PECULIARITIES OF REGULATING THE ACTIVITY OF PUBLIC AUTHORITIES IN THE CONDITIONS OF CONSTITUTIONAL CHANGES: ON THE EXAMPLE OF THE SYSTEM OF JUDICIAL AUTHORITIES

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Abstract: The article examines the issues of applying the mechanisms of state administration in the field of the procedure for organizing the activities of the judiciary through legal regulation. Particular attention is paid to the structural and functional method of legal regulation of the procedure for organizing the activities of the judiciary. The conceptual foundations of the organization of the judiciary in Ukraine, its features and existing problems, as well as the impact of current constitutional reforms on the effectiveness of the future activities of the judiciary in Ukraine in the short and long term, are considered. The experience of organizing the activities of the US judicial system is briefly considered and directions for using this experience in regulating the activities of the system of judicial authorities in the conditions of constitutional changes are proposed.

Keywords: Constitutional changes, Court system, Judiciary, Regulation.

1 Introduction

In the theory of the state, the principles of organization and operation of the mechanism of the state, the principles of the political system, the principles of the rule of law, etc. have been thoroughly studied. There is variability in the number, name and criteria for constructing a system of principles for the organization and activity of state institutions. Some authors limit themselves to two principles: autocracy and separation of powers [17], while others consider 12 principles: federalism; consistency; centralization and decentralization; hierarchy; differentiation and fixation of powers; professionalism and competence; legality; publicity; transfer of functions and powers; coordinated functioning; participation of citizens in the formation of government bodies; control [11]. Most scholars consider about five principles of organization and operation of the system of public authorities and, in one interpretation or another, name them among them: democracy, separation of powers, federalism, humanity, legality, professionalism.

The principles of the organization and functioning of the mechanism for ensuring human rights are the general guiding principles of the activities of public authorities for the protection of the rights and freedoms of the individual. These include: legality, professionalism, separation of powers, democracy.

It should be noted that in the process of implementing law enforcement tasks, public authorities and local self-government bodies are faced with problems, the solution of which goes beyond their competence. In such situations, there is an objective need to appeal to the courts, the decisions of which in specific cases acquire a normative character.

Acts of the judiciary, filling gaps in legislation, become a casual regulator in specific situations, give rise to specific legal relations, including in the sphere of realizing the rights and freedoms of the individual. For example, the Constitutional Court, canceling one or another norm, actually creates a new one and in this case acts not only as a "negative legislator", but also as a body performing a positive lawmaking function [12].

The Constitution guarantees everyone judicial protection of all rights and freedoms, including those enshrined by it. However, unfortunately, this declaration alone is not enough. Comprehensive judicial protection is needed. Weak defense only sows illusions, gives rise to bewilderment and anger, discredits the very idea of going to court for help. However, the system of judicial bodies that currently exists in Ukraine is still far from perfect. It has not yet completely freed itself from the traditions of the totalitarian past, when the judicial system was actually one of the elements of the repressive apparatus and many issues were resolved by the judicial authorities on the basis of 'instructions' from party and government officials.

Despite the current relatively low level of theoretical support for the implementation of organizational management in the field of ensuring the activities of the judiciary, it should be noted that its gradual practical improvement is largely facilitated by the fruitful work of the Supreme Court of Ukraine, the Council of Judges of Ukraine, the State Judicial Administration of Ukraine, the knowledge and views of the leading organizers of judicial activity – V.T. Malyarenko, V.S. Stefanyuk, P.P. Pilipchuk, M.F. Selivon, D.M. Pritiki, V.Ya. Karaban [11, 24, 37].

Also of fundamental importance in the field of rationalizing public administration by the procedure for organizing the activities of the judiciary in Ukraine are the works of well-known representatives of the Ukrainian science of public administration and administrative law, such as V.B. Averyanova, D.M. Bakhrakha, Yu.P. Bityaka, V.M. Garashchuk, S.V. Kivalova, L.V. Koval, Yu.M. Kozlova, £ .B. Cup, B.M. Lazarev, V.P. Petkova, G.I. Petrova, A.O. Selivanova, Yu.A. Tikhomirova, G.M. Tishchenko, V.V. Tsvetkova, Yu.S. Shem-shuchenko, M.K. Yakimchuk, and others.

All the consequences that arise in a civilized society are associated with the application of legal mechanisms for regulating public life. There is an objective need for legal regulation of all ongoing social processes, including those related to the implementation of the activities of state bodies, especially in the context of constitutional changes.

2 Materials and Methods

The methodological basis of the work consisted of modern general scientific and special methods of cognition of legal phenomena. Their application is due to a systematic approach to research, the purpose, and features of the problem, which makes it possible to explore it in the unity of social content and legal form. Among the general scientific methods, the dialectical method is used, which consists in the transition from general provisions to specific situations and features of this study. The methodological basis of the study was formed by general scientific and specific scientific methods of cognition: dialectical, historical, logical, systemic, statistical, formal legal.

The subject of the study is the administrative and legal principles of the judicial system and its reform [1-8]. The purpose of the article is to determine the content of the mechanism of administrative and legal regulation of relations on the basis of the analysis of scientific provisions of administrative law and theoretical provisions of public administration, system of legal regulation and practice of administrative activity during judicial reform in Ukraine, historical and foreign experience of judicial management development arising in the field of the judiciary and its reform.

3 Results and Discussion

All the consequences that arise in a civilized society are associated with the application of legal mechanisms for regulating public life. There is an objective need for legal

regulation of all ongoing social processes, including those related to the implementation of the activities of state bodies.

Legal regulation is a function of the state, implemented in the process of influencing public relations, by means of which the behavior of the participants in these relations is brought into line with the requirements contained in the norms of law, the legitimacy and obligation of execution of which is supported by society and is ensured by the possibilities of using the power of the state.

Actually, the very legal regulation can be considered as part of public administration, since this function belongs exclusively to the state, which has a monopoly on law enforcement [11, 12, 24].

The essence of regulation in the field of public administration of the procedure for ensuring the activities of public authorities is determined by the main tasks and purpose of state bodies, as well as the appropriate methods and technologies for ensuring proper conditions for their functioning.

At the center of the legal regulation of the procedure for organizing the activities of the judicial authorities, there is the legal status of the judicial system, which consists of three components.

First, it includes the place and essential features of the judiciary in the integral system of state bodies. The belonging of the judiciary to state bodies creates the basis for the formulation of their legal statuses [10, 13, 14, 18]. The same feature reveals the vertical and horizontal lines of interaction of the judicial system. Thus, the legal status of the judiciary is always intended to reflect and characterize their state-legal nature and place in the system of public administration.

Secondly, the fundamental point of the legal status is the competence of the judiciary – a set of functions and powers of the judicial authorities. Here are the following paradigms are fixed: a set of management functions specifically for the judicial system; appropriate powers; the composition of powers, including the forms and methods of exercising judicial functions.

Thirdly, the legal status of the judiciary presupposes the consolidation of its forms, methods and procedures for the functioning of the organizational structure. After all, the implementation of the competence of the judiciary requires the appropriate organization of the activities of its structural units and officials in the established forms and procedures and with appropriate legal consequences [19, 20].

The method of legal regulation in the sphere of exercising judicial power is understood as a system of methods and approaches of norms influencing specific social relations and their ordering in relation to the goals and objectives of public administration.

For an effective analysis of the organization of the judiciary in the public administration system, determining the procedure for ensuring its activities, it is possible to use the structural-functional method, with the help of which the peculiarities of the functioning of all structural elements of the judicial system will be identified and taken into account [21-23]. This method characterizes the strong-willed side of the judicial authorities exercising their powers in regulated relations, in which law serves as a form of management model.

The activity of the judiciary is characterized by the following features: a) the presence of functional features of the judicial authorities of the state; b) it is based solely on the law; c) to ensure the implementation of the adopted court decision, state coercion is applied [26-31]. The structural and functional method of legal regulation of the judicial authorities allows, on the basis of an analysis of the components of the judicial system, to formulate its organizational structure with the establishment of a procedure for ensuring its activities.

In this regard, the method of legal regulation of the procedure for organizing the activities of the judiciary is understood as a set of techniques, methods, and means of state-legal influence on the sphere of activity of the judicial system in the process of streamlining relations regarding the implementation and exercise of judicial power.

In their totality, the means, methods and techniques used that make up the structural and functional method of legal regulation of public administration, imply a study of the differentiation of structural units and organizational resources of the entire judicial system as a whole.

The essence, structural and functional features of the method of legal regulation of public administration of the procedure for organizing the activities of judicial authorities are determined by the nature and specifics of the subject of regulation. Features of the subject are associated with the definition of means, methods, and procedures for the implementation of state power in management processes [32-34]. One of its important parts is the activity of the state in organizing the bodies of the judicial system and establishing the rules for their functioning by creating norms enshrined in regulatory legal acts. More specifically, its subject area consists of the issues of streamlining goal-setting, organization and functioning of the structures of the judiciary, determining their status, competence and powers, as well as procedures for the implementation of managerial functions in power relations [35].

Power relations that emerge as a result of public administration in the field of ensuring the order of activity of the judicial authorities and forming the subject of its legal regulation are relations between: 1) the state and the authorities: in these relations, state-governing influences are implemented – the organization of the proper conditions for the functioning of judicial institutions; 2) the judicial authorities regarding their status – this should include their exclusivity, which consists in the powers granted only to the judiciary; 3) the state and society: in administering justice, judges are guided by the Constitution and laws of Ukraine.

Using the mechanisms of the judiciary, the state is called upon to exert its governing, regulating influence on social processes in order to normalize social relations [40-43]. This is achieved by consolidating the state's will in regulations.

In the acts of the state, specific ways are determined by which legal regulation should be carried out in order to improve and increase the efficiency of public administration.

The judicial authorities are obliged to perform certain actions aimed at the implementation of their inherent competence in accordance with the powers granted [46, 47]. That is why all actions performed in the process of exercising public administration functions must be regulated by legal norms that establish clear boundaries of possible, proper, and prohibited behavior for the relevant entities. The legal gaps formed in the regulation of public administration activities reduce its level, give rise to negative manifestations in the work of the judicial system.

Thus, the subject of legal regulation of the procedure for organizing the activities of the judiciary is public relations that develop in the field of ensuring the formation and implementation of state-governing influences in order to create conditions for the effective implementation of judicial policy [50-52]. Accordingly to this subject, techniques, means, methods and norms are used that give the legal status of the judicial system and judicial processes of their functioning certainty and purposefulness.

The courts' organizational activities of the following content are subject to legal regulation [16, 36-39]:

- Development and submission of proposals on the organization of courts (creation of new courts, abolition or reorganization of existing courts, their relocation,

adjustment of territorial jurisdiction, etc.) to the relevant state authorities;
- Development and introduction of proposals on the issues of increasing or decreasing the number of judges;
- Selection of candidates for judges and verification of their professional, communicative, and moral qualities;
- Ensuring the activity of examination commissions, checking the level of legal knowledge of candidates for judicial positions;
- Giving opinions on the suitability or unsuitability of candidates for judges;
- Organization of elections (appointment) of people's assessors, compilation and updating of lists of jurors; verification of the legality of the election, appointment or selection of such assessors;
- Organization of regular professional development of judges and other judicial officers;
- Provision of the necessary information on all issues considered by the qualification collegia in relation to judges (issues of suspension and termination of the powers of judges, bringing them to criminal liability or applying procedural coercion measures, certification and assignment of qualification classes, promotion to leading judicial positions, etc.);
- Material and technical support of courts and the creation of appropriate conditions for their activities (ensuring timely financing of remuneration paid to judges and court staff for their work, as well as other costs that the courts need; provision and maintenance of office space in proper condition; equipping courts with decent furniture, office equipment and stationery; organizing the security of court buildings, current documentation and archives; maintaining order in courtrooms and in the courtroom in general, etc.);
- Assistance to courts in the implementation of measures for the real execution of their decisions;
- Organizational and logistical support for the activities of the bodies of the judicial community;
- Organization and maintenance of judicial statistics;
- Equipping courts with legal information necessary for the administration of justice and other judicial activities (organizing the timely receipt of official texts of laws and work by the courts and maintaining in working order the "legal economy" that courts have to use constantly; acts and documents, special literature; provision of the latest and high-quality editions of codes, etc.);
- Study of the activities of courts on the scale of individual regions or as a whole in the country, its specific areas, development and submission of proposals for its development and improvement;
- Development of international treaties on legal assistance, assistance to courts in the implementation of these treaties;
- Organization of scientific research on legal problems, including on the problems of the organization and operation of courts, their improvement;
- Study of foreign experience in this area and the development of proposals for the use of its rational manifestations in domestic legislative and law enforcement practice, including judicial [12].

In modern conditions, the legal regulation of public administration to ensure the activities of the judiciary is mainly focused on:

- Creation of a regulatory framework for the organizational support of the activities of the judiciary within the limits of its powers [53];
- Creation of a regulatory framework for the coordination of the functioning of the judicial system;
- Organizing the implementation of judicial control over the observance of the rule of law in the field of public administration;
- The development of legal mechanisms for the implementation of state judicial policy, expressed, for example, in programs (Joint program of the European Union and the Council of Europe "Transparency and efficiency of the judicial system of Ukraine"; Program of state judicial administration; state target program of digitalization of courts, etc.), various projects (Project of the United States Agency for International Development (USAID) "Ukraine: Fair Justice", etc.); in the strategic plan for the development of the judiciary of Ukraine.
- Establishing the legal framework for the activities of the judiciary, for example, in the field of practical application of research to determine the factors of load on judges, the application of a system for assessing the quality of the functioning of the court, ensuring the Strategic Plan for the automation of the judiciary, developing a methodology for calculating indicators for the financing of courts, etc.

The peculiarity that should be taken into account in the legal regulation of public administration is that it refers to the phenomena of obligation, and not the free expression of the will of the participants in legal relations. An important condition for this is the organization, with the help of which there is an ordering and rationalization of the development of public administration goals. Public administration is immanently associated with the exercise of state power, and this predetermines the specifics of its legal mediation and organization. It is carried out not for any subjective reasons, but because it is objectively necessary as a constant need of society in its controllability [44, 55].

Analyzing the current system of legal regulation of the activities of organizing the work of the judicial system, it should be noted that there are many gaps and shortcomings that hinder the effective functioning of the judiciary. In particular, this refers to the insufficiently clear legal status of the subjects of administrative activity in the judicial system. In addition, the issues of financial, material, and technical support of courts are actually outside the legislative regulation, there is almost no definition of procedures and rules for the implementation of organizational work in the field of ensuring the functioning of judicial proceedings. The problem of systematization and streamlining of the relevant legislation, raising it to a higher quality level, remains urgent.

If to talk about improving the legal regulation of the organizational management of the judicial system, then one of the important directions in the near future should be the clarification and detailing of the rights and responsibilities of the heads of the judiciary in the Law of Ukraine "On the Judicial System and the Status of Judges". So, with regard to the powers of the chairmen of local courts, it seems appropriate to supplement Article 24 of this Law with such actually performed, including organizational, functions that at the same time will constitute their respective normatively defined duty, which cannot be avoided: direct consideration of court cases as a judge; distribution, in the manner prescribed by law, of the workload between judges; conducting a personal reception and organizing the work of the court for receiving citizens, considering their proposals, applications and complaints; management of the work of the court apparatus; management of the available financial and material and technical resources of the justice body, etc. [25].

The peculiarity of the reforms in the judiciary should be noted separately. Researchers point to the advisability of using the term "reform" to refer to changes in the judiciary related to the restructuring of all institutions of the judiciary [24]. Emphasis is placed on the importance of management for the successful implementation of reform as a set of systemic measures aimed at regulating the reform process [11]. There is an obvious need for an integrated, comprehensive consideration of the problems of management of reform processes, which will develop theoretical approaches to understanding the mechanism of the reform process, managing the reform process, criteria for evaluating their effectiveness, and ultimately contribute to the success. As a methodological tool for developing reforms, it is advisable to apply a systematic approach that determines the systemic nature of reform, in which all components of reform are covered by a single reformist ideology, changes are consistent, carried out gradually and gradually; if full-scale judicial reform is

impossible, it is necessary to single out certain priorities and implement them in turn, in accordance with a single strategic plan. At the same time, the process of reform may be contradictory due to the following factors: a) political unstructured society; b) insufficient scientific substantiation of the reform; c) imbalance of interaction of branches of power; d) the subjectivity of individual "reformers"; e) residual orientations of part of the population on totalitarian approaches and values; g) contradictory influences of foreign policy and economic factors.

The basis of legislative regulation of the judiciary in most countries is the constitution, which regulates the definition of the judiciary as one of the components of the system of separation of powers; basic principles of organization and activity of the judicial system; legal status of judges; judicial guarantees of the rights and legitimate interests of citizens. These constitutional principles of the judiciary are developed in detail in the laws on the judiciary. Accordingly, constitutional changes have a significant impact on the judiciary and its regulation. In particular, for example, constitutional changes in the powers and mechanisms for changing members of the Constitutional and Supreme Courts may lead to a weakening of the authority of the judiciary [38, 45]. Systemic revision of laws on the judicial system is needed, which is fraught with the risk of destruction of individual judicial institutions, greater control of the head of state over the courts and a fundamentally different model of constitutional justice.

In Ukraine, in recent years since the Euromaidan, little progress has been made on the issue of judicial reform. The main reasons for the low efficiency in this area are old rules and dangerous political influence [24].

Successful judicial reform is critical to a wider range of reforms in Ukraine, because the shortcomings or conflicting results of any other reform can be appealed and reviewed in the courtroom. Until recently, sabotage by representatives of the old system was considered the main obstacle to successful change. However, the parliamentary hearings on the constitutional amendments concerning the judicial system provoked new discussions [54]. One of the hottest contentious issues concerns whether the adopted changes restore the system of checks and balances or concentrate excessive power in the hands of the president.

For the Euromaidan protesters, judicial reform was the main issue on the agenda. The majority (94%) of respondents to a survey conducted by the Ilko Kucheriv Democratic Initiatives Foundation named the corruption of judges as the main problem that undermines confidence in the judicial system. Other problems highlighted by respondents include the following [16]:

- The dependence of judges on politicians (81%) and oligarchs (80%);
- Paid court decisions (77%);
- The prevalence of collective responsibility in the judicial system (73%).

In order to address these problems, as well as in response to the demand for the restructuring of the judicial branch of government, three main laws were adopted as part of the post-Euromaidan judicial reform:

(1) *On the restoration of confidence in the judiciary in Ukraine*,

(2) *On the purification of power*, and (3) *On ensuring the right to a fair trial ("On a fair trial").*

These laws regarding the judiciary have not yet been fully enacted and many of their aspects are still being discussed, but they helped to launch judicial reform in Ukraine.

Mikhail Zhernakov, a leading expert on the judicial system and board member of the Reanimation Reform Package, identified six important changes that have already occurred as a result of the adoption of these laws [55]:

1) A complete reshuffle of the composition of the qualification and disciplinary bodies, namely the High Qualifications Commission and the High Council of Justice, has been carried out;
2) Judges were given the right to choose court presidents, which is crucial for ensuring the independence of the judiciary;
3) Certain steps have been taken to punish judges who have committed crimes or made illegal decisions against Euromaidan activists;
4) The process of re-certification of judges has begun;
5) Video footage of court hearings can be made without the need for permission from the presiding judge;
6) The list of disciplinary sanctions that can be applied to judges has been expanded.

While these laws have brought about a number of positive changes, they are not sufficient for permanent structural and effective changes in the matter of judicial reform.

Post-revolutionary attempts to reform the judicial system not only fail to meet the demands of civil society – they have also generated challenges that threaten to destroy the positive achievements described above.

In practice, the mechanisms developed for the selection of judicial candidates and the reappointment of judges have proved to be ineffective. Laws enacted to tackle corruption (such as the Restoring Trust in the Judiciary and the Law on Ensuring the Right to a Fair Trial) provide for screening judges of general jurisdiction for likely disciplinary misconduct and for their dismissal in the event of a breach of the oath. However, only a few judges have been dismissed since the law was passed.

The process of recertification of all judges, provided for by the Law on Fair Trial, lacks public scrutiny, since citizens and NGOs do not have access to the profiles of judges. So the chances are low and there is no guarantee that a citizen's complaint would affect a specific decision to reappoint judges. In addition, the only sanction that the examination provides is simply to send a judge for retraining.

Judges who are accustomed to working in a corrupt environment and benefitting from it are not ready to adapt to other standards. There are still judges with a corrupt mentality in Ukrainian courts.

The Verkhovna Rada (parliament) adopted two more important bills designed to break the deadlock on judicial reform:

1. Draft Law on the Judiciary and the Status of Judges.

2. Draft Law on Amendments to the Constitution of Ukraine (regarding justice).

In turn, the main changes at this stage of the reform are as follows:

1) Return to the three-tier judicial system of 2010;
2) Creation of a new body of the High Council of Justice;
3) Changes in the rules for the election and appointment of judges;
4) Limitation of judicial immunity;
5) An increase in the salary of judges who have successfully passed the qualification test.

All steps towards judicial reform that preceded the last amendments to the Constitution were rather ill-considered and sporadic. Thus, the amendments to the Constitution were perceived as a tool that would formalize judicial reform, as well as help move it from empty declarations to a de facto agenda. However, the adopted bills once again divided society and experts into two main camps. The former support the idea of the amendments, but disagree with the text of the specific bill. Others believe that it is inappropriate to change the Constitution during the war, and the adopted bill will destroy the judicial system in Ukraine.

In accordance with the changes, the President of Ukraine gets more control over judges. Experts rightly call this one of the main risks that can interfere with the proper implementation of changes [9]. The bill does not give the president the authority to make any decisions on the appointment of court presidents, but gives the president the right to sign and, consequently, to certify permits for court presidents and their deputies. This can lead to an informal practice of influencing judges.

The ambiguous definitions in the constitutional amendments have created a loophole for interpretation. These gaps need to be filled with new accompanying legislation. Thus, the new order of the judicial system will largely depend on the new legislation. In this regard, the burden of reform lies with the parliament, and problematic issues will be resolved mainly at the political level. On the other hand, the dependence of judges on political influence threatens all positive transformations.

The change process can be greatly enhanced by engaging civil society. Specific solutions require broader discussion and justification. The discussion is now taking place in hindsight. Earlier there were only endless talks about the need for reform without clarifying specific steps. Monitoring NGOs should be given more authority, as should experts in the industry.

In this turbulent time of reforms, it is advisable to pay special attention to foreign experience. In particular, the borrowing and copying of the American judicial system, even by developed countries, proves the effectiveness of its work. For example, in 2004, Japan introduced an American-style professional legal education system, and the description of the judiciary in the Japanese Constitution quotes the American model almost verbatim. Let us compare: “All judicial power rests with the Supreme Court and such lower courts as will be established by law” and “The judicial power of the United States is vested in one Supreme Court and such lower courts as Congress may establish from time to time” [15, 45].

The main reason for the incomprehensibility of the American judicial system for the overwhelming majority of non-specialists is that the courts of this country do not form a single structure [9, 15, 19]. By and large, one cannot speak of a unified American court system.

The United States is a federal state, which means that the legal system allows for the parallel functioning of two judicial systems: federal courts and state courts. Both are chaired by the supreme courts of the federation and each state, respectively. These systems are independent, isolated, but contact each other on a wide range of issues.

Thus, it will not be an exaggeration to say that 54 systems, almost independent from each other, are functioning on the territory of the United States, based on multiple sources of American law.

The United States belongs to a decentralized type: states are involved in the administration of justice for the bulk of claims. In matters of national importance, the federation exercises exclusive justice. It is this circumstance, called “dualism of the judicial system”, that determines the specific complexity of the judicial system in the United States [35, 49].

Each state and federation as a whole has its own legal systems, reflecting the different political and social traditions of the state. State courts interpret the statutory law of an entity differently. Therefore, the common law is considered to be almost always the law of a particular state. That allows maintaining the status quo.

However, courts in one system often apply and interpret laws developed in another system. In many cases, state courts blatantly ignore the doctrines of the US Supreme Court. This norm is the basis of the principle of peaceful coexistence and non-interference in the work of each other's different systems.

Such a competing jurisdiction is designed to guarantee the stability of existence and the progressive evolutionary development of the US judiciary as a whole.

4 Conclusion

The guarantee of maintaining equality and mutual stimulation of the development of the federal and state judicial systems is the absence of a final delimitation of jurisdiction. It is replaced by overlapping jurisdictions. The essence of this most important invention of the American judicial system is that a legal issue can be solved by both state and federal courts. In most cases, the right to choose between them is given to every citizen. Moreover, the dominant point of view was the recognition that democratic institutions are better developed at the local level than at the federal one. Among them, there is the election of judges and other officials, referendums, legislative initiative [48]. The fact of the existence of competing jurisdictions forces many officials to compete, earning great popularity among the population, and the widespread tradition of popular election of local judges by ordinary citizens directly links openness, transparency and efficiency of a judge's work with his career success.

US Secretary of State Anthony Blinken named the ways in which the Ukrainian government can build on the progress achieved and in which the US is ready to help Ukraine [24]:

- First, to adopt a bill on reforming the High Council of Justice, followed by a law on the High Qualification Commission of Judges. Together, these laws will provide a transparent process for the selection of judges.
- Second, ensuring that the selection of the leadership of the National Anti-Corruption Bureau and the Specialized Anti-Corruption Prosecutor's Office is transparent, credible, and meritorious.

Thus, the issues of the organization and operation of the system of public authorities in the regions can be one of the main subjects of their constitutional regulation. In conclusion, it should be noted that, when carrying out reforms of the judiciary, especially at the constitutional level, one should not forget that the constitutional principle of the separation of state power into legislative, executive, and judicial is not only an important element of the effectiveness of this power, but it also provides stability of politics and economics of the constituent entities and the federation as a whole. Secondly, this principle makes it possible to find forms of interaction between the branches of state power without their interference in the process of organizing each other, thereby ensuring the unity and separation of state power.

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