



## The Legal Services Market for Ukrainians in the European Union: The Example of Poland

**Stanisław Lipiec**

*European University of Law and Administration of  
Warsaw,  
Poland*

[staszeklipiec@gmail.com](mailto:staszeklipiec@gmail.com)

ORCID: [0000-0002-1014-1208](https://orcid.org/0000-0002-1014-1208)

**Abstract.** In Poland and Germany have already lived about 3 million Ukrainians. Polish and German lawyers note that such a large number of immigrants may constitute a substantial market for their legal services. Therefore, they more and more often provide specific legal services to Ukrainians. The basic characteristics of the market of legal services provided to Ukrainians in Poland and the explanation of the functioning mechanisms of the Ukrainian legal services market in Poland and the EU are important elements of the study. During the study, we check the research hypothesis: immigrants from Ukraine to the European Union have co-created a new EU market for legal services. The study was conducted using the method of structured interview among Polish advocates and legal advisers and using the method of content analysis and statistical analysis. The survey results show that in Poland and in Germany there is the Ukrainian legal services market. Polish and German lawyers do not specialize in Ukrainian matters. Special legal services close to Ukrainians are not being developed. However, there is an increased volume of Ukrainian clients in Poland and minor modifications in the manner, number and method of providing services by lawyers. The first experiences of lawyers from cooperation with Ukrainians show that within 10 years, legal services for Ukrainians in Poland and Germany will become one of the most lucrative advocate specializations.

**Keywords:** immigration from Ukraine, Ukrainian, legal services, cross-border legal services, lawyers, sociology of law, legal professions.

**JEL Classification:** K29, K37

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## 1. INTRODUCTION

In September 2017, Ukraine and the European Union signed an association agreement. One of the provisions was a free trade agreement and provisions on the principle of EU visa liberalisation for Ukrainian citizens. In addition to strict international legal provisions, the treaty underpinned the long-term cooperation between the EU and Ukraine and provided an informal impulse for deeper integration. In October 2020, Ukraine and the representatives of the Union announced the deepening of the provisions of the agreement and the acceleration of the process of Ukraine's integration with the Union. The most important issues in further integration will include integration of the EU market with the Ukrainian market and the facilitation of immigrants from Ukraine (Association Agreement EU-Ukraine; *EU Relations with Ukraine*).

Ukraine is the second largest country in Europe with almost 50 million citizens (*The World Factbook*). It is a country with great development potential, but still partially stuck in the post-Soviet reality. This means that it is a huge market for EU producers and service providers. At the same time, the Ukrainians are a large nation ready to emigrate, especially to Poland and other EU countries. The emigration of Ukrainians is due to Ukraine's structural problems and poverty (Fischer, 2016, pp. 39–71). Like other migrants, Ukrainians who come to a foreign country need legal protection. Not knowing the legal realities of a new country, they are exposed to the consequences of ignorance of the law. These types of problems are particularly visible among immigrants in the areas of criminal law, migration matters, and labour law and administrative law. Therefore, Ukrainian immigrants require potentially increased legal protection from public institutions (courts, prosecutor's office) as well as service lawyers - advocates and legal advisers.

From the point of view of attorneys, the Ukrainian state is a huge market for the provision of legal services. Each foreign investment in Ukraine requires legal services, and Ukrainian companies entering the EU market require additional professional assistance. Also, individual citizens of Ukraine require legal assistance in EU courts. Over time, individuals from EU countries will also settle in Ukraine and require the support of lawyers. For European lawyers, Ukraine is an investment in the future. On the other hand, newcomers from Ukraine to EU countries are already becoming frequent and beneficial clients of lawyers (Geiger, 2004, pp. 15–61).

Poland occupies a special position in the integration of the European Union and Ukraine. Due to the fact the two countries border each other, but also to historical events, cultural closeness and a similarity of Polish and Ukrainian languages. That is why about a million Ukrainians live in Poland; they work and learn here and many will stay permanently (Jaroszewicz & Małynowska, 2018, pp. 1–9). Ukrainians in Poland require the help of lawyers. It is ordinary help in everyday matters. However, it is already noticeable today that the work of an attorney with clients from the East is different from working with a local client. Ukrainian specialisation is slowly developing in Poland among Polish jurists. In some places, Ukrainian lawyers have started practising along the Vistula River. There are also the first initiatives of Polish lawyers opening their own law firms in Ukraine (Lipiec, 2021).

The existence of an EU market for legal services provided to Ukrainians is very doubtful. It seems that it is too early to distinguish such a narrow segment of the legal services market. However, it is commonly believed that the market of legal services provided to and with Ukrainians in the EU is growing (Claessens, 2008, pp. 285–323). Currently, especially in Poland, there is more intensive Ukrainian immigration. Hence, only here it is noticed that lawyers and judicial institutions are more involved in providing legal assistance to immigrants from the East. Some Ukrainians are already moving from Poland to Germany (Sadova et al., 2020, pp. 66–77). Soon, in other European Union countries, the number of immigrants from Ukraine will become more and more noticeable. Over time, the need to provide legal assistance to visitors will increase, lawyers will start to specialise in Ukrainian cases, and the first cross-border law firms will be established to support Ukrainians and Ukrainian enterprises in Europe. The market of legal services provided to them will begin to shape and stand out across the entire EU, although its roots will still be in Polish-Ukrainian relations. We should look now at the emergence of the market of legal services provided to Ukrainians in Poland to prepare for its expansion to other EU countries (Brunarska et al., 2016; Fedjuk & Kindler, 2016; Kupets, 2016; Szulecka, 2016).

The main goal of this study is to consider the existence of the market of legal services provided to Ukrainian immigrants in the European Union and then to extract the basic features of the market and its participants (lawyers and clients). Additionally, an important goal is to explain the processes of creating a market of legal services for Ukrainian immigrants in the European Union (exploratory and explanatory goal). The goals are realised through the prism of providing legal services to Ukrainians in Poland as the EU country most closely associated with Ukraine and the home of many Ukrainian citizens.

Based on the study, we would like to consider whether a new market for legal services for Ukrainians exists and may develop in the European Union and Poland. Our main research hypothesis is as follows: Ukrainian immigrants are co-creating a new EU legal services market. The increased influx of Ukrainian immigrants to Poland puts pressure on the creation of a pan-European market for Ukrainian legal services. Moreover, the number of lawyers specialising in legal services provided to Ukrainians is proportional to the number of Ukrainians in Poland and the European Union. It should also not be forgotten that the distribution of clients from Ukraine in the European Union determines the development of a specific market of legal services. The process of testing these hypotheses was based on qualitative research based on the knowledge of Polish and European advocates and legal advisers, as well as an analysis of the content of websites, statistical data and literature analyses.

## 2. METHODOLOGY

The study was conducted in the period from August 7, 2017 to January 22, 2019; it was then supplemented by the first quarter of 2021. The presented research results are the research component of a large study on the internationalisation of the Polish legal system, the provision of legal services in Poland and the European Union, and the mutual relations between the practices of the legal services market and European Union law. The results of the entire study and all the materials have been completed and developed, and are currently being prepared for publication (Lipiec, 2020).

The study was performed using several research methods. Thanks to the triangulation of research methods, its results are reliable for the population of advocates (*advokat*) and legal advisers (*radca prawny*) practising in Poland and for Ukrainian immigrants in Poland. In the case of Ukrainian migration to other EU countries, e.g., Germany, and the provision of legal assistance to Ukrainians in other EU countries and in Ukraine, the results are only a contribution to further discussion.

Sociological qualitative methods were used to explore and explain the market of legal services provided to Ukrainians in the European Union. The basic research method used was an interview conducted with 43 Polish advocates (*advokat*) and legal advisers (*radca prawny*), all of whom are members of the councils of district bar associations (*Okręgowa Rada Adwokacka, ORA*) and councils of district chambers of legal advisers (*Okręgowa Izba Radców Prawnych, OIRP*). Each bar association was represented by at least one representative. Representatives of all the bar associations participated in the study. Thus, lawyers from all over Poland are represented (KIRP, 2021; NRA, 2021). Both professional groups were treated together because they practised the same profession, that of a chartered lawyer. The study was conducted using the semi-structured interview (SSI) technique with a prepared study scenario. The results were meaning-oriented. The interviews were recorded, transcribed, coded and categorized, and finally translated into English. SkryBot and Atlas.ti software were used to conduct the study (ATLAS.ti, 2021; SkryBot, 2021; Horton et al., 2004; Kvale, 2012, pp. 170–178; McIntosh & Morse, 2015; Nicpoń & Marzęcki, 2010, pp. 246–251; Przybyłowska, 1978, pp. 62–64; Qu & Dumay, 2011, pp. 238–261).

The research group included 21 advocates and 22 legal advisers, 52% of which were women and 48% men. The dominant group of jurists were aged 30–50. All participants of the study had a higher legal education, with six having doctoral degrees. They all lived or practised in cities of at least 100,000 inhabitants. The features of the interviewees are in line with the average features of the entire Polish population of advocates and legal advisers.

The interview method was supplemented with other non-reactive qualitative methods. We used the content analysis method of the websites of the interviewees and the law firms in which they were involved. In this way, the content analysis of 67 websites was analysed. The analysis was focused only on the meaning, and all textual and visual information on the websites was subjected to it. The content analysis method was based on the method described by Bernard Berelson and Walery Pisarek (Berelson, 1971; Pisarek, 1983). The obtained results were coded and categorized. The purpose of using this method was to deepen and verify the results obtained in the main research method. The use of this method was targeted at all content related to the provision of legal services to and in connection with the Ukrainians.

Additionally, as part of the qualitative non-reactive research, an analysis of other existing sources was used, mainly statistical data and a literature analysis. Finally, the functional method of researching legal acts was also used, but only to a limited extent, i.e., where it was necessary to analyse legal acts and jurisprudence (Babbie, 2008, pp. 342–360; Frankfort-Nachmias & Nachmias, 2001; Kędziński, 2018, pp. 34–46).

For the present study, we assumed that "legal aid" and "provision of legal services" are synonyms. Currently, it is understood that the sharing of knowledge and experience by lawyers and the performance of activities for other people as part of professional activities is a typical form of providing market services, usually commercial. Until recently, it was understood that a lawyer does not provide services, but only provides legal assistance. People of the law believed that the activity of advocates was a social mission and was, above all, a social activity. Its commercial, market and paid elements were secondary. In the modern market reality, it cannot be assumed that a lawyer provides only help because almost every jurist provides it on a commercial basis (except for some forms of *pro bono* activity). However, the activities of lawyers is still not devoid of social and missionary features. Hence, it seems that the element of assistance and service provision are inseparable from each other. Depending on the point of view and the specific situation, one or the other element will dominate. They are often difficult to distinguish and separate from each other. Hence, legal assistance and the provision of legal services can be treated in European realities as synonymous terms (*Global Study on Legal Aid Global Report*, 2016, pp. 5–14, 142–175; *Prezesa NRA w Szczecinie*, 2018).

This research is part of the broad paradigm of legal sociology and legal anthropology. The works of Richard Abel and Adam Podgórecki had a great influence on its construction and implementation (Abel, 1985; Podgórecki & Kurczewski, 1971), and the general theoretical assumptions were based on the principles of grounded theory as interpreted by Kathy Charmaz (Charmaz, 2013). The guide for the interviews was Steiner Kvale (Kvale, 2012).

### 3. UKRAINIAN LEGAL SERVICES MARKET

The existence of the legal services market is closely related to the need for it. Without the need (demand) of service users to purchase a service, the service will not develop and, consequently, the entire segment of the service market will not develop. In this case, the problem concerns a specific set of services provided to a narrow group of clients distinguished by nationality. First of all, it is necessary to consider whether the existence of legal services can be distinguished according to national characteristics and whether there may be a market for such legal services. Only then can we look at the existence of the market of legal services provided to Ukrainians, the features of such a market and explain the rules of its functioning.

It is believed that there is a legal service that shares a public service (legal aid) provided by law enforcement agencies and a legal service provided on the market by advocates, legal advisers and other attorneys. Currently, legal service is usually understood mainly as a market service, although its public element remains visible. In the legislation of the European Union, a legal service is defined as advice and representation in all court and out-of-court proceedings, drafting of legal documentation and legal acts, advice on certification, trust and arbitration services (2.10.2.1.a Commission Regulation (EU) No 555/2012, 2012; § 2 RDG). In connection with adopting the attorneys'

point of view, we will adopt the market perspective of the existence of legal services, but its public element will not be forgotten.

The existence of market (commercial) legal services is undeniable and they have a long, established tradition. It is undisputed that there are national markets for legal services in which there are service providers (usually lawyers, but not only) and clients who negotiate and carry out legal service transactions. Due to the young age of the idea of the internal market of the European Union, the existence of a sectoral market of legal services for the entire Union is sometimes questioned. From the legal point of view, the EU market of legal services does exist, although it is still in the phase of building, deepening and creating links between the markets of the Member States. Currently, the legal services market should be perceived from the EU point of view, even when this market sector is in the phase of creation and slowly convincing market participants of its existence (*Legal Services in Europe*, 2020, pp. 2–19; Yarrow & Decker, 2012, pp. 23–49).

The main problem is to determine whether the EU legal services market can be differentiated according to certain characteristics. It seems premature to partition the market in detail at a time when the segmented European market is not fully developed. Of course, there are attempts to divide the legal services market according to the branches of law (the market of legal services in the field of economic law, labour law or criminal law) according to the type of clients (the market of legal services for enterprises, corporates, individual clients) or functional divisions. All these divisions are artificial and are in the testing and development phase. In this context, consideration should be given to divisions according to other characteristics. The country-by-country division of the legal services market should be rejected due to the existence of a single market for legal services in the European Union. The division into domestic sub-markets would reverse the development of the European market (Czubala et al., 2012, pp. 81–102; Staniek, 2016, pp. 357–374).

At the same time, it is worth considering whether sub-markets of legal services can be distinguished according to the nationality of clients (recipients) and lawyers (service providers). It seems that a constant, certain distinction due to such a feature is also too early, perhaps even inappropriate. In times of fluent migrations and mixing of identities, assuming that a person who speaks a given language, has a given citizenship or was born in a given country is, for example, a Pole, German or Ukrainian may be inappropriate and unreliable. It is not strange that a citizen of Ukraine speaks Russian as his native language and lives in Poland all his life. Such a person entering into a relationship with a service provider (lawyer) may be perceived by him in different ways. Therefore, it is difficult to clearly define whether a particular client is Ukrainian. Of course, we can adopt an administrative mindset and assume that only the person who has Ukrainian citizenship is a Ukrainian. For obvious reasons, such a definition of a representative of a specific country is very narrow and does not reflect the concept of "Ukrainian". As a consequence, defining a segment of the legal services market by national or nationality as well as citizenship seems to be impractical (Żuchowski, 2007, pp. 122–128).

It is also worth considering whether it is possible to distinguish a legal service according to the characteristics of the client or lawyer (service provider). In legal reality, lawyers deal with every case (general practice) or cases in which they specialise. They do not care if their client is Ukrainian, Polish or Chinese, where he comes from or what his citizenship is. The client also does not care what features his patron has. The most important thing is to be an effective professional. Lawyers often emphasise that they treat each client identically. In practice, a segment of the EU legal market has never been distinguished according to nationality. Indeed, specific characteristics of the client or lawyer may make the parties more willing to conclude a contract (e.g., knowledge of the client's language, the client's country law or the client's customs), but there is still no separate service provided for the client with a specific nationality. We can rather experience the individual, specific features of a legal service provided in the context of working with a client, e.g., speaking Ukrainian, immigrants from Ukraine, brought up in Ukraine, etc., rather than having a comprehensive legal service provided to Ukrainians.

As a consequence of the non-existence of legal services provided to immigrants from Ukraine, there cannot be a specific segment of the legal services market of the European Union. The discussion on the existence of the entire

market of Ukrainian legal services in Poland and other EU countries is based on empirical and popular experiences. In fact, we can only talk about specific features of the provision of commercial services to specific people with similar features. In the course of further considerations, we focus on the specific features of legal services related to persons from Ukraine. Because this study was based on the experience of advocates and legal advisers, we consider Ukrainians to be those who, in their opinion, are such. This does not mean that a given person feels Ukrainian or has Ukrainian citizenship, but due to the manifestation of their own characteristics, they were so defined by lawyers. Usually, these external features relate to origin, knowledge of the Ukrainian language and place of birth. When using non-reactive research materials, we assume that a Ukrainian is a person with Ukrainian citizenship according to the law and statistics of the European Union. Both ways of distinguishing the "Ukrainian" feature are provisional because there is no other way to define being a Ukrainian (Jakubowski, 2008, pp. 102–120; Kulyk, 2016, pp. 588–608).

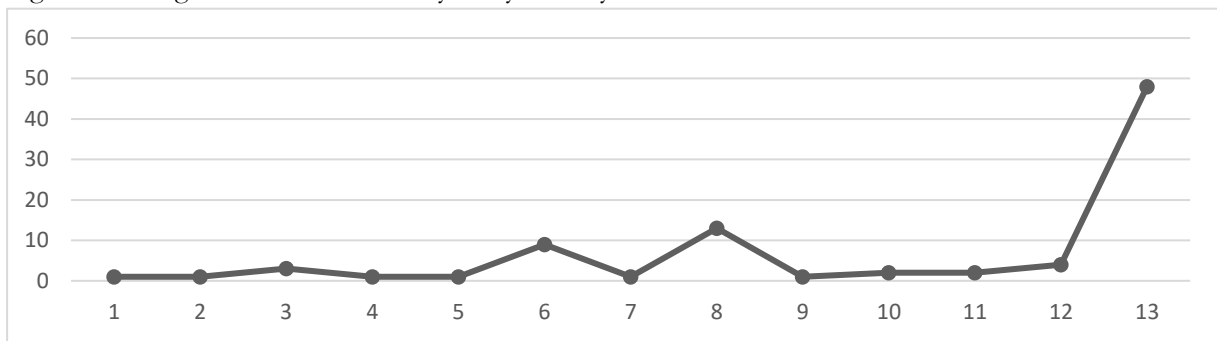
#### 4. LEGAL SERVICES PROVIDED TO UKRAINIANS IN POLAND

In 2019, almost three million Ukrainian citizens lived in the European Union. Out of this group, 750,000 people lived in Poland and almost 500,000 in Germany. Poland is becoming a gateway for immigrants from the east to other EU countries. Some Ukrainians, dissatisfied with their stay in Poland, go to Germany. Migration to other countries is much slower. For this reason, a closer look at Ukrainians in Poland and Germany should be a prognostic for further migration of Ukrainians to other parts of the EU. The conclusions drawn based on Ukrainian activity in these two countries can also be effectively implemented in other countries, where a larger number of Ukrainian citizens will later appear (*Eurostat - Database*).

Everyone, including immigrants, is in need of legal aid. There are no special features of immigrants that distinguish them from the inclination of Germans or Poles to use legal aid. Three million immigrants from Ukraine in the European Union constitute a very wide group of potential clients for EU lawyers. Due to their number, it is wrongly claimed that there is a market for Ukrainian legal services. Polish lawyers and legal advisers are some of the best-informed people who encounter the involvement of Ukrainians in legal matters in the European Union, Germany and Poland. They emphasise that immigrants from Ukraine avoid contact with lawyers as they consider them to be representatives of an oppressive government. However, more and more Ukrainians feel the need to use the legal services of professional attorneys. The majority of such contact takes place in Poland due to the large number of immigrants and the permanent residence status of newcomers on the Vistula River. However, as Ukrainians move westwards, this issue will also apply to Germany and other EU countries (Fedyuk & Kindler, 2016, pp. 9–13; Khrebet, 2020; Molodikova & Yudina, 2016, pp. 62–71).

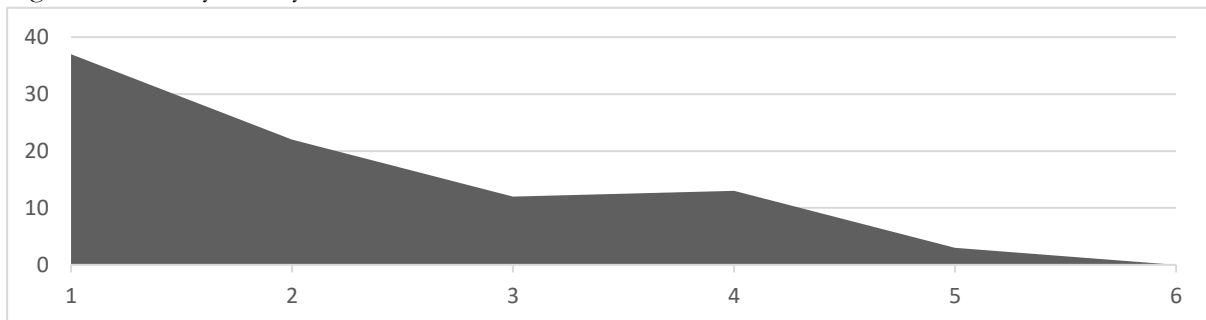
Polish advocates and legal advisers emphasise that a very small percentage of Ukrainians staying in Poland think about using legal services. In most regions of Poland, there is a widespread belief among lawyers that Ukrainians usually handle their affairs quietly, on their own, and flee to Ukraine in the event of committing a criminal act. They try not to get involved in court and prosecution proceedings, and resolve civil cases on their own. Consequently, they do not establish a relationship with lawyers. This results in the poor development of legal services with "Ukrainian" character. The situation also applies to Ukrainian entrepreneurs, of whom there are very few in Poland. It is emphasised that Ukraine still has too little economic potential for Ukrainian companies to be able to collectively enter the European market (Godziszewski, 2017; Sorokivska & Boryk, 2012, pp. 78–83).

Figure 1. Foreign clients of Polish lawyers by country



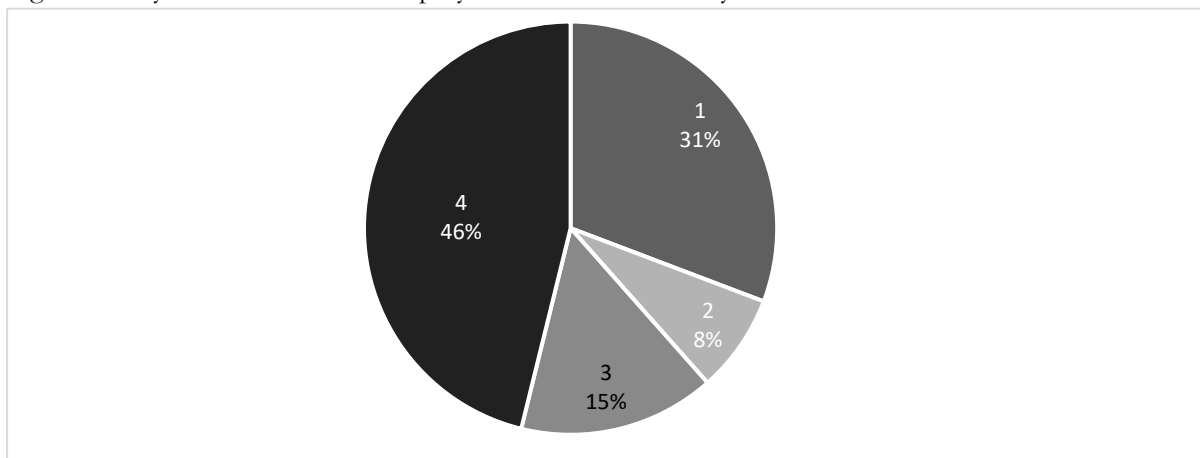
Based on the testimony of advocates and legal advisers, we can conclude that it is mainly people who they consider to be Ukrainians who are the dominant group of non-domestic clients. The number of Ukrainian clients exceeds even the Germans, who are visible and very active in the legal services market in Poland. We must be aware that "Ukrainians" are a collective category for Polish jurists, which may also include immigrants from Belarus, Russia or other countries of the former Soviet Union. "Ukrainian" clients are almost exclusively individuals, not entrepreneurs. However, despite the significant number of "Ukrainian cases" in Poland, it is still not possible to speak of a specific segment of legal services.

Figure 2. Intensity of lawyer's work with clients from Ukraine



Legal services provided to people perceived as Ukrainian are very specific. In essence, Polish jurists do not notice the involvement of Ukrainian companies in the Polish market. There is also no phenomenon of constant care of a lawyer over his client, which is common, especially in corporate matters. Ukrainians use a lawyer only out of external necessity, usually in criminal and family matters. These are single, incidental cases. Returns to the same jurist are extremely rare. At the same time, we observe the phenomenon of focusing the provision of legal services with a specific lawyer. However, this is not a phenomenon of specialising in a particular type of case. It seems that this is caused by a client recommending his effective patron to other colleagues. At the same time, the lawyer does not show any specialisation in Ukrainian matters. There is a fairly common opinion in the legal community that serving clients from the East is a kind of degradation of the lawyer. Hence, most of them do not broadcast the fact they provide legal services for Ukrainians.

Figure 3. Ways to make a relationship by Ukrainians with a lawyer



Lawyers emphasise that they often do not even know why so many Ukrainian people contact them. Others indicate that they would like to provide legal assistance to people from the East, but they do not get them. This situation is very puzzling for many jurists. Nevertheless, most of them believe that Ukrainian customers reach them through recommendation, on a "snowball" basis. Experienced lawyers from Wrocław and Kielce assess this situation in this way:

It is all a matter of chance. My colleagues who deal with Ukrainians helped one person, another, and then a snowball. Those people who received legal aid suddenly passed the information on through word of mouth. Colleagues do not even have to have a sign above the law office that they deal with Ukrainian matters because there are no such signboards. They are ethically restricted. Many of us are ashamed that we help Ukrainians.

There are colleagues here who deal only with Ukrainian affairs, legalise their residence [...]. They do not admit to working with the Ukrainians. The fact is that I know that they only take care of Ukrainians - I know it. I know that there are two law firms that deal exclusively with Ukrainian matters. Rather, it is about administrative and legal matters such as visas, work permits and residence permits. This is such a market niche, so there are also lawyers who live by working with Ukrainians. They have mastered these matters very well and have a lot of work. However, they don't want anyone to know about it.

The issue of shame and the degradation of the lawyer in the situation of providing services to Ukrainians is of key importance. It is difficult to understand why Ukrainians are perceived by lawyers as inferior. It seems that, in the opinion of jurists, cooperation with Ukrainians does not give them professional prestige. Certainly, the lack of readiness to disseminate such legal practice means that an organised market segment in the field of services for Ukrainians cannot be created. Simply, no one is interested in creating specific services distinguished based on nationality. Despite the fact that a foreign client is potentially a more financially profitable client, lawyers do not decide to openly provide services to them (Pokropek, 2008, pp. 40–60; Sandefur, 2001, pp. 382–403).

We also observe the obscurity of the provision of legal services in relations with Ukrainians when analysing the websites of jurists participating in the survey. No lawyers or law firms have translated their websites into Ukrainian, no lawyers have indicated that they specialise in Ukrainian cases, no lawyers have published an offer addressed to Ukrainians, and no Polish lawyers have boasted about cooperation with Ukrainian lawyers in Ukraine or other cross-border relations. Based on the analysis of websites, we can conclude that Polish lawyers are not interested in officially dealing with the cases of Ukrainians in Poland or the entire EU, cross-border cooperation or the cases of Poles in Ukraine.



We are dealing with a mysterious situation. Polish lawyers, on the one hand, claim that Ukrainian clients are the dominant group of foreign clients in Poland, yet, on the other hand, they are secret clients. This is a very strange situation and does not apply to any other type of client. Apparently, immigrants also do not want to recognise significant participation in the legal services market in Poland or the European Union. Lawyers, having many different clients, do not have to specialise in Ukrainian cases or advertise cooperation with non-Poles. The existence of Ukrainian clients is simply a fact in Poland and will be a fact in other countries of the European community. However, this is not a commonly known fact and, according to lawyers, does not give them prestige and tangible benefits. The random and secret nature of legal services provided to Ukrainians is also reflected in the opinion of a lawyer from Czestochowa:

We happened to have clients from there - Ukrainians. In my practice it happened twice, even though I simply did not in any way address my offer to people of Ukrainian origin. But it just happened by chance, I don't know why. So, it shows that, as in Czestochowa, you can simply reach customers from there, and it also shows that these people are present here. Anyway, apart from even professional contacts, they are very common so it is impossible not to notice this group. As I said, I had clients from there twice, but no other colleague said he had clients from Ukraine.

Despite the fact that the existence of a possible market of legal services provided to Ukrainians is classified, the fact is that Ukrainians are the most numerous groups of foreigners who are recipients of legal services in Poland. This is emphasised by lawyers stating that they do not want to disseminate information about the provision of such legal aid. Polish legal specialists emphasise that the majority of people considered to be Ukrainians use legal services in the east of Poland, as well as in the eastern parts of the European Union. Additionally, these are almost exclusively individual customers, not Ukrainian entrepreneurs. This is understandable as this is where immigrants cross borders. Therefore, in the eastern regions of Poland, there is a greater number of criminal and administrative cases related to migration matters (smuggling, residence permits, work permits, traffic offences). It is also the eastern regions of Poland that are the first stops for newcomers from the east on their journey to their

Naturally, the first contact with jurists takes place in border regions – in offices responsible for border matters (migration office, labour offices, voivodeship offices) as well as courts and prosecutor's offices dealing with border cases. It is also in the eastern provinces of Poland that there are reception and deportation centres (Lesińska et al., 2012, pp. 6–28; Świdzińska, 2018, pp. 141–153). Theoretically, it is in such eastern Polish cities as Białystok, Lublin and Rzeszów that the market of specific legal services should particularly develop. However, no specialisation of law firms in Ukrainian cases has yet been noticed, with a few individual exceptions. Even in the eastern parts of Poland, Polish-Ukrainian legal services are non-public destinations, which are usually in western Poland or Germany.

Figure 4. The distribution of Ukrainian legal services in Poland



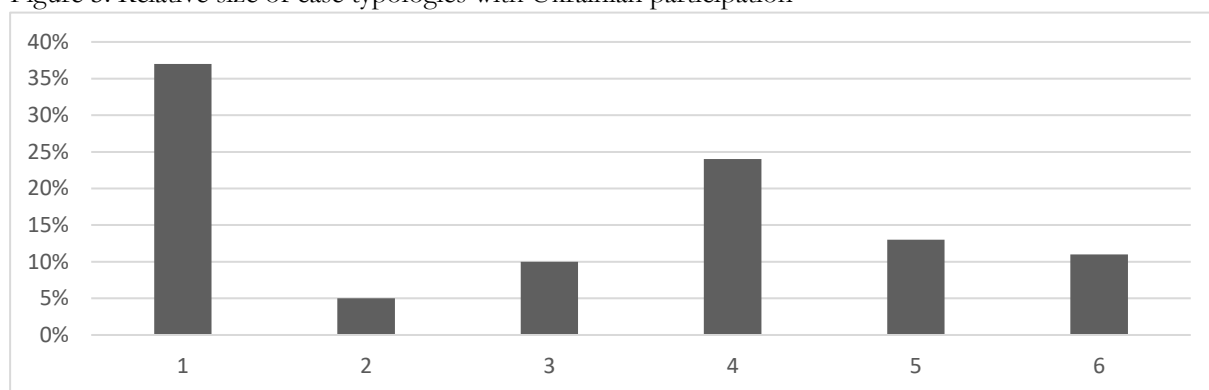
Most of the legal services related to Ukrainians are provided in Kraków and Wrocław. This may be due to the increased presence of Ukrainian citizens in these two localities. As shown by the directions of Ukrainian migration to the EU, these two regions are the most colonised by the EU's eastern neighbours. Additionally, it is through this southern corridor (III Pan-European Corridor, Polish A4 motorway) most Ukrainians go to Germany. These two thriving Polish cities constitute a vast reservoir of jobs. Therefore, many Ukrainians find a permanent job there. As a consequence, they grow into the urban fabric, an element of which includes cooperation with lawyers. It is not without significance that a large number of Ukrainians are studying in Kraków and Wrocław. Additionally, Lower Silesia is linked to Western Ukraine by historical events (the resettlement from Ukraine to the Recovered Territories after World War II) (Łobodzińska, 2019, pp. 8–13; Nowakowski & Strauchold, 2017, pp. 51–62; Tyszkiewicz, 2020, pp. 75–86). Therefore, we can say the size of the potential market of legal services for Ukrainians in these two regions is directly proportional to the number of immigrants from the east, and is influenced by historical and communication factors.

The distribution of the size of "Ukrainian" legal services in Poland also shows that immigrants avoid Warsaw. This is probably since the legal services market in the capital is dominated by services provided to large entrepreneurs, often international corporations. Ukrainian migration is a migration of individual persons (pupils, students, employees). Consumers avoid Warsaw as a city with high demands and living costs (Lipka, 2018; Pietryga, 2020). If a Ukrainian from Warsaw has to use a lawyer, he tries to choose a jurist from outside the expensive capital. Therefore, legal services related to immigrants from L'viv or Kiev are developing everywhere, but not in Warsaw.

When we analyse the distribution of legal services to visitors in Poland, we also notice that it is relatively even. The phenomenon is correlated with the distribution of immigrants from Ukraine. Immigrants live almost all over Poland, hence their propensity to use legal services is relatively equal in all regions of the country (*Mapa migracji*, 2021).

Ukrainian entrepreneurs rarely expect assistance from lawyers in Poland, as the number of Ukrainian companies in the country is very small. Single specialised Polish or Polish-Ukrainian law firms generally handle all possible cross-border transactions (*Iryna Myżyna, 2021; Oksana Piątkowska, 2021; Kosyło i Partnerzy, 2021*). Polish legal entrepreneurs generally provide their services to individual clients of Ukrainian origin. They emphasise that most of them come to Poland permanently or semi-permanently (with an option to return). However, for several years now, opinions have started to appear that some Ukrainians want to migrate to other EU countries, especially to Germany. A trend is beginning to be visible whereby customers - immigrants from Wrocław and western Poland - ask jurists for help in relocating to Germany. Currently, it is still very tentative, but it appears regularly. At the same time, representatives of legal attorneys note that the majority of individual clients perceived by them as Ukrainians come from Western Ukraine, but that numbers of immigrants from eastern Ukraine are increasing, including the territories occupied by Russia. This phenomenon is associated with the short distance of L'viv, Lutsk or Ivano-Frankivsk to the Polish border, the historical ties, and the difficulties of living in wartime conditions in the east of the Ukrainian state (Jaroszewicz & Małynowska, 2018, pp. 1–11).

Figure 5. Relative size of case typologies with Ukrainian participation



Legal services for persons of Ukrainian origin are almost exclusively consumer services. Due to the employment and student migration of people from the East, not all lawyers' clients are entrepreneurs. As a consequence, services are provided in legal specialisations other than commercial law. Indeed, sometimes there are economic cases, but they almost always concern the troubles of Ukrainians running small one-man businesses. In reality, there are no legal services in Poland provided to companies from Ukraine or EU companies entering the Ukrainian market.

There are simply no such entities, neither in Poland nor in Germany or other European Union countries. Ukrainian-EU corporate matters are so rare that large network law firms are able to handle them effectively. Smaller law firms and individual jurists are practically not involved. In Poland, there are only four small law firms dealing with cross-border Ukrainian-EU economic relations. There are no such law firms in Germany.

Legal consumer services related to immigrants from Ukraine are virtually always associated with movement. These are matters related to obtaining the right of residence, work permits, legalisation of stay in Poland and the European Union, the issuing of visas, and deportation. Criminal law cases related to border crossing, e.g., smuggling, illegal border crossing, tax, customs and asylum matters, are also of great importance. There are also issues related to the movement of Ukrainians from the east to the west, also to Germany. These involve a range of offences, including criminal and civil matters related to traffic offences, the transport of people and goods and, occasionally, the performance of a professional conduct of persons and property. Classic criminal cases and civil cases are much less frequent. Importantly, most of the types of legal services mentioned are provided by non-specialised lawyers from the eastern parts of Poland, mainly in the Lubelskie, Podkarpackie and Małopolskie voivodships. Transport cases, as well as ordinary criminal and civil matters, appear across the country. There are still no cross-border cases, e.g., Ukrainian-Polish-German. Virtually no matters of a multilateral nature occur on either side of the border. No

Polish, German or Ukrainian lawyer declares specialisation in such fields. Polish lawyers are reluctant to announce their involvement in any matters related to Ukrainians. However, sometimes, there are voices such as lawyers from Katowice, Rzeszow and Opole:

I happen to have had a little to do with labour law and with various residence permit applications, etc. In fact, I have had contact with some people who were just coming from Ukraine and the East. But, I was acting here under Polish law only in terms of their work and residence permits. Usually, their problems included obtaining a work permit in Poland, legalising their stay in Poland - this is an ordinary problem. They have no problems with Ukrainian law, but with Polish law.

They were transporting them by helicopter because there were guards here already. So, quickly, they threw these people out of that helicopter. Also, there were some health problems, even there. Our people were there to pick them up, they escaped. In terms of people smuggling, I had two- or three women smuggling cases; you know for what purposes.

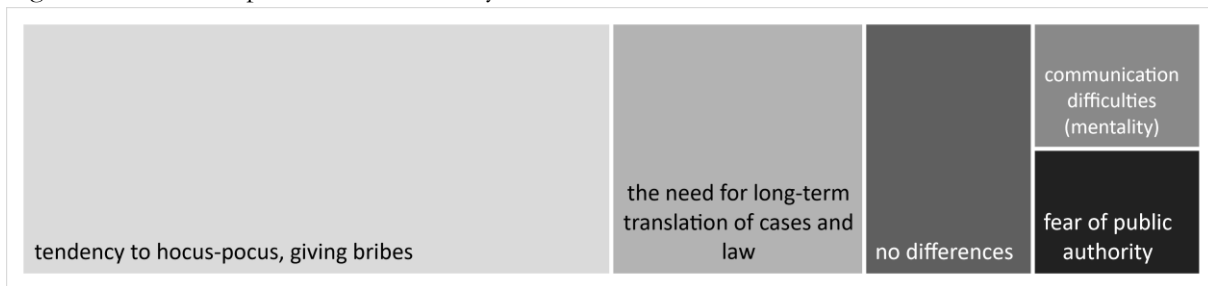
These are car accidents, there are several such cases - matters related to the A4 motorway, also applications for insurance benefits (ZUS), because drivers on international transports, although they pay ZUS here, were refused a certificate and insurance for this abroad. The cases concern drunk driving. Somehow, they have a slightly different mentality and they think that it is like theirs here, but it is not. I think my trainee attorney has two cases regarding international transport from Ukraine, guaranteed of a certain price.

Polish advocates and legal advisers emphasise that providing legal services to Ukrainians is not easy. According to them, working with immigrants from the East is much more difficult than working with a domestic client or clients from Germany or other European Union countries. The main problem is the difficulties for foreigners in understanding the realities of Poland and the fundamental legality of the functioning of the state and EU structures. Ukrainian customers cannot understand that the state authorities operate based on legal provisions which, as a rule, must be complied with. Ukrainians are highly distrustful of the activities of public services and have doubts about the effectiveness of the law and jurisprudence. Of course, this attitude is derived from their own native experiences. As a consequence, Ukrainians would like to settle matters in silence, by bribery or using connections. From the point of view of Polish lawyers, such a mentality leads to big problems and makes it very difficult to establish professional cooperation. Mental differences are often further advanced, which is not conducive to consolidating the lawyer-client relationship (Krawczyk, 2020, pp. 29–51; Tatti Nizovaya, 2020b, 2020a; Tyma et al., 2019). A good illustration of the mental differences is the story told by a lawyer from Gdansk:

The perception of the world by Ukrainians ... I quickly correct them from the mistake that in our case, when an arrest is used, it is possible to get out of custody only as a result of a complaint rather than by any other means. Here is a classic example: a gentleman receives return of bail after the case has been definitively closed, the aforementioned amount of bail was paid by the father. The camera at the cash desk when he picks up cash, it films him. He collects the amount of PLN 40,000 there. At the end, he leaves a tip of PLN 100 for the cashier in the court. In Ukraine, it's a natural tip. In Poland, this is unthinkable. There are little things that make us a little different. We probably did that until recently, even I remember. Once, in 2005, I participated in a training course: Law of Ukraine in practice - trade law. We were told there was no *res judicata* in Ukraine. The one who was first sentenced faster in court won. However, I must admit that it is the Ukrainians who are quite a peculiar example: first of all, they understand what is going on and very quickly switch to the fact that if you can't, you can't. It would be better if some things could be done, but if you cannot then, unfortunately, we will do it in a different way.

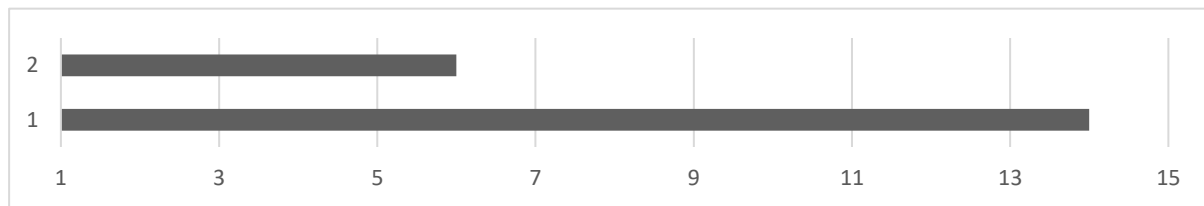
A significant difficulty in the provision of legal services is also the communication barrier. Neither immigrants nor Poles speak foreign languages and have limited use of information technology (the Internet). The language barrier, in combination with the technical and mentality barrier, make the provision of legal services yet more complicated. Consequently, a permanent relationship between the customer and the service provider is not maintained. At the same time, legal consultants note that Ukrainians are constantly moving between Poland and Ukraine, and more and more often also to Germany. Their high mobility is not conducive to deepening relations between clients and patrons and is conducive to the provision of only short-term and one-off legal services. Polish lawyers are not prepared to work with clients who often move between different countries. Hence, the possibility of permanent provision of legal services to Ukrainians is subject to additional restrictions. Regardless of the noticeable difficulties in Ukrainian-Polish relations, legal specialists want to provide services to immigrants. Nevertheless, they would prefer them to stay in one place and adapt more to Polish and European realities. It does not change the fact that most lawyers still do not feel it necessary to specialise in cases involving Ukrainians. They still constitute a niche but are considered more a side activity for Polish advocates and legal advisers. Difficulties related to the provision of services to newcomers from the East may also partially cool the ambitions of some jurists who want to become more involved in Polish-Ukrainian affairs.

Figure 6. Common opinions of Polish lawyers on differences between Polish and Ukrainian clients



Polish attorneys notice that more and more Ukrainians are settling in Poland, which is associated with a greater potential for the provision of legal services for this national group. At the same time, this potential does not translate into the actual scope of the provision of legal services. Legal specialists note that their clients are mainly individuals, and cooperation with Ukrainians can be problematic. Consequently, the potential material benefits, as well as the prestige of working with immigrants, are very small. It is not profitable to specialise in matters of a group of people who are in Poland temporarily, are students, or send all their earned money back to Ukraine. There is a shortage of Ukrainian entrepreneurs and, thus, larger and more profitable contracts for legal services. At the same time, civil, family and criminal cases related to Ukrainians are simple, short-lived, ordinary, and do not give prestige. Therefore, Poles are not very eager to specialise in providing services to them. Polish jurists believe that there will be no organised market of legal services related to Ukrainians until migration stabilisation and the settlement of individuals in the country, and the entry of Ukrainian companies into the European market. Only when these two events materialise will the number of Ukrainian legal services increase significantly.

Figure 7. Readiness of lawyers for further cooperation with Ukrainians



Until then, no more specialised law firms will be established. In the opinion of Polish law practitioners, this situation also applies to Germany and other parts of the European Union, but to a greater extent. Specialisation in Ukrainian matters in other EU countries will be secondary to Poland. It is Poland that will be an example for German lawyers. As long as the Ukrainians do not start migrating *en masse* to Germany and beyond, German, French or English law firms will not start to specialise in Ukrainian matters. Poland is the gateway for Ukrainians to the European Union. It is also a bridgehead of the EU market of Ukrainian legal services.

## 5. CONCLUSIONS

The existence of a segmented market of legal services provided to Ukrainians in the European Union seems very doubtful. It is still difficult to distinguish segments of the legal services market based on substantial features of clients, e.g., nationality. A single European market for legal services in Europe is currently under construction. Due to its recent inception, sub-markets have yet to develop. From the perspective of the Member States, the segmented market of legal services provided to Ukrainians is also not noticeable. Although most immigrants from Ukraine live in Poland and Germany, even here a specific sub-market for providing legal services to immigrants from the East has not developed.

The emergence of such a market segment is possible in the future. First, the idea of an EU single market for legal services will be strengthened and, in subsequent stages, this market will diversify. Certainly, one of the elements of the pan-European legal market will be the sub-markets of legal services provided to specific national groups that predominate in the social, economic and cultural structure of different European Union countries. Among them, there will certainly be Ukrainians, of whom there are already around three million in the EU today. The development of a specific legal market related to Ukrainians will not be uniform. Most likely, the first foundations of such a market will be established in Poland and Germany, as these are the countries with the highest percentage of Ukrainian citizens and the greatest ties with Ukraine. Subsequently, such a specific market for legal services will extend to the entire European community, probably first to France and Spain.

As of today, it is very difficult to predict when the segmented market of legal services provided for Ukrainians may be distinguished. Over the next decade, we will mainly notice the deepening of the cross-border single market for legal services as a whole. Only after 2030 will this market further diversify, while also taking into account national diversity. Currently, no provider of legal services (lawyers), public authorities, or other market participants/clients, anticipates the existence of a unified and distinguished space for the provision of Ukrainian legal services. Despite the first signs of developing specific legal services related to Ukrainians, the entire segmented sub-market of legal services in the European Union, or even just Poland or Germany, is not being created.

During the study, it was found that currently there is no evidence that Ukrainians co-create a specific new market for legal services in the European Union. However, the indicated hypothesis is not false but more disapproved. Ukrainians in Europe participate in the existing market of legal services, not wishing co-create a new one. There are no designations of a new service sub-market in relation to the Ukrainians, but there are ongoing changes in the already existing legal universal services market. Certainly, the increased influx of Ukrainian citizens

to the European Union, especially to Poland and Germany, is causing a slow but noticeable modification of the existing legal market. The specific legal services provided are changing under pressure from immigrants. Considering this, the stated hypothesis is fully confirmed.

However, changes in the legal services market and Ukrainian pressure do not affect the number of lawyers providing the required legal services, the number and size of specialisation in Ukrainian cases, and the size of Ukrainian-specific services. Marginal quantitative legal services related to Ukrainians can be identified. General legal services in Poland undergo slight modifications with regard to Ukrainian clients, but usually, this occurs in the eastern regions of Poland, as well as in Wrocław and Kraków. They concern only individuals because Ukrainian entrepreneurs are still absent in the European Union. Legal services related to Ukrainians are still a very niche matter, to some degree secret and embarrassing for lawyers, economically and financially unprofitable, and burdened with numerous problems and barriers. The number of specialised lawyers is not proportional to the number of Ukrainians in a given area, making it too complicated for lawyers to provide services together for Ukrainians (Lipiec, 2020, pp. 456–489).

Despite there being 1.5 million Ukrainian citizens in Poland and Germany, the number of lawyers and the volume of legal services provided to them is on an individual basis, although their needs in the field of legal services are growing every year. As a consequence, they are putting more and more pressure on the shaping of a new type of service on the general market of legal services. This situation almost exclusively concerns Poland, and partly Germany, because Ukrainians generally do not reach other EU countries. We fully agree with the hypothesis that it is only in Poland and Germany, and more precisely in the eastern regions of these countries, that the majority of legal services provided to Ukrainians has accumulated. Of course, this is because Ukrainian citizens live in this area and are involved in matters related to crossing the border (*Eurostat - Database*).

Only when the Ukrainian population settles in more EU countries and Europe opens up to Ukrainian business will the scope and size of the services provided visibly increase. This should take place, along with the closer integration of Ukraine and the European Union and the strengthening of the Ukrainian state. This means that the legal services market in EU countries for the provision of services to Ukrainians depends largely on Ukrainians and their country. Without the need to provide such services, the entire EU sub-market will not develop, focused on dealing with the legal matters of immigrants. The current changes in the provision of legal services are essentially cosmetic and marginal, although they are the first signs of change. We should expect that Ukraine's consolidation will take place after 2030. Only then will Ukrainian capital begin to enter Europe, along with the demand for professional legal services.

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