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## ORGANIZATIONAL FORMS OF PUBLIC RELATIONS AND MEDIA MANAGEMENT IN THE JUSTICE SYSTEM OF UKRAINIAN

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**Abstract.** *This article analyzes the theoretical and applied principles of functioning for the structural units of public administration bodies responsible for forming the relations with the public and mass media. The problem of finding optimal organizational forms of public relations and media management for the judiciary is of extreme importance. The system needs to increase the level of citizens' trust and provide more transparent coverage of its activities in the framework of state reforms. The article determines the main tasks of the press service working for public authorities and, in particular, in courts.*

*The research of the theory and actual state of the functioning of press services in courts also includes the analysis of the organizational forms of management of public relations processes in public authorities. It describes the structural place of the press service in the management process.*

**Keywords:** *public relations, mass media, judiciary, press service, spokesperson, press service structure.*

**Raktiniai žodžiai:** *viešieji ryšiai, žiniasklaida, teismai, spaudos tarnyba, atstovas spaudai, spaudos tarnybos struktūra.*

### **Introduction**

One of the priorities of state authorities in Ukraine is coherence of their activities with the principles of transparency and openness, which is a qualitative characteristic of

democratic processes in a society. In order to achieve this goal, bodies of public administration create departments (most often they receive the name: “press service”), which are entrusted with the responsibility to develop relations with the public and the mass media. In an organization, such departments become an integral part of the management system. One of the important issues for the state authorities in Ukraine is the functioning of various organizational management forms of public relations, as they need to increase the level of citizens’ confidence in the times of reforms and periodic political crises. This issue is particularly relevant to the judicial system, which for a long time, existed in a closed-up informational space and currently has a very low level of public trust. The concept of public relations is new to the justice system of Ukraine (the official introduction of the spokesperson post to the courts was only in 2013) and is still in the process of becoming.

Ukraine’s path to European integration requires the implementation of international experience towards the management of the interaction of courts with the public, development and implementation of a methodology for the use of various programs, and also the creation of specialized bodies for the implementation of communication policy and relevant professional organizations.

Effective implementation of the best practices from such countries as Poland, France, Estonia, and Canada is only possible after identifying and overcoming existing problems regarding the imperfection and randomness of the legal framework for managing information processes in the judiciary and lack of necessary programs and measures to provide public relations. As mentioned previously, it is important to study the main organizational forms of public relations and media management in the domestic justice system.

The first manuals of public relations management for state authorities in Ukraine appeared in the early 2000s. In 2008, the manual for judges “Courts in relations with journalists and mass media” was published, in 2011 – the directory “Main principles of activity of press services of public authorities and local government: international and Ukrainian experience”. In 2015, the project “Fair Justice” of the USAID published a training manual for judges and court officials “Public Relations in Courts”. In 2016 a “Practical Guide for the Employees of the Communication Departments of the State Authorities” appeared. During the same year the publication “Communications in Public Authorities Bodies” was published within the framework of the project “State Communications Reform in Ukraine” with the support of the US Embassy in Ukraine. In 2017 two works appeared: the “Spokesperson’s Handbook” (methodological recommendations of the Press Center of the Judiciary of Ukraine) and a collection of documents and articles “Direct Relations of Courts with the Public”. All these publications contained practical approaches and recommendations for the press officers on the use of various technologies for fostering dialogue with the public and mass media.

Ukrainian and foreign scholars such as V. Moiseiev, V. Korolko, V. Kuznetsov, F. Jefins and D. Yadin as well as others have studied theoretical principles of the functioning of the press services. Special features of the PR units in public administration, their structure, and functions were researched by A. Shchebuniaev, N. Papkova, V. Kuzmina, N. Golota and others. The role of PR personnel in the public and private sectors was discussed by Johansson & Larsson, Vieira & Granthamb, etc.

Regarding the judiciary, the legal and organizational aspect of the relationship between the judiciary system of Ukraine and the public is highlighted in the thesis of P. Kablak. However, the scholar focused mainly on the forms of interaction between the judiciary and the public and outlined the scope of a spokesperson's functions. He also stressed the appropriateness of disseminating the system of press services in the courts.

The research literature does not provide one single approach to the definition of the structure, functions, and tasks of the press services of the judiciary. Moreover, the problems of creating organizational structures of public relations and media in the courts and management of these structures remain not fully researched. The significance of these problems predetermines the need for a comprehensive consideration of issues related to the introduction of the posts of the spokesperson and the functioning of press services in the courts of Ukraine. It also brings up the necessity to define the functions, tasks and key principles of the functioning of the press service; analyze the approaches to the organization of the press services in Ukrainian courts and define main problems of public relations management in the judiciary.

## Research section

### 1. Methods

Using the data of the Ukrainian poll (questionnaire) “Media openness of courts” conducted in 2017 (Rybak, 2017), hereinafter referred to as the Survey 2017, and the data of the Ukrainian survey of representatives of the courts communication teams for 2018 (Table 1) conducted by the NGO “Vector of human rights” within the framework of the project “In Human Language About a Court” (Boiarskyi & Rybak, 2019), we analyzed and evaluated the actions related to the introduction of the spokesperson's office and the functioning of press services in the courts of Ukraine, clarified the content and scope of the term “press service” with regard to the special features of its functioning in the justice system, comprehensively researched elements of PR-structures, and found problems in the management of public relations and media in the judiciary.

**Table 1. Views of the court employees concerning the need to create separate press service departments in the courts**

	FOR CREATION (2018 year)	AGAINST CREATION (2018 year)
Courts of the local level	96%	4%
Courts of appeal	91.2%	8.8%

(Source: Results of Ukrainian Survey of NGO “Vector of Human Rights”, communication team staff of courts of Ukraine, 2018)

We also conducted our own research on the territory of the Mykolaiv, Odesa, and Kherson regions of Ukraine (Table 2). It allowed us to carry out a holistic analysis of the special features of the organizational forms of management for public relations and mass media on both the regional and state levels. We chose questionnaires as the research instrument within the framework of the traditional system of analysis (questionnaire held closed-ended question), which helped to achieve the required completeness of the questions and maximum congruence with the preliminary survey.

*Table 2. Number of courts and spokespersons*

<b>Region</b>	<b>Number of courts 2017/2018</b>	<b>Number of spokespersons / persons entrusted with the duties of a spokesper- son2017/2018</b>	<b>Number of courts where there are 2 spokespersons / persons entrusted with the duties of a spokesperson 2017/2018</b>
Mykolaiv region	27/31	28/30	1/3
Odesa region	38/42	42/44	4/4
Kherson region	23/27	25/26	2/2
<b>TOTAL:</b>	<b>88/100</b>	<b>95/100</b>	<b>7/9</b>

(Source: Results of Ukrainian Survey of NGO “Vector of Human Rights”, communication team staff of courts of Ukraine, 2018)

Empirical and secondary data is used to confirm that the level of the organizational form of management of public relations and mass media is a reflection of the effectiveness of the operation of the relevant service. The available data is the main structural element for studying the problems of the given research. At the same time comparison of the obtained results allowed findings of similar and different views among respondents regarding the existing problems and ways to solve them.

## **2. Results and discussion**

The process of public relations and media management in public administration bodies manifests itself in the functioning of certain organizational forms, the most common of which are described below.

1. Press service, which is represented by one employee – the press secretary: this ensures a high level of coordination, but can negatively affect the resolution of a large number of operational issues, since the spokesperson of the court does not have directly subordinate staff of the court administration (State Judicial Administration of Ukraine, 2013)).
2. A unit with a staff of several persons whose head is subordinate to the head of the institution and the head of the court administration.

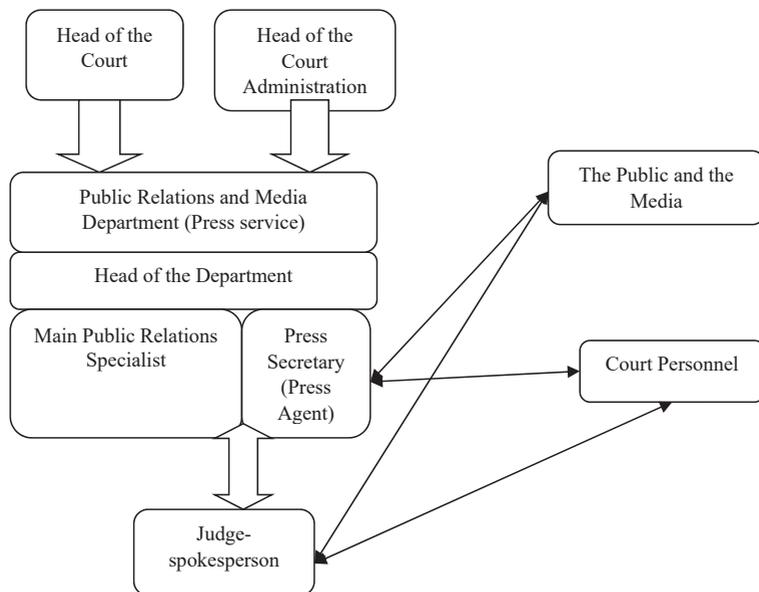
3. Department of public relations and mass media as a separate large structural unit, whose head has broad managerial authority, is subordinate to the chair of the institution and participates in the strategic management process. Such structure provides for the position of the spokesperson that is in charge of the head of the service (the main disadvantage of such subordination is the lack of independence in the performance of their functions).
4. Press service as an internal unit of another department of the organization. This organizational form is least effective because of double or triple subordination; narrow functions.
5. Freelancer or consulting services from an outsourcing company (the main drawback is the remoteness of the PR managers from the management of the organization, imperfect knowledge of the policies and various aspects of the institution's activities).

The first three forms stated above are the most appropriate forms of press service for public administration bodies in Ukraine. The new standard statute of the court system (State Judicial Administration of Ukraine, 2019) stipulates that the press service must exist in the court. If to form a separate structural department is inexpedient then only the press secretary functions. At present, the press service with one person is the most popular form in the courts.

Since there is no standard structure for public relations and mass media services, we propose a typical model of such a unit for the courts of Ukraine (Figure 1), which is developed encompassing current legislation on the specified service.

Johansson & Larsson (2015) points out that the “role map” for PR / communication managers is complex and multifaceted; PR managers work with internal and external communication. The proposed model reflects the interaction of the department with the subjects of internal and external communication. The model involves the creation of a department with three full-time employees. We believe that in this model the role of the spokesperson should be equal to the role of the press-agent, which is singled out in the study of Vieira & Granthamb (2014). The role of the press-agent is to create a favorable media environment for the organization. This particular specialist performs a wide range of technical functions in the department.

The requirement for the quantitative composition of any department in court (no less than two employees; the department is headed by the head) is stipulated by the current standard statute of the court structure. The department is a structural unit, which is formed to carry out tasks belonging to a separate direction of the court, the functions of which cannot be combined with the functions of other structural units (State Judicial Administration of Ukraine, 2019).

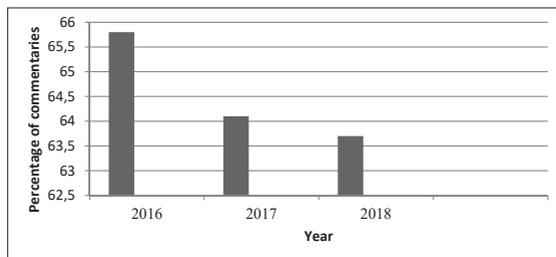


**Figure 1: Model of functioning of the press service in a court**

Changes in the creation of separate communication structures in the courts of Ukraine took place in 2013. At the XI session of judges of Ukraine which took place on February 22, 2013, it was decided to introduce the position of the spokesperson (The Congress of Judges of Ukraine, 2013). Thus, the Press Center of the Judiciary of Ukraine was formed at the High Council of Justice.

Moiseiev (2007) notes that usually the press center is created temporarily in case of a large amount of work with the press or for an individual event. The Press Center of the Judiciary of Ukraine was established not as a temporal but as a permanent body, one of whose functions was to coordinate the activities of the press service of the courts (The High Council of Justice, 2017).

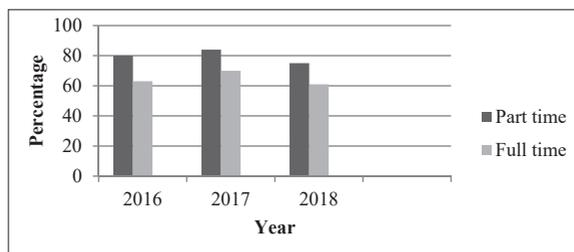
The results of the Ukrainian survey “Media Openness of Courts” 2017 revealed an extremely low level of cooperation between the courts and the mass media as well as the organization of media events. The survey covered 449 court employees (out of 675 courts as of 2017). During our own research conducted in 2018, 50 court employees were interviewed (out of 675 courts as of 2018). According to the results of the survey, most court respondents did not provide commentaries for the media either in 2016 or during the period of January-August 2017. Namely no commentaries were provided by the representatives of 288 courts (64.1% of the total number of court respondents). The same situation remains in 2018 in the specified regions, namely 63.7% of the courts did not provide any commentaries for the media during the year (Fig. 2).



**Figure 2: Number of commentaries made by courts in the media**

(Source: Author's work, 2018)

The ineffective interaction of courts with the media, in our opinion, is due to a faulty approach used for organizing press services. According to the figures of Survey 2017, in most judiciary agencies (379 of the courts – 84% of the total number of respondents) the spokesperson performed its duties combining them with another position. At the same time, the work of the spokesperson was not a primary position, but additional and requiring the use of skills of another profession. Only in 70 courts (16% of the total number of respondents) separate staff units were set up to ensure interaction with mass media (press secretaries) (Rybak, 2017). It should be noted that the situation remained practically unchanged in 2018. Only two courts from each region additionally involved 1-2 individuals as part time positions. Moreover, only one court in each region established a separate staff unit for media relations (press secretaries) (Fig. 3).



**Figure 3: The number of staff combining positions (part time) and staff units (full time)**

(Source: Author's work, 2018)

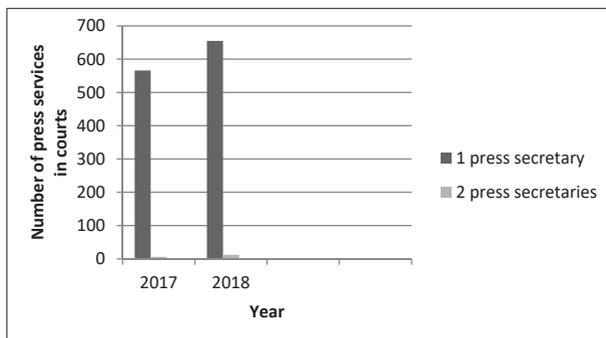
According to the data obtained during communication trainings, court staff often combines the duties of press secretaries of the courts with the duties of the deputy head of the court, the assistant of the chairman of the court, the consultant of the court on human resources, etc. Many researchers, including Mandel' (2016), point out the reluctance of the staff to combine the responsibilities of the spokesperson with any other work. The combination of duties does not motivate an employee, since working time is spent primarily on the execution of one's main duties, and additional work may not be financially encouraged. As a result, public relations become discrete. The work with the

media, which requires multi-vector activity, particularly suffers from such combinations of duties (Andriiash & Ahafonova, 2018).

Due to the lack of funding, creation of public relations and media departments with more than one staff member in the judiciary system remains a problem. The issue of the establishment of such structures becomes of particular relevance to the courts of appeal and cassation, which have a significantly higher number of judges than local courts and have a greater burden of litigation, and, therefore, interact with more representatives of the public and the media. From this perspective, Kuznecov (2007) suggests that only an organizationally structured service is capable of ensuring effective interaction with the public.

The statistics for the creation of press services with more than one employee in the court is disappointing. In 2017 only one employee noted that in his court two persons are working as the press secretaries. Two employees of the courts reported that their courts have press services (Rybak, 2017). As of 2018, the situation has not changed.

According to the data (fig. 4) of the electronic register of press services of the courts of Ukraine, published in 2018, 655 courts have one spokesperson (or a person who performs the duties of the spokesperson). Only 12 courts have two employees in the press service (of which 1 is court of appeal, 1 commercial local court, 5 district courts, 1 city court, 1 city-district court, 3 courts of city districts) (Canadian-Ukrainian Project “Support to Judicial Reform” (SJRP), 2018).



**Figure 4: The number of employees in the press services of the courts of Ukraine in 2017–2018**

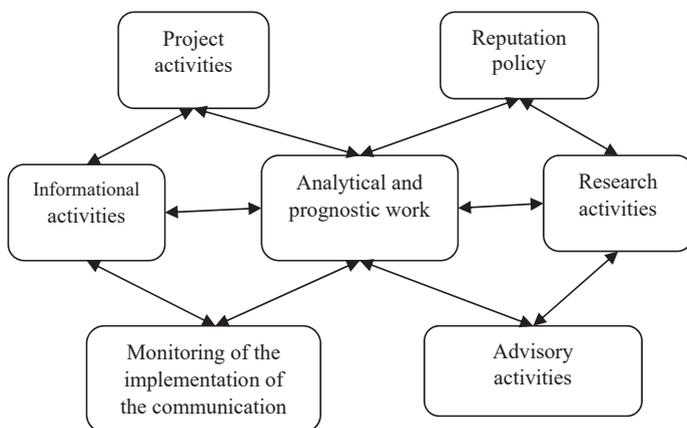
(Source: Canadian-Ukrainian Project “Support to Judicial Reform (SJRP)”, 2018)

The presence of one employee in the press service reduces the possibility of interchangeability. In this context, it’s worth mentioning Blek (2003), which considers flexibility and reliability as one of the main requirements for the PR work. Flexibility entails ensuring that all employees of the PR-structure can receive any PR related tasks. The reluctance to create a separate staffing unit for a spokesperson or a separate structural department is usually due to the distrust of the sphere for public relations as the one requiring additional financial costs in addition to an underestimation for its role in creating reputational capital for the public administration body. This attitude is characteristic

not only for the system of justice. Bilous (2005) draws attention to the belief of some head officials that interaction with the public can take place without the participation of professional specialists. As a result of this policy, the activity of the public relations agency is narrowed only to the function of responding to inquiries. At the same time the strategic planning of communicative activities becomes meaningless.

This problem may be solved through various ways, in particular financial and legal (in fact, currently there is no special regulatory act in Ukraine that would institute relations between the judiciary and the public). Given the ongoing democratic processes in Ukraine it is necessary to create the position of a person responsible for public relations and the media (spokesperson), which will be part of the official staff organizational structure. In our opinion, in the public administration bodies, particularly in courts where the number of employees exceeds 40 people, it is advisable to form a separate structural department (the press service), which should have at least two positions. One position – for the person responsible for public relations (in particular, for responding to the citizens ‘inquires and for public information requests), and the second – for the person responsible only for communication with the mass media (spokesperson). It is desirable for the employees who occupy these positions to be fully interchangeable and effectively able to carry out the tasks of the press service (Fig. 5).

If it is impossible to create a separate department, the supervisor must ensure the execution of the duties of the spokesperson when the latter is absent. In practice, the implementation of purely technical work can be entrusted to another employee, but the implementation of creative and communicative tasks becomes very problematic if there is no employee in the team with the appropriate specific skills.



**Figure 5: Press service in the management process of the judiciary**  
 (Source: Author’s work, taking into account the wishes of the respondents, 2019)

According to Korolko (2001), the work of the PR-structure should be subordinated to the person who manages the organization as a whole. In the body of justice, the head of the court is the one who is doing this work.

Researchers Vasyliaka & Fortuna (2014) rightly emphasize that the authorities in the judiciary are personified both by the head of the court and the head of the court administration. According to a typical job description, the spokesperson is directly subordinated to the court chairman and the head of the court administration (the latter appoints and dismisses an employee from the position of the spokesperson). At the same time, most of the functions of the press secretary are related to matters that are of particular importance to the chair of the court, since the chairperson represents the court as a body of state power in the society.

The judiciary community voiced an opinion on the importance of reviewing the issue of subordination of the spokesperson directly to the judge-spokesperson (Press Center of the Judiciary of Ukraine, 2018), that is, the judge authorized to cover the official position on court decisions on behalf of the court (the institution of the judge-speaker was introduced in Ukrainian courts in March 2015). Such approach supposedly should affect the efficiency of the press service. However, the introduction of such a scheme is inappropriate and levels the status of the spokesperson with the status of a patronage service employee. At present, there are no rules in the legislation that would regulate such subordination.

In the process of forming the organizational structure of management of public relations and mass media in the public administration bodies it is necessary to take into account the principles on which the activities of the press service should be based. Many researchers, such as Moiseiev (2007), Shchebunyaev (2012), Papkova & Kuz'mina (2002), and Panteleichuk (2009) singled out the following methodological principles: systemic (using technologies according to plans); adequacy (matching the structure of PR-unit and technologies to the goals of the institution); sensitivity to change or mobility (gradual modifications to the structure of the press service and adjustment of activities depending on new circumstances).

The principles, observance of which is mandatory for any public authority, are especially important for the functioning of the press service in the public authorities. They are: openness of information (availability of effective mechanisms, conditions and procedures for the realization of the rights of unimpeded access of citizens to information concerning the activities of public authorities), transparency (systematic coverage of the activities of the state authority), objectivity of information, and personal responsibility.

The scholar Holota (2018), when considering the special features of the work of the press service in state bodies, also considers the principle of accountability to be one of the main principles, as it involves taking into account public opinion and reporting on the results of the accomplished work.

The author of the "Practical Guide for Communication Structure in Public Administration Bodies," Kazanzhy (2016), stipulates additional principles: availability of the strategy, partnership, tolerance, objectivity, focus on the outcome, taking into account the realities, targeting, efficiency, truthfulness, relevance, accessibility and clarity, and

creativity. We will add to these principles two more: multifunctionality and constant self-improvement (mastering of new technologies).

Compliance with the set of all these principles will allow the press service to build long-term multidisciplinary relations with the public and the media and bring the institution closer to the interests of society, which will contribute to building the trust of citizens in the government.

### 3. Conclusions

1. The press secretary (the press service) is an important component of management in the justice system. Creation of separate departments allows the management functions of public relations to be exercised to its fullest capacity. The effective work of such departments in the justice system is an integral part of the process of increasing the transparency and openness of the court.
2. The Council of Judges of Ukraine and the High Council of Justice made important steps for the development of the dialogue between the bodies of justice and society, namely the introduction of positions of spokespersons in the courts and the creation of a press center for the judiciary. However, these measures did not eliminate the need for a systematic approach to public relations management on a professional scale. The analysis of the current state of the organization and functioning of press services in the justice system of Ukraine revealed a range of problems: the combination of the responsibilities of the spokesperson (part time) with another (full time) activity, double or multiple stage subordination, the problem of interchangeability, and sporadicity in interactions with the public.
3. Despite the positive developments in the field of public relations management in the courts, the issue of improving the management of PR structures requires scientific reflection, broad discussion, and practical measures, namely:
  - the creation of press services in courts as separate structural units, which will operate having the same rights as a sector or a department;
  - subordination of the press service to the head of the court administration, providing accountability to the head of the court;
  - establishment of the press service with two – four persons (depending on the number of employees in the court) and the normative provision for its legal status as a unit, offering material and technical support of the press service.

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## Organizacinės viešųjų ryšių ir žiniasklaidos valdymo formos Ukrainos teisingumo sistemoje

Anotacija

*Straipsnyje pabrėžiami veiksmingo departamento, atsakingo už ryšius su visuomene ir žiniasklaida, veiklos plėtojimo principai. Naudojant platų bendrųjų ir specialiųjų tyrimo metodų spektrą, pateikiant Ukrainos teismus kaip pavyzdį. Tyrimo autoriai parodo, kad atskiro struktūrinio padalinio sukūrimo pranašumas teisminėje sistemoje yra tas, kad Ukrainos teismuose įvedamos atsakingo už žiniasklaidą ir viešųjų ryšių plėtrą pareigybės, o tai atspindi dabartinį valdymo pokytį šioje srityje. Autoriai išskiria teismų sistemai tinkamiausią viešųjų ryšių organizavimo formą, kurios sudėtine dalimi turėtų būti už viešuosius ryšius atsakingas specialistas ir už ryšius su spauda atsakingas atstovas spaudai.*

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