 16             | 7 | 7 |      |
| Total ECTS                     |                                   |     |                |   |   | 60   |

| No           | Subject | Sem | No. of classes |   |   | ECTS |
|--------------|---------|-----|----------------|---|---|------|
|              |         |     | T              | P | L |      |
| Criminal law |         |     |                |   |   |      |



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|                                |                            |    |           |          |          |           |
|--------------------------------|----------------------------|----|-----------|----------|----------|-----------|
| 1                              | Criminology                | I  | 2         | 1        | 1        | 8         |
| 2                              | International criminal law | I  | 2         | 1        | 1        | 8         |
| 3                              | Criminal law clinics       | I  | 3         | 2        | 0        | 10        |
| 4                              | Elective subject           | I  | 2         | 0        | 0        | 4         |
|                                |                            |    |           |          |          |           |
| 5                              | Penology                   | II | 2         | 1        | 1        | 8         |
| 6                              | Criminalistics             | II | 2         | 1        | 1        | 8         |
| 7                              | Elective subject           | II | 2         | 0        | 0        | 4         |
| 8                              | Specialist paper           | II | 0         | 2        | 3        | 10        |
| Total hours of active teaching |                            |    | <b>17</b> | <b>8</b> | <b>7</b> |           |
| Total ECTS                     |                            |    |           |          |          | <b>60</b> |

| No                             | Subject                         | Sem | No. of classes |    |   | ECTS |
|--------------------------------|---------------------------------|-----|----------------|----|---|------|
|                                |                                 |     | T              | P  | L |      |
| Civil law                      |                                 |     |                |    |   |      |
| 1                              | Civil law – legal clinics       | I   | 3              | 2  | 0 | 10   |
| 2                              | Obligation law – legal clinics  | I   | 3              | 1  | 0 | 8    |
| 3                              | Elective subject                | I   | 2              | 0  | 0 | 4    |
| 4                              | Specialist seminar              | I   | 0              | 4  | 0 | 8    |
|                                |                                 |     |                |    |   |      |
| 5                              | Family law – legal clinics      | II  | 3              | 2  | 0 | 10   |
| 6                              | Inheritance law – legal clinics | II  | 3              | 1  | 0 | 8    |
| 7                              | Specialist paper                | II  | 0              | 0  | 0 | 12   |
| Total hours of active teaching |                                 |     | 14             | 10 | 0 |      |
| Total ECTS                     |                                 |     |                |    |   | 60   |

| No                             | Subject                                | Sem | No. of classes |          |          | ECTS      |
|--------------------------------|--|-----|----------------|----------|----------|-----------|
|                                |  |     | T              | P        | L        |           |
| Procedural law                 |  |     |                |          |          |           |
| 1                              | Criminal procedure law – legal clinics | I   | 3              | 2        | 0        |           |
| 2                              | Mediation                              | I   | 3              | 2        | 0        |           |
| 3                              | Elective subject                       | I   | 2              | 0        | 0        |           |
|                                |  |     |                |          |          |           |
| 4                              | Civil procedure law – legal clinics    | II  | 3              | 2        | 0        |           |
| 5                              | Procedural law of evidence             | II  | 3              | 2        | 0        |           |
| 6                              | Specialist paper                       | II  | 0              | 0        | 0        |           |
| Total hours of active teaching |  |     | <b>14</b>      | <b>8</b> | <b>0</b> |           |
| Total ECTS                     |  |     |                |          |          | <b>60</b> |

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| No                             | Subject                            | Sem | No. of classes |    |   | ECTS |
|--------------------------------|------------------------------------|-----|----------------|----|---|------|
|                                |                                    |     | T              | P  | L |      |
| Constitutional law             |                                    |     |                |    |   |      |
| 1                              | Comparative constitutional law     | I   | 3              | 1  | 0 | 8    |
| 2                              | Parliamentarism and parliament law | I   | 2              | 2  | 0 | 8    |
| 3                              | Elective subject                   | I   | 2              | 0  | 0 | 4    |
| 4                              | Specialist practice                | I   | 0              | 5  | 0 | 10   |
|                                |                                    |     |                |    |   |      |
| 5                              | Constitutional procedural law      | II  | 2              | 2  | 0 | 8    |
| 6                              | Basics of EU law                   | II  | 3              | 1  | 0 | 8    |
| 7                              | Elective subject                   | II  | 2              | 0  | 0 | 4    |
| 8                              | Specialist paper                   | II  | 0              | 5  | 0 | 10   |
| Total hours of active teaching |                                    |     | 14             | 16 | 0 |      |
| Total ECTS                     |                                    |     |                |    |   | 60   |

| No                             | Subject                     | Sem | No. of classes |    |   | ECTS |
|--------------------------------|-----------------------------|-----|----------------|----|---|------|
|                                |                             |     | T              | P  | L |      |
| History of law                 |                             |     |                |    |   |      |
| 1                              | European legal tradition    | I   | 3              | 2  | 0 | 10   |
| 2                              | Legal history clinics       | I   | 3              | 2  | 0 | 10   |
| 3                              | Elective subject            | I   | 2              | 0  | 0 | 4    |
| 4                              | Specialist seminar          | I   | 0              | 3  | 0 | 6    |
|                                |                             |     |                |    |   |      |
| 5                              | Comparative legal systems   | II  | 3              | 2  | 0 | 10   |
| 6                              | Montenegrin legal tradition | II  | 3              | 2  | 0 | 10   |
| 7                              | Specialist paper            | II  | 0              | 5  | 0 | 10   |
| Total hours of active teaching |                             |     | 14             | 16 | 0 |      |
| Total ECTS                     |                             |     |                |    |   | 60   |

| No                | Subject                         | Sem | No. of classes |   |   | ECTS |
|-------------------|---------------------------------|-----|----------------|---|---|------|
|                   |                                 |     | T              | P | L |      |
| Elective subjects |                                 |     |                |   |   |      |
| 1                 | Shareholders law                | O   | 2              | 0 | 0 | 4    |
| 2                 | Law of the sea                  | O   | 2              | 0 | 0 | 4    |
| 3                 | Diplomatic and consular law     | O   | 2              | 0 | 0 | 4    |
| 4                 | International relations         | O   | 2              | 0 | 0 | 4    |
| 5                 | Victimology                     | O   | 2              | 0 | 0 | 4    |
| 6                 | Politics of crime reductions    | O   | 2              | 0 | 0 | 4    |
| 7                 | Arbitration law with Moot Court | O   | 2              | 0 | 0 | 4    |
| 8                 | Lawyers skills                  | O   | 2              | 0 | 0 | 4    |

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|    |   |   |   |   |   |   |
|----|---|---|---|---|---|---|
| 9  | The proceedings before the Ombudsman          | O | 2 | 0 | 0 | 4 |
| 10 | The administrative courts procedure           | O | 2 | 0 | 0 | 4 |
| 11 | European contract law                         | O | 2 | 0 | 0 | 4 |
| 12 | Testamentary freedom and its limitations      | O | 2 | 0 | 0 | 4 |
| 13 | Children rights                               | O | 2 | 0 | 0 | 4 |
| 14 | Securing Claims                               | O | 2 | 0 | 0 | 4 |
| 15 | Protection of constitution nad human rights   | O | 2 | 0 | 0 | 4 |
| 16 | Contemporary concepts of law                  | O | 2 | 0 | 0 | 4 |
| 17 | Legal theories and institutions of antics     | O | 2 | 0 | 0 | 4 |
| 18 | Receptions of Roman law                       | O | 2 | 0 | 0 | 4 |
| 19 | History of Montenegrin parliamentarism        | O | 2 | 0 | 0 | 4 |
| 20 | Tax procedures and tax criminal law           | O | 2 | 0 | 0 | 4 |
| 21 | Peaceful dispute resolution                   | O | 2 | 0 | 0 | 4 |
| 22 | Interntional criminal law                     | O | 2 | 0 | 0 | 4 |
| 23 | International law of enviornmental protection | O | 2 | 0 | 0 | 4 |
| 24 | Legal medicine                                | O | 2 | 0 | 0 | 4 |
| 25 | Juvenile criminal law                         | O | 2 | 0 | 0 | 4 |
| 26 | Nomotehnique                                  | O | 2 | 0 | 0 | 4 |
| 27 | Fundamnetals of Enviornmental law             | O | 2 | 0 | 0 | 4 |
| 28 | Monetary economics                            | O | 2 | 0 | 0 | 4 |

### **2.2.2. Analysis of the currently accredited curriculum of the masters studies**

With regard to the system for 3 + 1 + 1 + 3, the level of master's study is divided into two levels, one-year specialist study and a one-year master's studies.

Students can chose from four different courses accredited by the Faculty of Law.

The program of master studies are therefore organised into two semesters in which all subjects are taught as compulsory subjects so students do not have the option to choose specific areas according to their interests.

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Given the level of study, during the last semester, after passing all exams, a master's thesis is the last obligation of the student before obtaining a masters diploma

The following table contain the overview of all four programs of currently accredited master studies.

| No                             | Subject                                     | Sem | No. of classes |    |   | ECTS |
|--------------------------------|---|-----|----------------|----|---|------|
|                                |   |     | T              | P  | L |      |
| CRIMINAL LAW                   |   |     |                |    |   |      |
| 1                              | Methodology of scientific research          | I   | 1              | 1  | 0 | 4    |
| 2                              | Criminal law                                | I   | 1              | 3  | 0 | 8    |
| 3                              | Criminal procedure law                      | I   | 1              | 3  | 0 | 8    |
| 4                              | Criminalistics                              | I   | 1              | 2  | 0 | 6    |
|                                |   |     |                |    |   |      |
| 5                              | Criminology                                 | II  | 1              | 1  | 0 | 4    |
| 6                              | Penology                                    | II  | 1              | 1  | 0 | 4    |
| 7                              | Fundamentals of the criminalistic methodics | II  | 1              | 1  | 0 | 4    |
| 8                              | Legal medicine                              | II  | 1              | 1  | 0 | 4    |
| 9                              | Master's Thesis                             |     | 1              | 1  | 0 | 4    |
| Total hours of active teaching |   |     | 9              | 14 | 0 |      |
| Total ECTS                     |   |     |                |    |   | 60   |

| No                             | Subject                                  | Sem | No. of classes |   |     | ECTS |
|--------------------------------|--|-----|----------------|---|-----|------|
|                                |  |     | T              | P | L   |      |
| CIVIL LAW (SUBSTANTIVE LAW)    |  |     |                |   |     |      |
| 1                              | Methodology of scientific research       | I   | 1              | 0 | 0   | 2    |
| 2                              | Law of Obligations – Contracts           | I   | 2              | 1 | 1   | 8    |
| 3                              | Property law - Ownership                 | I   | 2              | 1 | 0,5 | 7    |
| 4                              | Family law – Property relations          | I   | 2              | 1 | 0,5 | 7    |
| 5                              | Inheritance law - Treaties of succession |     | 1              | 1 | 1   | 6    |
|                                |  |     |                |   |     |      |
| 6                              | Master's Thesis                          | II  | 0              | 0 | 0   | 30   |
| Total hours of active teaching |  |     | 8              | 4 | 3   |      |
| Total ECTS                     |  |     |                |   |     | 60   |

| No | Subject | Sem | No. of classes |   |   | ECTS |
|----|---------|-----|----------------|---|---|------|
|    |         |     | T              | P | L |      |

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| CIVIL LAW (PROCEDURAL LAW)     |                                    |    |          |          |          |           |
|--------------------------------|------------------------------------|----|----------|----------|----------|-----------|
| 1                              | Methodology of scientific research | I  | 2        | 0        | 0        | 4         |
| 2                              | Civil litigation procedural law    | I  | 2        | 1        | 1        | 8         |
| 3                              | Enforcement law                    | I  | 2        | 1        | 0,5      | 6         |
| 4                              | Non-contentious law                | I  | 2        | 1        | 0,5      | 6         |
| 5                              | International civil procedure law  | I  | 1        | 1        | 1        | 6         |
| 6                              | Master's Thesis                    | II | 0        | 0        | 0        | 30        |
| Total hours of active teaching |                                    |    | <b>9</b> | <b>4</b> | <b>3</b> |           |
| Total ECTS                     |                                    |    |          |          |          | <b>60</b> |

| No                             | Subject   | Sem | No. of classes |   |   | ECTS |
|--------------------------------|---|-----|----------------|---|---|------|
|                                |   |     | T              | P | L |      |
| CONSTITUTIONAL LAW             |   |     |                |   |   |      |
| 1                              | Methodology of scientific research                                | I   | 1              | 1 | 0 | 4    |
| 2                              | Fundamentals of international public law                          | I   | 1              | 3 | 0 | 8    |
| 3                              | Foundation and system of international protection of human rights | I   | 1              | 2 | 0 | 6    |
| 4                              | Implementation and practice of human rights                       | I   | 1              | 2 | 0 | 6    |
| 5                              | The European system of human rights protection                    | I   | 1              | 2 | 0 | 6    |
|                                |   |     |                |   |   |      |
| 6                              | Master's Thesis   | II  | 0              | 0 | 0 | 30   |
| Total hours of active teaching |   |     | 9              | 4 | 3 |      |
| Total ECTS                     |   |     |                |   |   | 60   |

### **2.3 Analysis of the currently accredited curriculum of the doctoral studies**

With regard to the system for 3 + 1 + 1 + 3, the level of doctoral studies is conceptualised as three-year studies.

Students can chose from three different courses accredited by the Faculty of Law.

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Program of the doctoral studies are therefore organised into six semesters. The first and the second semester devoted to lectures and exams at the doctoral level. Some of the subjects are taught as compulsory subjects, so the students don't have absolute freedom of choice, so they are obliged to take certain subjects, after they have chosen a specific program. Other subjects are formed into modules so the students have to choose certain number of subjects from each module. In the second semester students are free to choose one subject from a different legal field.

Remaining four semesters are dedicated to a doctoral dissertation that candidate will be writing in consultation with his mentor. After candidate have passed all the exams and have conducted an initial research, he is obliged to define the working title of his doctoral thesis.

Working title of the thesis is being submitted to the University Senate, after it has been determined as suitable by Faculty Council. Faculty Council is recommending to the Senate the composition of the commission for the assessment of suitability of the doctoral thesis and the candidate.

The student is required to publicly defend the objectives and expected results, research program with elements for the successful completion of the thesis, before the commission for the assessment of suitability of the doctoral thesis and the candidate, within 30 days of the commission appointment.

The Commission shall submit a report containing the assessment of the suitability of the doctoral thesis and the candidate to the Faculty and to the University Senate, within 45 days the public presentation by the student.

Based on the positive decision of the Senate of the University of accepting suitability of the doctoral theses and the candidate, candidate can be enrolled into the 3<sup>rd</sup> semester of doctoral studies and can continue his work.

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Student can submit his doctoral dissertation to Faculty Council and to the University Senate, after a certification of the 5<sup>th</sup> semester.

As prerequisite for submission of the doctoral dissertation, candidate have to publish or to submit a proof of acceptance of his paper in international journal on his dissertation results.

The following tables contain the overview of all four programs of currently accredited programs of doctoral studies.

| <b>CIVIL LAW</b>           |   |            |          |                                   |      |                                   |      |
|----------------------------|---|------------|----------|-----------------------------------|------|-----------------------------------|------|
| <b>1<sup>st</sup> YEAR</b> |   |            |          |                                   |      |                                   |      |
| No                         | Subject   | Compulsory | Elective | Winter semester<br>Hours per week | ECTS | Summer semester<br>Hours per week | ECTS |
| 1.                         | Principles of the Civil law                         | X          |          | 4+0                               | 8    |                                   |      |
| 2.                         | Elective subject                                    |            | X        | 3+1                               | 6    |                                   |      |
| 3.                         | Elective subject                                    |            | X        | 4+0                               | 8    |                                   |      |
| 4.                         | Elective subject                                    |            | X        | 4+0                               | 8    |                                   |      |
| 5.                         | Elective subject form different legal field         |            | X        |                                   |      | 4+0                               | 10   |
| 6.                         | Initial doctoral research                           |            |          |                                   |      |                                   | 20   |
| Total                      |   | 6          |          | 15+1                              | 30   | 4+0                               | 30   |
| <b>2<sup>nd</sup> YEAR</b> |   |            |          |                                   |      |                                   |      |
| 1.                         | Doctoral research                                   |            |          |                                   | 30   |                                   |      |
| 2.                         | Doctoral research                                   |            |          |                                   |      |                                   | 30   |
| Total                      |   |            |          |                                   | 30   |                                   | 30   |
| <b>3<sup>rd</sup> YEAR</b> |   |            |          |                                   |      |                                   |      |
| 1.                         | Doctoral research                                   |            |          |                                   | 30   |                                   |      |
| 2.                         | Preparation and Oral Defence of the doctoral thesis |            |          |                                   |      |                                   | 30   |
| Total                      |   |            |          |                                   | 30   |                                   | 30   |

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| <b>CRIMINAL LAW</b>        |   |            |          |                                   |      |                                   |      |
|----------------------------|---|------------|----------|-----------------------------------|------|-----------------------------------|------|
| <b>1<sup>st</sup> YEAR</b> |   |            |          |                                   |      |                                   |      |
| No                         | Subject   | Compulsory | Elective | Winter semester<br>Hours per week | ECTS | Summer semester<br>Hours per week | ECTS |
| 1.                         | The main problems of Criminal and Criminal Procedural law | X          |          | 4+0                               | 8    |                                   |      |
| 2.                         | Elective subject  |            | X        | 3+1                               | 6    |                                   |      |
| 3.                         | Elective subject  |            | X        | 4+0                               | 8    |                                   |      |
| 4.                         | Elective subject  |            | X        | 4+0                               | 8    |                                   |      |
| 5.                         | Elective subject form different legal field               |            | X        |                                   |      | 4+0                               | 10   |
| 6.                         | Initial doctoral research                                 |            |          |                                   |      |                                   | 20   |
| Total                      |   | 6          |          | 15+1                              | 30   | 4+0                               | 30   |
| <b>2<sup>nd</sup> YEAR</b> |   |            |          |                                   |      |                                   |      |
| 1.                         | Doctoral research   |            |          |                                   | 30   |                                   |      |
| 2.                         | Doctoral research   |            |          |                                   |      |                                   | 30   |
| Total                      |   |            |          |                                   | 30   |                                   | 30   |
| <b>3<sup>rd</sup> YEAR</b> |   |            |          |                                   |      |                                   |      |
| 1.                         | Doctoral research   |            |          |                                   | 30   |                                   |      |
| 2.                         | Preparation and Oral Defence of the doctoral thesis       |            |          |                                   |      |                                   | 30   |
| Total                      |   |            |          |                                   | 30   |                                   | 30   |

| <b>CONSTITUTIONAL LAW</b>  |  |  |  |  |  |  |  |
|----------------------------|--|--|--|--|--|--|--|
| <b>1<sup>st</sup> YEAR</b> |  |  |  |  |  |  |  |
| No                         |  |  |  |  |  |  |  |



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|                            | Subject  | Compulsory | Elective | Winter semester<br>Hours per week | ECTS | Summer semester<br>Hours per week | ECTS |
|----------------------------|--|------------|----------|-----------------------------------|------|-----------------------------------|------|
| 1.                         | Constitutional Principles, Institutions and Procedures | X          |          | 4+0                               | 8    |                                   |      |
| 2.                         | Elective subject                                       |            | X        | 3+1                               | 6    |                                   |      |
| 3.                         | Elective subject                                       |            | X        | 4+0                               | 8    |                                   |      |
| 4.                         | Elective subject                                       |            | X        | 4+0                               | 8    |                                   |      |
| 5.                         | Elective subject form different legal field            |            | X        |                                   |      | 4+0                               | 10   |
| 6.                         | Initial doctoral research                              |            |          |                                   |      |                                   | 20   |
| Total                      |  | 6          |          | 15+1                              | 30   | 4+0                               | 30   |
| <b>2<sup>nd</sup> YEAR</b> |  |            |          |                                   |      |                                   |      |
| 1.                         | Doctoral research                                      |            |          |                                   | 30   |                                   |      |
| 2.                         | Doctoral research                                      |            |          |                                   |      |                                   | 30   |
| Total                      |  |            |          |                                   | 30   |                                   | 30   |
| <b>3<sup>rd</sup> YEAR</b> |  |            |          |                                   |      |                                   |      |
| 1.                         | Doctoral research                                      |            |          |                                   | 30   |                                   |      |
| 2.                         | Preparation and Oral Defence of the doctoral thesis    |            |          |                                   |      |                                   | 30   |
| Total                      |  |            |          |                                   | 30   |                                   | 30   |

| <b>INTERNATIONAL LAW</b>   |  |
|----------------------------|--|
| <b>1<sup>st</sup> YEAR</b> |  |
| No                         |  |

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|                            | Subject   | Compulsory | Elective | Winter semester<br>Hours per week | ECTS | Summer semester<br>Hours per week | ECTS |
|----------------------------|---|------------|----------|-----------------------------------|------|-----------------------------------|------|
| 1.                         | The Theory of Public International law              | X          |          | 4+0                               | 8    |                                   |      |
| 2.                         | Elective subject                                    |            | X        | 3+1                               | 6    |                                   |      |
| 3.                         | Elective subject                                    |            | X        | 4+0                               | 8    |                                   |      |
| 4.                         | Elective subject                                    |            | X        | 4+0                               | 8    |                                   |      |
| 5.                         | Elective subject form different legal field         |            | X        |                                   |      | 4+0                               | 10   |
| 6.                         | Initial doctoral research                           |            |          |                                   |      |                                   | 20   |
| Total                      |   | 6          |          | 15+1                              | 30   | 4+0                               | 30   |
| <b>2<sup>nd</sup> YEAR</b> |   |            |          |                                   |      |                                   |      |
| 1.                         | Doctoral research                                   |            |          |                                   | 30   |                                   |      |
| 2.                         | Doctoral research                                   |            |          |                                   |      |                                   | 30   |
| Total                      |   |            |          |                                   | 30   |                                   | 30   |
| <b>3<sup>rd</sup> YEAR</b> |   |            |          |                                   |      |                                   |      |
| 1.                         | Doctoral research                                   |            |          |                                   | 30   |                                   |      |
| 2.                         | Preparation and Oral Defence of the doctoral thesis |            |          |                                   |      |                                   | 30   |
| Total                      |   |            |          |                                   | 30   |                                   | 30   |

|    |                          |
|----|--------------------------|
| No | <b>ELECTIVE SUBJECTS</b> |
|----|--------------------------|

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|     | Subject  | Winter<br>semester<br>Hours per<br>week | ECTS |
|-----|--|---|------|
| 1.  | International Criminal law   | 3+1                                     | 6    |
| 2.  | Diversion model and plea agreement in common law and civil law                     | 3+1                                     | 6    |
| 3.  | The Policy of Suppressing Crime  | 4+0                                     | 8    |
| 4.  | Juvenile Criminal Law  | 4+0                                     | 8    |
| 5.  | Criminalistic methodic   | 4+0                                     | 8    |
| 6.  | Penology (problems of classification and reclassification of prisoners )           | 4+0                                     | 8    |
| 7.  | Alternative penalties of deprivation of liberty                                    | 4+0                                     | 8    |
| 8.  | Legal remedies   | 4+0                                     | 8    |
| 9.  | International Criminal law   | 4+0                                     | 8    |
| 10. | International organisations and institutions                                       | 3+1                                     | 6    |
| 11. | International law of the sea   | 3+1                                     | 6    |
| 12. | European union law   | 3+1                                     | 6    |
| 13. | International humanitarian law   | 4+0                                     | 8    |
| 14. | International protection of human rights   | 4+0                                     | 8    |
| 15. | Diplomatic and consular law  | 4+0                                     | 8    |
| 16. | Law and multiculturalism   | 4+0                                     | 8    |
| 17. | International dispute resolution   | 4+0                                     | 8    |
| 18. | Constitutional systems of countries in transition                                  | 3+1                                     | 6    |
| 19. | Constitutional systems of EU   | 3+1                                     | 6    |
| 20. | Constitutions and human rights   | 3+1                                     | 6    |
| 21. | On constitution  | 4+0                                     | 8    |
| 22. | Local self-government  | 4+0                                     | 8    |
| 23. | Constitutional proceedings   | 4+0                                     | 8    |
| 24. | Property rights - selected topics  | 3+1                                     | 6    |
| 25. | Comparative Family Law   | 3+1                                     | 6    |
| 26. | Comparative litigation law of evidence   | 3+1                                     | 6    |
| 27. | Securing Claims in Rem   | 4+0                                     | 8    |
| 28. | Principles of European contract law  | 4+0                                     | 8    |
| 29. | Alternative dispute resolution   | 4+0                                     | 8    |
| 30. | Children rights in international documents   | 4+0                                     | 8    |
| 34. | Economic policy challenges of the global economic crisis                           | 4+0                                     | 8    |
| 35. | Psychoanalysis and political theory from Freud to Zizek                            | 4+0                                     | 8    |
| 36. | American foreign policy  | 4+0                                     | 8    |
| 37. | National and international security: post-Cold War and post-Yugoslavian experience | 4+0                                     | 8    |

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## **3. Analysis of newly accredited program at the FoL**

### **3.1. Analysis of the newly accredited program of undergraduate studies**

As the forthcoming accreditation at the University of Montenegro in 2017 approached, the Situation analysis and strategic orientations for the reorganization and integration of the University of Montenegro was conducted in 2015. It represents an overview of the current situation at the University and systematized proposal plans, directions and solutions for rationalization, restructuring and integration of the institutional model of the University of Montenegro. Plans and programs of twenty three university units, which have developed differently, unevenly and spontaneously, were analyzed. It was noted that the disintegrated system generated new faculties and overproduced study programs without the clear plan and assessment of sustainability, while also neglecting material resources and quality criteria, without profiled concept of enrolment policy – despite the unsustainable model of financing of the University and problematic system of financial management.

Also, it was noted that the insurance and improvement of the quality and connection of higher education and the labour market, through the research orientation, internationalization, entrepreneurial and innovative character represent the basic principles that underline the activity and the mission of the University of Montenegro, in order to create an integrated knowledge society, improvement of the quality of life, and giving full contribution to social and economic development of Montenegro.

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This report announced the reform that the University of Montenegro conducts in accordance with the trend of European Higher Education Area (EHEA), and the model 3+2+3, which was graded as the optimal solution, given the fact that it represents the form of the original interpretation of the Bologna Declaration, which provides three years of undergraduate studies, after which the student has the option of mobility.

University of Montenegro has expressed willingness to abandon unrecognizable degree of specialist studies, which needs to be recognized not only at national level but with regional and European labour market needs.

Suspension of large number of individual study programs at faculty level had provided an opportunity for creation of optional modules, in order to provide a model of study which will be in accordance with contemporary directions of development of certain areas, encouraging a multidisciplinary approach.

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Model 3+2+3, in our conditions, means the necessary discontinuity that will clearly lead to a five-year study. The five-year study is dominant even outside the European Higher Education Area. The goal is to achieve a completely different perception of bachelor and master diploma and their credibility.

The models that are based on a system of 180 ECTS + 120 ECTS credits (3+2) for the first and second cycle of studies are dominant in the European Higher Education Area especially in Germany, Finland, Italy, Luxembourg and the like. Experiences in the western region are absolutely based on the domination of 3+2+3 model. Comparative practice also points to the correct

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choice in terms of accepting the dominant European model of study 3+2+3 (reports of the Bologna follow-up Group display the data that the first cycle of 240 ECTS credits in a slightly greater extent is implemented mainly in countries such as Kazakhstan, Turkey, Azerbaijan, Bulgaria, Russia and so on.)

**The justification for the proposed class load**

Number of classes is designed for specific subjects at the Faculty of Law, is equal or lower than the number of classes at universities in the region. Therefore, weekly number of classes for lectures and practice designed by the Proposal should not exceed 5 hours (classes) per week (4 hours of lectures and 1 hour of practice), while there are also subjects with 4 classes per week as well. In Zagreb, for the largest number of subjects, 6 hours of classes per week is provided; In Ljubljana, weekly class load (for lectures and practice) is in the range from 2 to 8 hours per week (having in mind that the number of hours becomes even greater if we take into account the planned seminars – the class load increases for another 1 to 4 hours a week); In Belgrade, weekly class load is in the range from 2 to 7. Hence, it follows, that the number of classes is in conformity with universities in the region.

**Justification of the proposed modules**

The new curriculum of the Faculty of Law envisages teaching in two modules – public law module and private law module.

We can compare the modules to ones at the Faculty of Law in Zagreb: Module I: EU law; Module II: civil law module; Module III: Criminal law module; Module IV: Constitutional and Administrative module; Module V: Commercial law module; and Module VI: The international law module. Further comparison

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is made with the Faculty of Law in Belgrade, where there are the following modules: Module I: Judicial and Administrative module; Module II: Business law module; Module III: International law module; and Module IV: Theoretical-legal module.

At the Faculty of Law in Ljubljana, there are no modules, but the students, starting from the third semester, choose optional subjects, 7 optional subjects in total, which include all the areas that exist in the modules from our Proposal, as well as the modules featured in Zagreb and Belgrade.

**The share of practical classes at the undergraduate level**

The proposed program is planned to significantly increase the share of practical classes at the undergraduate and graduate studies, which will be implemented in the competent bodies and institutions. This way, students at the undergraduate and master studies are trained to perform the maximum number of jobs that lawyers and jurists can exercise in the labour market.

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\*                      \*

The science of law study program is carried out in six semesters. Five semesters are devoted to the basic legal disciplines that are necessary for the education of lawyers and jurists. In the sixth semester students have the opportunity to choose between two modules - the public law and private law.

At the undergraduate level, considering the selected 3+2+3 studies model, diploma thesis is not intended as the final exam.

Practical classes are provided within each subject at the undergraduate level. Each course ends with a final exam.



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| No                   | Subject                                      | Sem | No.of classes |          |          | ECTS      |
|----------------------|--|-----|---------------|----------|----------|-----------|
|                      |  |     | T             | P        | L        |           |
| 1 <sup>st</sup> YEAR |  |     |               |          |          |           |
|                      | Theory of law                                | I   | 4             | 0        | 0        | 5         |
|                      | General and national legal history           | I   | 4             | 0        | 0        | 5         |
|                      | Roman law                                    | I   | 4             | 1        | 0        | 6         |
|                      | Contemporary political systems               | I   | 4             | 0        | 0        | 5         |
|                      | Sociology fundamentals with sociology of law | I   | 4             | 0        | 0        | 5         |
|                      | English language I                           | I   | 2             | 2        | 0        | 4         |
|                      |  |     |               |          |          |           |
|                      | Constitutional law                           | II  | 4             | 1        | 0        | 5         |
|                      | Introduction to Civil law                    | II  | 4             | 1        | 0        | 6         |
|                      | Labour law                                   | II  | 4             | 0        | 0        | 5         |
|                      | Fundamentals of EU law                       | II  | 4             | 0        | 0        | 5         |
|                      | Fundamentals of economic policy              | II  | 4             | 0        | 0        | 5         |
|                      | English language II                          | II  | 2             | 2        | 0        | 4         |
| Total classes        |  |     | <b>44</b>     | <b>7</b> | <b>0</b> |           |
| Total ECTS           |  |     |               |          |          | <b>60</b> |
| 2 <sup>nd</sup> YEAR |  |     |               |          |          |           |
|                      | Criminal law I                               | I   | 4             | 1        | 0        | 7         |
|                      | Property law                                 | I   | 4             | 1        | 0        | 7         |
|                      | Family law                                   | I   | 4             | 1        | 0        | 6         |
|                      | Inheritance law                              | I   | 4             | 1        | 0        | 6         |
|                      | English language III                         | I   | 2             | 2        | 0        | 4         |
|                      |  |     |               |          |          |           |
|                      | Criminal law II                              | II  | 4             | 1        | 0        | 6         |
|                      | Law of Obligation                            | II  | 4             | 1        | 0        | 6         |
|                      | Administrative law                           | II  | 4             | 1        | 0        | 6         |
|                      | Financial law                                | II  | 4             | 1        | 0        | 6         |
|                      | Company law                                  | II  | 4             | 1        | 0        | 6         |
| Total classes        |  |     | <b>38</b>     | <b>9</b> | <b>0</b> |           |
| Total ECTS           |  |     |               |          |          | <b>60</b> |
| 3 <sup>rd</sup> YEAR |  |     |               |          |          |           |
|                      | Criminal procedural law                      | I   | 4             | 1        | 0        | 6         |
|                      | Public international law                     | I   | 4             | 1        | 0        | 6         |
|                      | Civil procedural law                         | I   | 4             | 1        | 0        | 6         |
|                      | Private International law                    | I   | 4             | 1        | 0        | 6         |
|                      | Commercial law                               | I   | 4             | 1        | 0        | 6         |
|                      |  |     |               |          |          |           |

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|                          |   |    |           |           |          |           |
|--------------------------|---|----|-----------|-----------|----------|-----------|
|                          | Modul subject   | II | 4         | 1         | 0        | 6         |
|                          | Modul subject   | II | 4         | 1         | 0        | 6         |
|                          | Modul subject   | II | 4         | 1         | 0        | 6         |
|                          | Modul subject   | II | 4         | 1         | 0        | 6         |
|                          | Modul subject   | II | 4         | 1         | 0        | 6         |
| Total classes            |   |    | <b>40</b> | <b>5</b>  | <b>0</b> |           |
| Total ECTS               |   |    |           |           |          | <b>60</b> |
|                          |   |    |           |           |          |           |
| <b>PUBLIC LAW MODUL</b>  |   |    |           |           |          |           |
|                          |   |    |           |           |          |           |
|                          | Criminalistics  | 4  | 1         | 0         | 6        |           |
|                          | Criminal Executive Law  | 4  | 1         | 0         | 6        |           |
|                          | International law of human rights   | 4  | 1         | 0         | 6        |           |
|                          | International organisations   | 4  | 1         | 0         | 6        |           |
|                          | Elective subject:<br>-Maritime law,<br>-Intellectual Property ,<br>-International commercial law,<br>-Notry law                               | 4  | 1         | 0         | 6        |           |
|                          |   |    |           |           |          |           |
| <b>PRIVATE LAW MODUL</b> |   |    |           |           |          |           |
|                          | Maritime law  | 4  | 1         | 0         | 6        |           |
|                          | Intellectual Property   | 4  | 1         | 0         | 6        |           |
|                          | International commercial law  | 4  | 1         | 0         | 6        |           |
|                          | Notry law   | 4  | 1         | 0         | 6        |           |
|                          | Elective subjects:<br>- Criminalistics,<br>- Criminal Executive Law,<br>- International law of human rights,<br>- International organisations | 4  | 1         | 0         | 6        |           |
| Total classes            |   |    | <b>40</b> | <b>10</b> | <b>0</b> |           |
| Total ECTS               |   |    |           |           |          | <b>60</b> |

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**3.2. Analysis of newly accredited Masters programs**

The situation analysis and strategic objectives for the reorganization and integration of the University of Montenegro from 2015, confirmed that the master study is a natural continuation of undergraduate studies in the service of deepening and rounding professional competencies, even though past practice indicated mainly the degradation of this level of study, as well as the quality of the acquired knowledge.

The causes have been identified in the one-year study duration, preceded by specialist studies, thus losing the continuity and the effects of education. Additionally, there was another identified cause - lack of budget financing, which severely reduces their availability, and affects the quality of the teaching, which is now typically consultative and in the form of mentor work.

Thus, it was concluded that to achieve the required quality level, classes must be run at full capacity at this level of education. In order to change the perception of this level of studies, that now employers see as a purely scientific category, it is proposed that the new legal solutions in the field of higher education replace this term with the term *master*, as a sign of discontinuity, so that the master degree would be a synonym to an employer, for a candidate that is professionally ready for the labour market.

\*

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In line with this strategic orientation the Faculty of Law has proposed four master study programs for accreditation. Study program of master studies is carried out in four semesters. Three semesters are dedicated to the study of specific legal disciplines. The fourth semester is intended to produce a master thesis.

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In the master studies, in each study program, at least one subject is completely dedicated to the practical aspects of the legal profession in the area. Practical classes are provided within each subject on the master studies. Each course ends with a final exam.

Master thesis at the postgraduate studies is evaluated at 30 ECTS credits. Student chooses the topic for the master thesis after finishing the first semester. The topic for the thesis can be chosen from the courses of the particular study program. Topics for the master thesis are proposed by the professors that are participating in teaching at the master studies.

First, student chooses the subject (course) that they want to do a master thesis on, and then, in the agreement with the professor from the course, they propose the topic of the master thesis to the Council of the organizational unit.

The attachment contains a table with departments and courses at the newly-accredited study programs of master studies.

**MAGISTARSKE/MASTER STUDIJE – STUDIJSKI PROGRAM KRIVIČNO  
PRAVO**

| No                   | Subject                              | Sem | No.of classes |   |   | ECTS |
|----------------------|--------------------------------------|-----|---------------|---|---|------|
|                      |                                      |     | T             | P | L |      |
| 1 <sup>st</sup> YEAR |                                      |     |               |   |   |      |
|                      | International criminal law           |     | 4             | 1 | 0 | 8    |
|                      | EU Criminal law                      |     | 4             | 1 | 0 | 8    |
|                      | Criminology                          |     | 4             | 1 | 0 | 8    |
|                      | Montenegrin Criminal Legal Tradition |     | 4             | 1 | 0 | 6    |
|                      |                                      |     |               |   |   |      |
|                      | Juvenile criminal law                |     | 4             | 1 | 0 | 8    |
|                      | Criminal legal medicine              |     | 4             | 1 | 0 | 8    |
|                      | Digital forensics                    |     | 4             | 1 | 0 | 8    |
|                      | Misdemeanour law                     |     | 4             | 1 | 0 | 6    |
| Total classes        |                                      |     | 32            | 8 | 0 |      |
| Total ECTS           |                                      |     |               |   |   | 60   |
| 2 <sup>nd</sup> YEAR |                                      |     |               |   |   |      |
|                      | The guilt and complicity             |     | 4             | 1 | 0 | 6    |

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|               |   |    |           |          |          |           |
|---------------|---|----|-----------|----------|----------|-----------|
|               | Law of evidence and restrictions of freedoms and human rights in criminal proceedings |    | 4         | 1        | 0        | 6         |
|               | Criminal Law Clinic   |    | 4         | 1        | 0        | 6         |
|               | Financial investigations  |    | 4         | 1        | 0        | 6         |
|               | Methodology of scientific research  |    | 4         | 0        | 0        | 6         |
|               | The selection and notification on master thesis                                       | 30 |           |          |          |           |
|               | Initial master research   |    |           |          |          |           |
|               | Preparation and Oral Defence fo the master thesis                                     |    |           |          |          |           |
| Total classes |   |    | <b>20</b> | <b>4</b> | <b>0</b> |           |
| Total ECTS    |   |    |           |          |          | <b>60</b> |

**MAGISTARSKE/MASTER STUDIJE – STUDIJSKI PROGRAM  
MEĐUNARODNO PRAVO**

| No                   | Subject   | Sem | No.of classes |   |   | ECTS |
|----------------------|---|-----|---------------|---|---|------|
|                      |   |     | T             | P | L |      |
| 1 <sup>st</sup> YEAR |   |     |               |   |   |      |
|                      | History and development of international law                      |     | 4             | 1 | 0 | 8    |
|                      | International humanitarian law                                    |     | 4             | 1 | 0 | 8    |
|                      | Diplomatic and consular law                                       |     | 4             | 1 | 0 | 8    |
|                      | Law of the sea  |     | 4             | 1 | 0 | 6    |
|                      |   |     |               |   |   |      |
|                      | Euro-Atlantic integrations  |     | 4             | 1 | 0 | 8    |
|                      | International implementation of human rights                      |     | 4             | 1 | 0 | 8    |
|                      | Comparative legal systems   |     | 4             | 1 | 0 | 8    |
|                      | European constitutionality  |     | 4             | 1 | 0 | 6    |
| Total classes        |   |     | 32            | 8 | 0 |      |
| Total ECTS           |   |     |               |   |   | 60   |
| 2 <sup>nd</sup> YEAR |   |     |               |   |   |      |
|                      | International law clinic  |     | 4             | 1 | 0 | 6    |
|                      | European convention in practice of European court of human rights |     | 4             | 1 | 0 | 6    |
|                      | International relations   |     | 4             | 1 | 0 | 6    |
|                      | European antidiscrimination law                                   |     | 4             | 1 | 0 | 6    |

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|               |   |    |           |          |          |           |
|---------------|---|----|-----------|----------|----------|-----------|
|               | Methodology of scientific research                |    | 4         | 0        | 0        | 6         |
|               | The selection and notification on master thesis   | 30 |           |          |          |           |
|               | Initial master research                           |    |           |          |          |           |
|               | Preparation and Oral Defence fo the master thesis |    |           |          |          |           |
| Total classes |   |    | <b>20</b> | <b>4</b> | <b>0</b> |           |
| Total ECTS    |   |    |           |          |          | <b>60</b> |

**MAGISTARSKE/MASTER STUDIJE – STUDIJSKI PROGRAM GRAĐANSKO  
PRAVO**

| No                   | Subject   | Sem | No.of classes |          |          | ECTS      |
|----------------------|---|-----|---------------|----------|----------|-----------|
|                      |   |     | T             | P        | L        |           |
| 1 <sup>st</sup> YEAR |   |     |               |          |          |           |
|                      | Ownership rigts                                   |     | 4             | 1        | 0        | 7         |
|                      | Property law clinic                               |     | 4             | 1        | 0        | 8         |
|                      | Contract law                                      |     | 4             | 0        | 0        | 7         |
|                      | Law of obligation clinic                          |     | 4             | 1        | 0        | 8         |
|                      |   |     |               |          |          |           |
|                      | Children rights                                   |     | 4             | 1        | 0        | 7         |
|                      | Family law clinic                                 |     | 4             | 1        | 0        | 8         |
|                      | Freedom of legacy and its limitations             |     | 4             | 1        | 0        | 7         |
|                      | Inheritance law clinic                            |     | 4             | 1        | 0        | 8         |
| Total classes        |   |     | <b>32</b>     | <b>7</b> | <b>0</b> |           |
| Total ECTS           |   |     |               |          |          | <b>60</b> |
| 2 <sup>nd</sup> YEAR |   |     |               |          |          |           |
|                      | Civil law of evidence                             |     | 4             | 1        | 0        | 6         |
|                      | Alternative dispute resolution                    |     | 4             | 1        | 0        | 6         |
|                      | Formal contracts                                  |     | 4             | 1        | 0        | 6         |
|                      | New private law institutes                        |     | 4             | 1        | 0        | 6         |
|                      | Methodology of scientific research                |     | 4             | 0        | 0        | 6         |
|                      | The selection and notification on master thesis   | 30  |               |          |          |           |
|                      | Initial master research                           |     |               |          |          |           |
|                      | Preparation and Oral Defence fo the master thesis |     |               |          |          |           |
| Total classes        |   |     | <b>20</b>     | <b>4</b> | <b>0</b> |           |
| Total ECTS           |   |     |               |          |          | <b>60</b> |

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**MAGISTARSKE/MASTER STUDIJE – STUDIJSKI PROGRAM POSLOVNO  
PRAVO**

| No                   | Subject   | Sem | No.of classes |          |          | ECTS      |
|----------------------|---|-----|---------------|----------|----------|-----------|
|                      |   |     | T             | P        | L        |           |
| 1 <sup>st</sup> YEAR |   |     |               |          |          |           |
|                      | Securities and Exchange law                       |     | 4             | 1        | 0        | 8         |
|                      | Tax law   |     | 4             | 1        | 0        | 7         |
|                      | Arbitration law                                   |     | 4             | 1        | 0        | 8         |
|                      | Legal and Business Ethics                         |     | 4             | 1        | 0        | 7         |
|                      |   |     |               |          |          |           |
|                      | EU Internal Market Law                            |     | 4             | 1        | 0        | 8         |
|                      | Insurance Law                                     |     | 4             | 1        | 0        | 7         |
|                      | Competition Law                                   |     | 4             | 1        | 0        | 8         |
|                      | EU Company Law                                    |     | 4             | 1        | 0        | 7         |
| Total classes        |   |     | <b>32</b>     | <b>8</b> | <b>0</b> |           |
| Total ECTS           |   |     |               |          |          | <b>60</b> |
| 2 <sup>nd</sup> YEAR |   |     |               |          |          |           |
|                      | Insolvency Law                                    |     | 4             | 1        | 0        | 6         |
|                      | Business Law Clinic                               |     | 4             | 1        | 0        | 6         |
|                      | Consumer Protection Law                           |     | 4             | 1        | 0        | 6         |
|                      | Monetary Economy                                  |     | 4             | 1        | 0        | 6         |
|                      | Methodology of scientific research                |     | 4             | 0        | 0        | 6         |
|                      | The selection and notification on master thesis   |     | 30            |          |          |           |
|                      | Initial master research                           |     |               |          |          |           |
|                      | Preparation and Oral Defence fo the master thesis |     |               |          |          |           |
| Total classes        |   |     | <b>20</b>     | <b>4</b> | <b>0</b> |           |
| Total ECTS           |   |     |               |          |          | <b>60</b> |

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**3.3. Analysis of newly accredited curriculum of doctoral studies**

The program of the doctoral studies has suffered only minor changes in the accreditation process. Students can choose from three different courses accredited by the Faculty of Law.

Study program of doctoral studies organised into six semesters. Two semesters are dedicated to specific legal disciplines. Three semesters are dedicated to doctoral dissertation research. The sixth semester is foreseen for the preparation and oral defence of doctoral dissertation.

Study program of doctoral studies is realized through: a) classes, b) scientific research, and c) the preparation and defence of the doctoral dissertation. The teaching process is conducted through lectures, seminars, consultations and other established forms of teaching. Exams are evaluated with a maximum of 40 ECTS credits.

In the second semester thesis supervisor (mentor) submits a report to the Faculty Council on student's work on the research conducted and achieved results, which Faculty Council, with its opinion, submits for approval to the University Centre for doctoral studies.

In consultation with thesis supervisor, upon passing the exams and conducted initial research, student defines the working title of the doctoral thesis. For the chosen topic of the doctoral dissertation the candidate will submit an application of the topic to the Faculty Council.

Student can register initial research results after passing all the exams. Initial scientific research for doctoral thesis is conducted under the supervision of a mentor, and the results of research are being published in scientific and professional journals.



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The doctoral dissertation is the final part of the study program of doctoral studies. A doctoral thesis is an original scientific work of doctoral student in a particular scientific or interdisciplinary or multidisciplinary field, resulting with a new scientific result and contributes to development of scientific thought.

Student can choose a doctoral thesis from the scientific field in the chosen study program.

The following tables contain the overview of all four programs of currently accredited programs of doctoral studies.

| <b>DOCTORAL STUDIES – CRIMINAL LAW</b>                   |  |                      |             |
|--|--|----------------------|-------------|
| <b>I SEMESTER</b>  |  |                      |             |
| <b>Compulsory subjects</b>                               |  |                      |             |
|  | <b>Subject name</b>  | <b>No.of classes</b> | <b>ECTS</b> |
| OZP1   | The main problems of Criminal and Criminal Procedural law      | 4+0                  | 10          |
| OZP2   | Legal remedies   | 4+0                  | 10          |
| <b>I elective module</b> (students chooses one subject)  |  |                      |             |
|  | <b>Subject name</b>  | <b>No.of classes</b> | <b>ECTS</b> |
| IP1  | Diversion model and plea agreement in common law and civil law | 3+1                  | 6           |
| IP1  | The Policy of Crime prevention                                 | 3+1                  | 6           |
| IP1  | Victimology  | 3+1                  | 6           |
| <b>Free elective subject</b>                             |  |                      |             |
|  | <b>Subject name</b>  | <b>No.of classes</b> |             |
| SIP  | Methodology of scientific research                             | 2+1                  | 4           |
| <b>II SEMESTER</b>                                       |  |                      |             |
| <b>II elective module</b> (students chooses one subject) |  |                      |             |
|  | <b>Subject name</b>  | <b>No.of classes</b> | <b>ECTS</b> |
| IP2  | Problems of classification and reclassification of prisoners   | 3+1                  | 10          |
| IP2  | Alternative sanctions to deprivation of liberty                | 3+1                  | 10          |
| IP2  | Criminalistic technic  | 3+1                  | 10          |

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|   |             |
|---|-------------|
| Initial doctoral research   | 20          |
| <b>III SEMESTER</b>   |             |
| Activity  | <b>ECTS</b> |
| Doctoral research   | <b>30</b>   |
| <b>IV SEMESTER</b>  |             |
| Activity  | <b>ECTS</b> |
| Doctoral research and publishing of the paper at international conference | <b>30</b>   |
| <b>V SEMESTER</b>   |             |
| Activity  | <b>ECTS</b> |
| Doctoral research and publishing of the paper in the journal on SSCI list | <b>30</b>   |
| The completion of a doctoral dissertation                                 |             |
| <b>VI SEMESTER</b>  |             |
| Activity  | <b>ECTS</b> |
| Preparation and oral defense of the doctoral dissertation                 | <b>30</b>   |

| <b>DOCTORAL STUDIES – CIVIL LAW</b> |  |                      |             |
|-------------------------------------|--|----------------------|-------------|
| <b>I SEMESTER</b>                   |  |                      |             |
| <b>Compulsory subjects</b>          |  |                      |             |
|                                     | <b>Subject name</b>                                      | <b>No.of classes</b> | <b>ECTS</b> |
| OZP1                                | Principles of the Civil law                              | 4+0                  | 10          |
| OZP2                                | Property rights - selected topics                        | 4+0                  | 10          |
|                                     | <b>I elective module</b> (students chooses one subject)  |                      |             |
|                                     | <b>Subject name</b>                                      | <b>No.of classes</b> | <b>ECTS</b> |
| IP1                                 | Comparative Family Law                                   | 3+1                  | 6           |
| IP1                                 | Securing Claims in Rem                                   | 3+1                  | 6           |
|                                     | <b>Free elective subject</b>                             |                      |             |
|                                     | <b>Subject name</b>                                      | <b>No.of classes</b> | <b>ECTS</b> |
| SIP                                 | Methodology of scientific research                       | 2+1                  | 4           |
| <b>II SEMESTER</b>                  |  |                      |             |
|                                     | <b>II elective module</b> (students chooses one subject) |                      |             |
|                                     | <b>Subject name</b>                                      | <b>No.of classes</b> | <b>ECTS</b> |
| IP2                                 | Principles of European contract law                      | 3+1                  | 10          |
| IP2                                 | Children rights in international documents               | 3+1                  | 10          |
| Initial doctoral research           |  |                      | 20          |
| <b>III SEMESTER</b>                 |  |                      |             |

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|   |             |
|---|-------------|
| Activity  | <b>ECTS</b> |
| Doctoral research   | <b>30</b>   |
| <b>IV SEMESTER</b>  |             |
| Activity  | <b>ECTS</b> |
| Doctoral research and publishing of the paper at international conference | <b>30</b>   |
| <b>V SEMESTER</b>   |             |
| Activity  | <b>ECTS</b> |
| Doctoral research and publishing of the paper in the journal on SSCI list | <b>30</b>   |
| The completion of a doctoral dissertation                                 |             |
| <b>VI SEMESTER</b>  |             |
| Activity  | <b>ECTS</b> |
| Preparation and oral defense of the doctoral dissertation                 | <b>30</b>   |

| <b>DOCTORAL STUDIES – INTERNATIONAL LAW</b>              |  |                      |             |
|--|--|----------------------|-------------|
| <b>I SEMESTER</b>  |  |                      |             |
| <b>Compulsory subjects</b>                               |  |                      |             |
|  | <b>Subject name</b>                      | <b>No.of classes</b> | <b>ECTS</b> |
| OZ1  | Theory of public international law       | 4+0                  | 10          |
| OZ2  | International protection of human rights | 4+0                  | 10          |
| <b>I elective module</b> (students chooses one subject)  |  |                      |             |
|  | <b>Subject name</b>                      | <b>No.of classes</b> | <b>ECTS</b> |
| IP1  | Specialised agencies of UN               | 3+1                  | 6           |
| IP1  | International law of the sea             | 3+1                  | 6           |
| IP1  | Law and multiculturalism                 | 3+1                  | 6           |
|  | <b>Subject name</b>                      | <b>No.of classes</b> | <b>ECTS</b> |
| SIP  | Methodology of scientific research       | 2+1                  | 4           |
| <b>II SEMESTER</b>                                       |  |                      |             |
| <b>II elective module</b> (students chooses one subject) |  |                      |             |
|  | <b>Subject name</b>                      | <b>No.of classes</b> | <b>ECTS</b> |
| IP2  | European public law                      | 3+1                  | 10          |
| IP2  | Law of European integration              | 3+1                  | 10          |
| IP2  | International courts                     | 3+1                  | 10          |
| Initial doctoral research                                |  |                      | 20          |
| <b>III SEMESTER</b>                                      |  |                      |             |

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|   |             |
|---|-------------|
| Activity  | <b>ECTS</b> |
| Doctoral research   | <b>30</b>   |
| <b>IV SEMESTER</b>  |             |
| Activity  | <b>ECTS</b> |
| Doctoral research and publishing of the paper at international conference | <b>30</b>   |
| <b>V SEMESTER</b>   |             |
| Activity  | <b>ECTS</b> |
| Doctoral research and publishing of the paper in the journal on SSCI list | <b>30</b>   |
| The completion of a doctoral dissertation                                 |             |
| <b>VI SEMESTER</b>  |             |
| Activity  | <b>ECTS</b> |
| Preparation and oral defense of the doctoral dissertation                 | <b>30</b>   |

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## **4. Analysis of the system of studies in Montenegro**

By the Law on Higher Education ("Official Gazette of Montenegro", no. 44/2014, 52/2014 - corr., 47/2015 and 40/2016) study programs that can be implemented in higher education institutions in Montenegro are: undergraduate, post-graduate (specialist and master), doctoral and interdisciplinary. Undergraduate and post-graduate study programs can be accredited as academic and applied studies. Doctoral study programs can be accredited only as academic studies.

Every study program must include practical training, as well as learning outcomes or competence. Undergraduate studies programs must have at least two elective modules. All study programs must be harmonized with European Credit Transfer System.

Higher education institutions can be accredited for issuance of:

- 1) Applied undergraduate studies diploma after completing a study program of at least 180 ECTS;
- 2) Academic undergraduate studies diploma, after completing an academic program of at least 180 ECTS;
- 3) Applied specialist studies diploma after completing applied specialist program of at least 60 ECTS, and after obtaining undergraduate diploma of applied studies;
- 4) Academic specialist studies diploma after completing an academic specialist program of at least 60 ECTS, after obtaining undergraduate diploma of academic studies;

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- 5) Applied masters degree diploma after completing a master's program of 120 ECTS, and after obtaining undergraduate diploma of applied studies, and applied specialist studies and master's thesis defence;
- 6) Academic masters degree diploma after completing an academic master program of 120 ECTS, and after obtaining diploma of undergraduate academic studies, diploma of academic specialist studies and master's thesis defence;
- 7) Diploma of academic doctoral studies by person who has the academic title of Master of Science and has completed a study program of doctoral studies of 180 ECTS and has successfully defended his doctoral dissertation; and
- 8) Diploma of academic doctoral studies by person who has completed a undergraduate studies of 300 ECTS, that has completed a study program of doctoral studies of 180 ECTS and has successfully defended his doctoral dissertation

One limitation was set for doctoral studies, as only Universities have a competence for organization of this type of studies.

Admission to specialist academic and applied studies are carried out on a competitive basis, in accordance with the results achieved at the undergraduate academic or applied studies, in accordance with this law and statute of the institution.

Admission to the master's academic and applied studies are carried out on a competitive basis in accordance with the results achieved at the undergraduate academic or applied studies, in accordance with this law and statute of the institution.

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Admission to doctoral studies is carried out on a competitive basis, in accordance with the results achieved in the master academic studies, in accordance with this law and statute of the institution.

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The Montenegrin government adopted a strategy of development of higher education in Montenegro (2016- 2020) in July of 2016, as well as the decision on the reformed structure of the integrated study of the University of Montenegro to system 3 + 2 + 3.

By the accounts of the Montenegrin Minister of education using the so-called contractual model will change the financing model of the University of Montenegro, which will provide the financial stability, and will ensure that undergraduate and master studies in Montenegro are free of charge.

New law on higher education is currently being prepared by Montenegrin government that will reform the study model of higher education on a national level in order to improve the quality of higher education, to achieve full compatibility with the European Higher Education Area and allow greater mobility of students and workforce.<sup>1</sup>

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<sup>1</sup> <http://www.portalanalitika.me/clanak/255999/sehovic-u-2017-akcenat-na-reformi-predskolskog-srednjeg-strucnog-i-visokog-obrazovanja> <https://cdm.me/drustvo/sehovic-rezultati-reforme-obrazovanja-se-ne-mogu-vidjeti-odmah/>

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**5. Analysis of the current capacities of the Faculty of law**

For realisation of undergraduate and graduate programs Faculty of Law employs 24 teachers and 4 assistants (two assistants with PhD and two MSc).

Only 54.17% of professors are permanently employed, since by Law on higher education and internal acts of University of Montenegro, only full professors (tenured position) can be permanently employed. All assistant professors and associate professors are employed for limited period of time. All teaching assistants are also employed for limited period of time.

The names and titles of professors engaged in the realization of the study program are given in the table below, with the projection for cases of compulsory retirement in accordance with national regulations governing labor relations. In the end of the table the names of the teaching assistants are also given.

|    | <b>First and last name</b>           | <b>Academic rank</b> | <b>Year of retirement</b> |
|----|--------------------------------------|----------------------|---------------------------|
| 1. | Prof. dr Drago Radulović             | full professor       | 2017                      |
| 1  | Prof. dr Vjera Begović Radović       | full professor       | 2017                      |
| 2  | Prof. dr Radoje Korać                | full professor       | 2019                      |
| 3  | Prof. dr Ljiljana Jokić              | full professor       | 2020                      |
| 4  | Prof. dr Nevenka Bogojević Gluščević | full professor       | 2020                      |
| 5  | Prof. dr Milan Popović               | full professor       | 2021                      |
| 6  | Prof. dr Dragan Radonjić             | full professor       | 2021                      |
| 7  | Prof. dr Ranko Mujović               | full professor       | 2022                      |
| 8  | Prof. dr Biljana Đuričin             | full professor       | 2022                      |
| 9  | Prof. dr Zoran Rašović               | full professor       | 2023                      |



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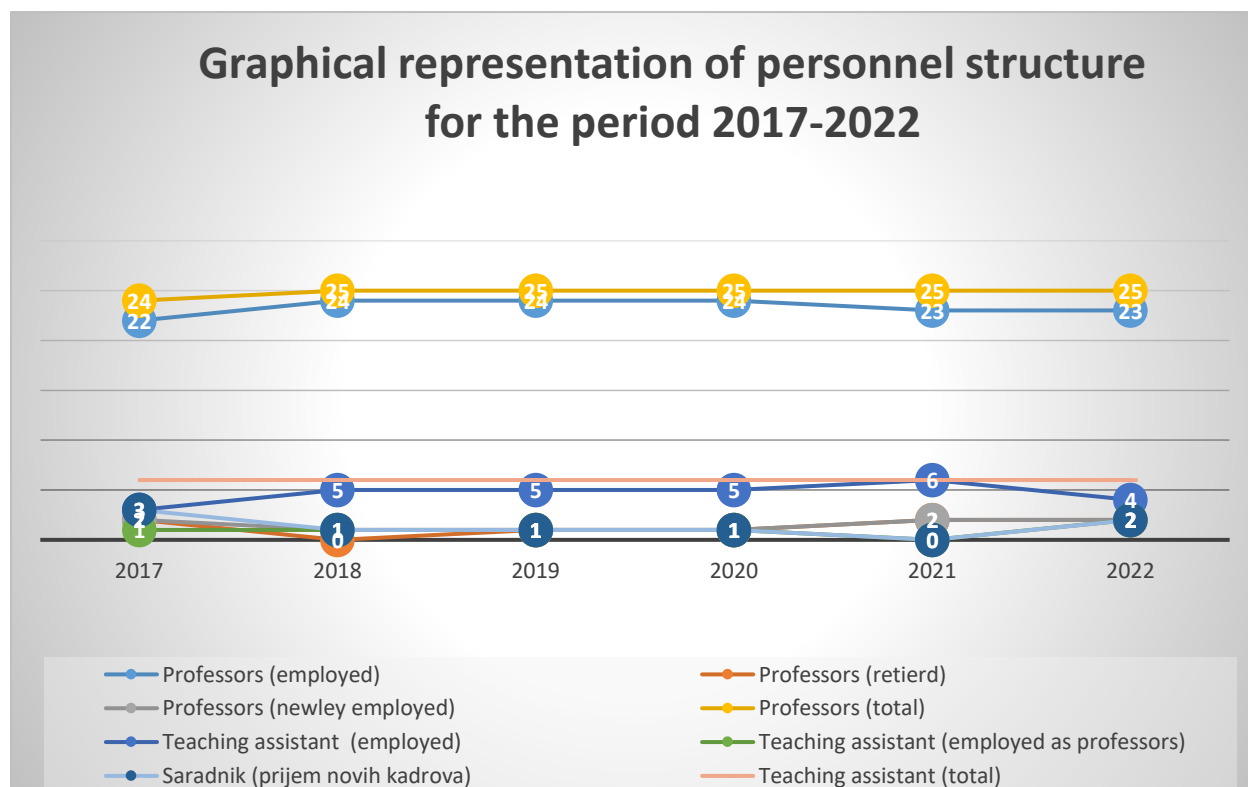
|    |                                    |                     |       |
|----|------------------------------------|---------------------|-------|
| 10 | Prof. dr Gordana Paović Jeknić     | full professor      | 2023  |
| 11 | Prof. dr Snežana Miladinović       | full professor      | 2026  |
| 12 | Prof. dr Maja Kostić Mandić        | full professor      | 2030  |
| 13 | Prof. dr Milorad Ivočić            | associate professor | 2032  |
| 14 | Prof. dr Velimir Rakočević         | associate professor | 2034  |
| 15 | Prof. dr Ivana Jelić               | associate professor | 2036  |
| 16 | Prof. dr Dražen Cerović            | associate professor | 2042  |
| 17 | Prof. dr Vladimir Savković         | associate professor | 2042  |
| 18 | Prof. dr Aneta Spaić               | associate professor | 2044  |
| 19 | Doc. dr Ljiljana Kadić             | assistant professor | 2044  |
| 20 | Doc. dr Darko Radulović            | assistant professor | 2045  |
| 21 | Doc. dr Draginja Vuksanović        | assistant professor | 2045  |
| 22 | Doc. dr Marko Dokić                | assistant professor | 2048  |
| 23 | Doc. dr Bojana Lakićević Đuranović | assistant professor | 2051  |
| 24 | dr Petar Šturanović                | teaching assistant  | ----- |
| 25 | dr Nikola Dožić                    | teaching assistant  | ----- |
| 26 | mr Velibor Korać                   | teaching assistant  | ----- |
| 27 | mr Marina Jovićević                | teaching assistant  | ----- |

As it can be seen from the previous table there is a problem of unfavorable age structure and optimum number of teachers and staff. The following tables were prepared for the new curriculum proposal, given the number of teachers that will have to be compulsory retired. Retirement of a number of teachers (3 teachers by 2019 and another 6 teachers by 2022), creates a need for staff recruitment, as shown in the following tables.

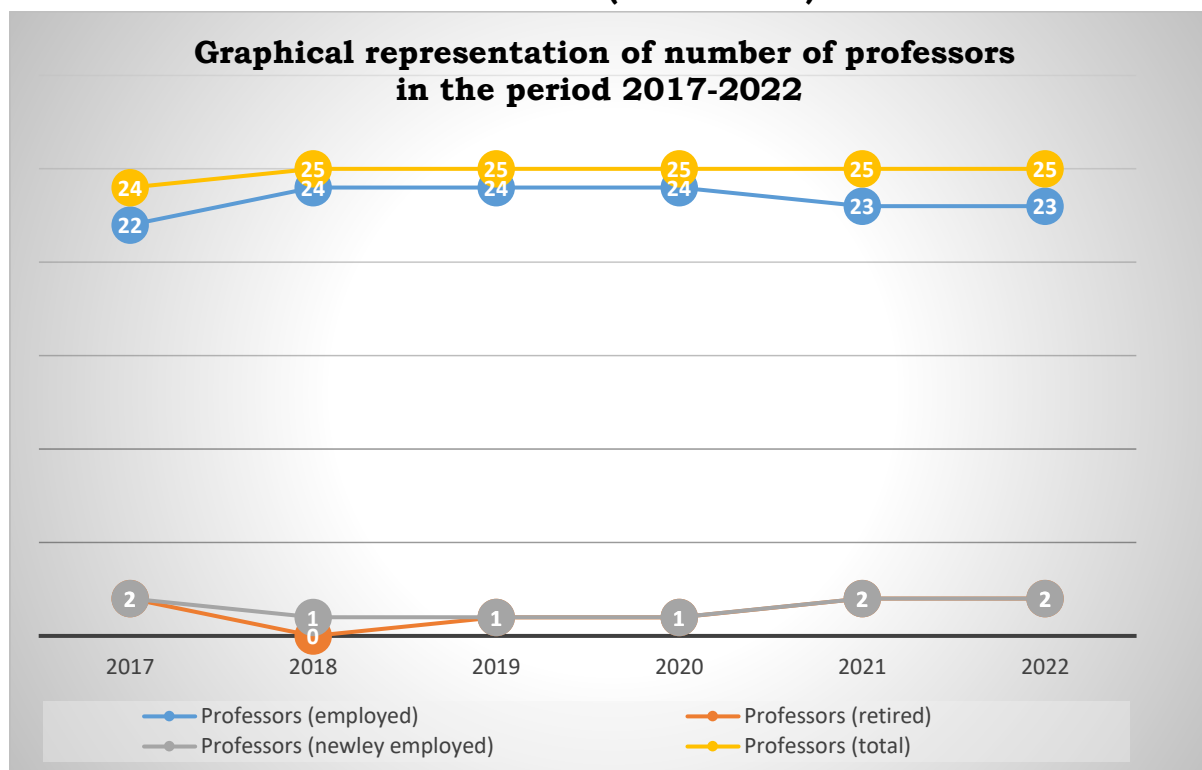
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**Personnel structure for the period 2017-2022**

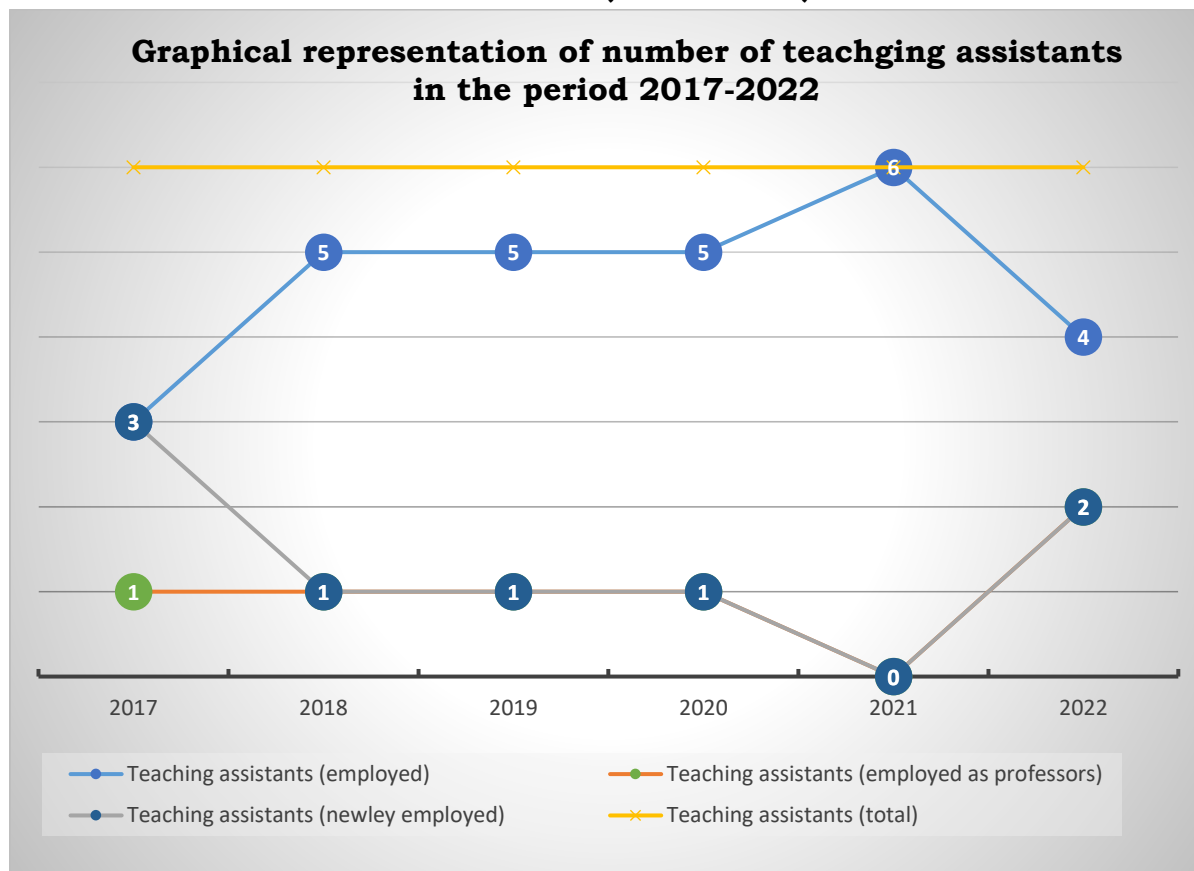
| Year | Professor<br>(employed) | Professors<br>(retired) | Professors<br>(newly<br>employed) | Professors<br>(total) | Teaching<br>assistants<br>(employed) | Teaching<br>assistants<br>(employed as<br>professors) | Teaching<br>assistants<br>(newly employed) | Teaching<br>assistants<br>(total) |
|------|-------------------------|-------------------------|-----------------------------------|-----------------------|--------------------------------------|---|--|-----------------------------------|
| 2017 | 22                      | 2                       | 2                                 | 24                    | 3                                    | 1   | 3  | 6                                 |
| 2018 | 24                      | 0                       | 1                                 | 25                    | 5                                    | 1   | 1  | 6                                 |
| 2019 | 24                      | 1                       | 1                                 | 25                    | 5                                    | 1   | 1  | 6                                 |
| 2020 | 24                      | 1                       | 1                                 | 25                    | 5                                    | 1   | 1  | 6                                 |
| 2021 | 23                      | 2                       | 2                                 | 25                    | 6                                    | 0   | 0  | 6                                 |
| 2022 | 23                      | 2                       | 2                                 | 25                    | 4                                    | 2   | 2  | 6                                 |



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This analysis shows the lack of optimal number of teachers and teaching assistants, as well as problem of teachers specialisations only in some fields of law which can be the problem in upcoming years. Unfavourable age structure, with unequal number of teachers per chairs, accompanied by small number of teaching assistants, are problems that will be present in years to come.

Burdened of mandatory retirement will cause a deficiency of teacher which Faculty will try to overcome, with consent of the University, by initiating internal and external advertisements for new teachers and teaching assistants, in accordance with rules and procedures of University of Montenegro. Of course, young professionals – teaching assistants will have the opportunity to advance in accordance with the planned procedures. This will be enhanced teaching capacity and ensure employment of expert teachers in all legal fields

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for a long time, which will rejuvenate the Faculty and create optimal conditions for high quality and comparable studies.

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The following table shows the number of teaching staff and students at law schools in the region and Podgorica, compared by criterion of number of students enrolled in the first year of study.

| <b>Faculty</b>   | <b>Professors</b> | <b>Teaching assistants</b> | <b>No.of students enroled in 1<sup>st</sup> year of study</b> | <b>No.of students per professor</b> |
|------------------|-------------------|----------------------------|---|-------------------------------------|
| Beograd          | 93                | 19                         | 1450  | 15,59                               |
| Novi Sad         | 43                | 17                         | 880   | 20,46                               |
| Niš              | 41                | 13                         | 600   | 14,63                               |
| Zagreb           | 131               | 35                         | 600   | 4,58                                |
| Rijeka           | 50                | 10                         | 200   | 4                                   |
| Split            | 34                | 14                         | 140   | 4,11                                |
| Osijek           | 36                | 14                         | 200   | 5,5                                 |
| Ljubljana        | 35+15             | 7                          | 300   | 6                                   |
| Maribor          | 33                | 12                         | 170   | 5,15                                |
| <b>Podgorica</b> | <b>24</b>         | <b>4</b>                   | <b>240</b>  | <b>10</b>                           |

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In accordance with the amendments to the study regime, as well as new plans and programs which have been submitted to the Council for Accreditation of Higher Education institutions the maximum number of students per teacher would be 36.67 if one bears in mind that the planned enrollment of 240 students per year at the undergraduate level and 80 students on four master courses.

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**6. Analysis of legal provisions regarding employment of lawyers in Montenegro**

Legal provisions on employment of lawyers in Montenegro is being regulated by laws on first employment of graduate lawyers, the regulations governing the bar examination, as well as regulations governing their further career advancement.

The Law on court's and public prosecutor's interns and Bar exam, ("Official gazette MNE, no. 55/2016 i 57/2016) states that one of the requirements for the bar exam, among others, is that the person possesses law degree with VII1 qualification level of education. This means that the level of qualification VII1 is prerequisite for taking the bar exam for the professions, such as lawyers, notaries, notary clerks and public enforcement clerks. Another condition for taking this exam concerns the years of experience required for taking this exam, including compulsory internship in the judiciary and the prosecutor's office of three years, after which candidates can take the bar exam.

The law on courts (Official gazette MNE, no. 11/2015), that previously regulated this area, have considered that a trainee in courts in Montenegro can only be a person who had completed law school - VII1 qualification level of education - 240 ECTS points (Art. 60 of the Law).

Although these provisions are now obsolete due to the new law regulating this area, which are practically the same, this law still regulates the conditions for courts consultants, where the same conditions have remained. Of course,

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the same requirement is also expressly stipulated for all judges of the Montenegrin courts.

According to the Law on the State Prosecutor's Office ("Official Gazette of Montenegro" no. 11/2015), which previously regulated the area of interns, a trainee in the public prosecution office can only be the person who has completed law school - VII1 level of qualifications. Although the new Law on trainees in courts and public prosecution and bar examination, now regulates this area, the same condition is still in force for advisors in prosecution (Art. 154, in conjunction with Article 49), or state prosecutors and heads of state prosecution offices. This requirement is in force for secretaries of the Secretariat of the Prosecutorial Council (Art. 168)

According to the Law on Civil Servants ("Official Gazette of Montenegro", No. 39/2011), - Advisor I, II and III, the Inspector I, II and III, Authorized Officer I, II and III, as well as Senior Advisor I, II and III, among others, must have VII1 qualification, which is expressly stated in Article 25 of the Act. These jobs are usually entrusted to lawyers in Montenegrin state bodies due to their obligations to conduct different types of administrative proceedings, such as inspection, customs, tax, procedures related to registration of real estate rights, and administrative procedures in the field of labour, family relations, procedures in the field of intellectual property rights.

In the article 5 of the Law on Advocacy ("Official Gazette of Montenegro", no. 79/2006) one of the conditions for registration in the Bar Association is once again the requirement of a bar exam.

Law on Notaries ("Official Gazette of Montenegro", no. 68/2005 and "Official Gazette of Montenegro", no. 49/2008), in Article 12 again states a requirement of a passed bar exam prior to taking a special notary exam.



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The Law on Public Enforcement ("Official Gazette of Montenegro", no. 61/2011) in Article 10 foresees an alternative between taking exams for public enforcement or bar exam for access this profession. Examination of public enforcement can lay a person who is a law graduate and has at least two years of work experience in legal affairs.

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Model 3 + 2 + 3, in Montenegro necessarily means discontinuity that will clearly lead to five-year study duration. The five-year study is dominant in the European area of education. The goal is completely different perception of bachelor and master`s diploma and their credibility.

### **7. Analysis of labor market needs in Montenegro.**

University of Montenegro has in 2015, meeting the upcoming accreditation during 2017, made an analysis and strategic orientations for the reorganization and integration of the University, which presents an overview of the current situation at the University and systematized proposal plans, directions and solutions for rationalization, reorganization and integration of the institutional model of UCG.

The plans and programs of twenty-three Faculties, that have been developing spontaneously, have been critically analyzed. It was noted that in this disintegrated system, which was generating new faculties and study

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programs with no clear plans and assessment of sustainability, that were neglecting the material resources and quality criteria, without profiled concept enrolment policy - despite the unsustainable model of financing and problematic system of financial management of the University.

This analysis has also noted that the safeguard and improvement of the quality and link of higher education with the labor market, thure research orientation, internationalization, entrepreneurial and innovative character - are the basic principles governing the activities and mission of the University in the creation of an integrated knowledge society, improving the quality of life and giving full contribution to social and economic development of Montenegro.

According to the analysis in April of 2015, the Montenegrin Employment Agency had 775 graduates of the Faculty of Law in its system waiting for employment.

According to data by the Montenegrin Employment Agency in 2016 in Montenegro 254 persons with a bachelor's degree of Faculty of Law (qualifications VI), 714 persons with a degree of specialized studies of Faculty of Law (with qualification VII-1) and 16 persons with a degree of master studies form Faculty of law (qualifications VII-2) were still unemployed.

By the accounts of Montenegrin Employment Agency currently there are no lawyers with a PhD degree waiting for employment.

Considering the analysis of the situation on the labour market University of Montenegro has chosen to abandon the unrecognizable degree of specialized studies, in order to harmonize the education of lawyers with regional and European labour market needs, especially bearing in mind the problems that Faculties had in previous period when organising master studies, which were not funded from the Montenegrin budget. The side effect of masters studies

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private funding was their questionable availability, and quality of the teaching, given that the small the number of students enrolled envisaged a mentor system of reduced teaching hours.

In this regard the changes in the system of master studies and their perception by the employers was envisioned, so that this level of education are not seen as purely scientific category, but as a degree that will for future employers be a synonym for a professional candidates ready for the labor market.