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Research Article

NOTARIES AND DIGITAL WORK: ISSUES OF STAFF TRAINING AND IMPROVING QUALIFICATIONS IN MODERN DIGITAL TECHNOLOGIES

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ABSTRACT

This scientific article discusses the development of notaries in the context of digital office work. Along with this, the issues of personnel training and advanced training in the use of modern digital technologies in notarial practice are separately emphasized. The relevance of the study lies in the intensive development of digital technologies and the need to ensure the optimality and speed of the notarial process. The purpose of the study is determined by modern trends in the development of digital document management and digital civil circulation, and is to reveal the key questions posed in a scientific article. The result of the study is conclusions formulated on the basis of a theoretical and legal review of relevant research questions about digital office work in notarial practice. In general, the study allows us to state the need to continue regulatory and law-making work in the field of notaries in the direction of improving its technological foundations and digital office work. In turn, improving the practice of developing digital office work is possible through continuous training of notaries and workers in the notary system.

KEYWORDS

Notary, office work, digital document management, digital electronic signature, cybersecurity, technology, digital knowledge, qualifications.

INTRODUCTION

The relevance of the research topic lies in the intensive development of digital technologies and the need to ensure the optimality and speed of the notary process. Improving the practice of developing digital record

keeping is possible through continuous professional development of notaries and employees in the notary system. The substantiation of the scientific basis of this

work is a separate theoretical and legal component of the development of the digital notary.

The purpose of the study is determined by modern trends in the development of digital document management and digital civil turnover, and consists in revealing the key issues raised in a scientific article. The result of the study is the conclusions formulated on the basis of a theoretical and legal review of relevant research issues on digital record keeping in notary practice.

The scientific development on the research topic is presented in a relatively small number of scientific papers and publications. At the same time, the issues of digital notary development have been the subject of research by such authors as A.V.Malko, D.A.Antrushina, K.A.Korsik, A.A. Parfenchikova, M.D. Shapsugova, O.V.Fedotova, O.V. Filippova, M.G.Kholkina, M.I.Shtapakov, A.G.Kravchenko, A.M. Nikitenko, N.I. Solovyanenko, J. F.Ferreira, L.Weyts, D.Thun, E. Deckers, and others.

MATERIALS AND METHODS

The research methodology in the scientific article consists in the use of such methods of cognition as the dialectical method, analysis, synthesis, induction, deduction, generalization, modeling, forecasting. The rationale for the necessity and practical significance of the scientific article is that at the moment notary practice needs to be optimized through the active use of digital technologies and compliance with modern trends in the development of digital relations. At the same time, it is possible to ensure the improvement of the practice of developing digital record keeping by constantly improving the skills of notaries and employees in the notary system.

THE RESULTS OF THE STUDY

Current trends in the development of notary practice reflect the desire for efficiency, security and digitalization in the work of notaries and relevant employees in the notary system. It is important to note that today the introduction of electronic document management and the possibility of concluding transactions using electronic signatures leads to significant changes in notary practice. In the era of information technology development, law and emerging legal relations cannot be isolated from technological advances [1]. But the ability to work with electronic documents, computer technologies and the skills to quickly register electronic notarial actions requires constant professional development in the field of digital technologies. Notaries are increasingly turning to training in the use of digital tools and technologies in order to improve their skills. In many countries, in the light of the increasing number of digital transactions and documents, the notary is actively engaged in cybersecurity and information protection issues. With increased mobility and border crossings, notary practice is facing new challenges, including authentication and legalization of documents for international transactions.

Notary practice is increasingly striving to comply with the principles of sustainability and social responsibility, including with regard to taking into account the needs of the prevailing social environment. It is necessary to agree with K.A. Korsik and A. A. Parfenchikova that "today the notary has earned the status of a leader in the legal sphere for the introduction of digital innovations, since advanced technologies are used in almost any notarial action" [2, c. 92-97].

The electronic document management of the notary reflects the global trend of "technologization" of socio-economic processes.

In general, these trends in the development of modern notary practice reflect the desire of the notary to adapt to changing circumstances and introduce innovations to increase efficiency and competitiveness in the modern environment. Digital record keeping is an important tool for modern notary practice, facilitating the processes of certification [3, pp. 106-109] and document management. In the context of the above, digital record keeping should be characterized as a set of methods, methods and tools related to the use of digital technologies for document management and processing, as well as for conducting legally significant procedures such as electronic signature, electronic document version management, electronic document management, etc.

The main components of digital record keeping include:

- electronic documents, as digital versions of documents that can be created, signed, transferred and stored in electronic format;
- electronic digital signature [4, p. 40], which is an authentication method that allows you to establish the authenticity of electronic documents and transactions; digital identification is closely related to it, based on the use of identity verification methods (parties in a notarial relationship) and the authenticity of participants in the process using digital technologies;
- electronic document management, as a set of pronounced and frequently used processes for managing and transferring electronic documents between process participants;
- notaries' certifying inscriptions [5].

It is obvious that today the connection of digital record keeping with notary practice can be established through the use of electronic signatures and electronic versions of documents.

In light of this, it is necessary to briefly mention the experience of foreign countries in this area. For example, European notaries have created EUFides, a common platform representing a kind of secure notary cloud that facilitates the joint work of European notaries on cross-border files, for example, in the field of real estate, succession and corporate law. The EUFides platform is managed by the international non-profit Association for Belgian Law (AISBL), whose founding members are notaries from Belgium, France, Italy, Luxembourg and Spain. Notaries from Germany and the Netherlands have joined the ACAC. Notaries from member notaries can use the platform and even invite a notary from another European country that is not yet a member to work with a cross-border file" [6]. The French model of notary development is quite popular [7, p.14]. In general, the notary office in foreign countries functions in accordance with the trends of positive globalization [8, p.147], with a combination of notary and lawyer functions by solicitors in England [9], including in the digital environment. At the same time, the notary bears property responsibility [10, p.50] and for the correctness of digital notarial actions. Notaries can use electronic signatures to authenticate documents and transactions, which allows notarial acts to be carried out in electronic form. Digital record keeping also provides an opportunity for the safe storage and transfer of electronic versions of documents, which can be an important aspect in notarial activities.

ANALYSIS OF THE RESEARCH RESULTS

Notarization and digital record keeping are important aspects of modern legal practice. But at the same time, as scientists emphasize, "reforming the notary should not become an end in itself, but should be aimed at using its potential" [11]. The interaction between the notary and digital record keeping reflects the trends

towards automation and digitalization of legal processes. It should be emphasized separately that the notary is a separate legal science in the field of jurisprudence, related to the study of the practice of certifying and certifying legally significant documents, making transactions and providing legal advice. Digital record keeping refers to the use of digital technologies and electronic tools for managing and processing documents, as well as for conducting legally significant actions such as signing electronic contracts, storing digital copies of documents, etc. Key issues of digital record keeping include data security, electronic identification, electronic signatures and ensuring the legality of electronic documents.

When considering the interaction of a notary and digital record keeping, it is important to take into account the development of legal regulation in the field of digitalization of notary processes, issues of digital technology security, the inclusion of electronic signatures and electronic identification in notarial acts, as well as the possibility of using digital media for storing and providing information by a notary. An effective combination of notary and digital record keeping requires consideration of legal and technical aspects that ensure the legality, security and convenience of conducting legally significant cases.

Along with this, the constant improvement of the digital knowledge of notary employees plays an important role in adapting to modern technological requirements and improving work efficiency.

Since the notary works with confidential information, it is important to provide training for employees in the notary's system on cybersecurity and data protection. Along with this, it seems necessary to improve the implementation of electronic work processes (electronic notary in civil relations) [12], automate routine tasks and switch to electronic documentation,

which in turn will help to increase the efficiency of notaries, and staff training in this area will be extremely important.

The organization of practical trainings and master classes on the use of specialized software, electronic forms and other digital tools that are used in the work of a notary will bring a separate benefit to the educational process in the field of notary practice. Providing access to online resources and training platforms that specialize in digital skills and tools allows notary employees to expand their knowledge in the digital field. All this can contribute to improving the digital knowledge of notary employees and preparing them for the effective use of modern technologies in their daily activities.

CONCLUSIONS

Professional development of notaries in the field of application of modern digital technologies in their work is associated with the organization of specialized courses or training seminars, providing notaries with practical support and training on the use of specialized software and electronic platforms used in digital document management, organizing conferences, seminars and master classes for the exchange of experience between notaries who are already successfully using digital technologies in their practice[16].

Equally important is the need to ensure the participation of notaries in digital technology certification programs that ensure compliance with information security standards and requirements, as well as encouragement and participation in research and development projects in the field of digital technologies in the notary office to promote new methods and practices. It is necessary to constantly study such new legal constructions as the "electronic

image of a document", or "scan image", "visualization", "conversion (conversion)" and "migration" of electronic documents, "machine-readable document of authority" [13], previously unknown to the legislation of many states.

Meanwhile, the network organization of notarial work, its extraterritorial form, allows you to provide notarial services around the clock and continuously, remove unnecessary single-person workload on the work of notaries, reducing the time costs of applicants [14]. However, this procedure may require improving the special legal regulation and organization of notarial actions and related paperwork.

But notarial practice in the context of the development of digital record keeping is experiencing many organizational and technological problems, the incomplete development of the legal regime of notarial work with virtual space and confirmation of the legal status of virtual property [15]. The researchers emphasize that it is impossible to ensure 100% efficiency from the use of digital interaction due to the possibility of digital failures [17]. In view of this, the development of digital notary records management should be recognized as a promising area of legal and law-making activities in the field of notaries, but not devoid of personnel, technological, technical problems, as well as risks in the field of cybersecurity and the security of personal data of citizens.

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