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LEGAL MONITORING: THE USE OF PROGNOSTIC METHOD

Revealed the question of predictive method in the legal monitoring to improve the quality of law-making strategies, tactics, and technology. Clarified that prognostic method consists of socio-legal methods of collection and study of individual facts, statistically-mathematical methods and empirical techniques.

Legal monitoring is the main link of the implementation mechanism of the law-making policy, which uses tools such ensure the high quality of legal acts as sociological research, processing and analysis of statistical data, forecasting and simulation of actions of the future laws, a comprehensive examination of bills. Legal monitoring is a system of continuous monitoring, analysis and assessment of the validity of legal acts with the purpose of forecasting the further development of legislation and improve the efficiency of its regulatory impact.

Prognostic method complements the theoretical method of the General theory of law, used in the process of research of problems that cannot be solved using the latter, but the solution of which has a certain cognitive interest and is a necessary condition for the proper implementation of the General theory of the right of its functions. And therefore, this method of science should be seen as a set of theoretical method that combines a significant part of General, special and private methods of cognition, as well as non-core for the theory of law prognostic method.

Lessons for today the legal experience of the impact of adopting normative legal acts, as well as the achieved level of scientific understanding of this phenomenon, allows to say that the legal forecasting is a type of legal technologies. The progressive

institutionalization of legal forecasting, quantitative and qualitative growth funds, rules, methods, techniques, methods of its implementation, predetermines the appearance Obie needs in their coordination and system use.

The greatest potential in predicting give the mathematical methods that provide high accuracy of the forecast. However, the mathematical apparatus is not capable to reflect relations of objects and forecasting with the external environment, which is explained by the level of its development and the degree of adaptation to specificity of legal phenomena. There are gaps in the legal science. In particular, remains unsolved problem of influence of social factors on the law, other legal phenomena, determination of quantitative characteristics of the impact of individual factors on the subject.

For the most effective use of statistical and mathematical methods in modeling process of legal phenomena and forecasting of the required further detailed analysis of the structure of legal phenomena and their external relations and dependencies. The impracticality of the mathematical apparatus for building of legal models and forecasts so far is compensated by the method of expert estimates.

Competent opinion of experts, already now yield positive results in the prediction of effectiveness of specific legal norms, the rule of law, orientation of legal consciousness of the population, its political and legal activity, with other topical issues of the legal monitoring. In this way creates the most forecasts in the sphere of economy, politics and technology.

The originality of prognostic method is that its content is adapted to the subject and the task of essentially new empirical research – disclosure and justification of future States of legal phenomena. Therefore, not all the methods used for the study and synthesis of modern real-life legal phenomena, can be directly interpreted for the purposes of forecasting. But such adaptation to the subject prognostic studies does not change the fact empirical methods of collection and generalization of experimental facts.

Thus prognostic method is not a universal form of scientific knowledge capable of competing with the theoretical (Boolean) method of the General theory of law. Prognostic method consists of socio-legal methods of collection and study of individual facts,

statistically-mathematical methods and means of expert assessments, i.e. empirical techniques.

Improvement and development of methodology of forecast research in sphere of legal monitoring will open another effective way to tie legal science and practice. This will allow not only to implement the scientific statements and conclusions in the form of recommendations of the duty in law or suggestions on improvement of legislation, but also to prove the reliability of the proposed measures for the future subject to the following social and other changes.

Keywords: legal monitoring, forecasting method, legal forecasting, law, theory of law.