

# Pre-professional practices and the right to access to justice in marginalized urban sectors in Ecuador

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## **Abstract**

Ecuador has been a constitutional state of law and social justice since 2008 and, therefore, must comply with one of the duties enshrined in its Constitution: the non-discriminatory guarantee of the effective enjoyment of constitutional rights, including free and open access to the judicial system. Therefore, the objective is to analyze the impact of pre-professional internships carried out by future lawyers in marginal urban areas and the right of access to justice in the cantons of Ambato and Pillaro, Tungurahua Province. The methodology applied is quantitative, descriptive, non-experimental, and cross-sectional. Data were collected from September 2017 to February 2018 by law students at the Technical University of Ambato, Faculty of Law and Social Sciences. The main results were termination of marriage, dissolution of marital partnership, and the establishment of alimony. Concluding that the provision of legal services free of charge by the higher education institution guarantees a fundamental right of social groups that is rendered impossible by economic circumstances.

**Keywords:** Access to justice; Effectiveness of the law; Impact; Marginal; Pre-professional practices.

# Prácticas preprofesionales y el derecho al acceso a la justicia, en sectores urbanos marginales en el Ecuador

## Resumen

El Ecuador es un Estado constitucional de derecho y justicia social desde el año 2008, por lo que debe cumplir con uno de los deberes consagrados en su Constitución, la garantía sin discriminación alguna del efectivo goce de los derechos constitucionales, como es el acceder de forma libre y gratuita al sistema judicial. Por esta razón el objetivo es analizar el impacto que generan las prácticas preprofesionales ejercidas en sectores urbanos marginales por parte de los futuros abogados y el derecho de acceso a la justicia, en los cantones de Ambato y Pillaro, Provincia de Tungurahua. La metodología aplicada de enfoque cuantitativo, de alcance descriptivo, no experimental de corte transversal; los datos se recolectaron durante el periodo comprendido entre septiembre 2017 a febrero 2018, desarrollados por los estudiantes de la Carrera de Derecho de la Universidad Técnica de Ambato, Facultad de Jurisprudencia y Ciencias Sociales. Obteniendo como resultado principal que los principales requerimientos de las personas asesoradas son: terminación del vínculo matrimonial, disolución de la sociedad conyugal y la fijación de pensión alimenticia. Concluyendo que la prestación del servicio legal que se brinda de forma gratuita por el centro de educación superior, garantiza un derecho fundamental de los grupos sociales que por situaciones económicas se hace imposible.

**Palabras clave:** Acceso a la justicia; Efectividad del derecho, Impacto, Marginales, Prácticas preprofesionales.

**Summary:** 1. Introduction, 2. Methodology, 3. Findings, 3.1 Pre-professional Practices in the Free Integral Legal Clinic, 3.2 Marginal Urban Sectors of Priority Attention, 3.3 The Right to Access to Justice, 4. Conclusions, 5. Bibliographic references.

## 1. Introduction

Pre-professional practices are a fundamental part of the academic training of higher education students in the Republic of Ecuador. Students of the Law Programme or School within the Faculties of Jurisprudence of Universities in the Republic of Ecuador must undertake these practices in application of Article 193 of the Constitution of the Republic of Ecuador (Constitución de la República del Ecuador, 2008), which states: "The Faculties of Jurisprudence, Law or Legal Sciences of Universities shall organise and maintain legal defence and advisory services for people with limited economic resources and groups requiring priority attention".

As pre-professional practices are regulated, they are mandatory for individuals benefiting from access to university education. This research is quantitative and descriptive in scope. By analysing the information, it was possible to assess the impact of pre-professional practices carried out by future lawyers in marginalised urban areas on the right of access to justice in the cantons of Ambato and Pillaro, Tungurahua Province. Student participation is crucial, both in the urban centres of the cities and in the various legal offices available within the Gobiernos Autónomos Descentralizados (Decentralised Autonomous Governments) of the rural parishes of Ambato and Pillaro cantons, within the context of access to justice.

## 2. Methodology

The study was executed under a quantitative, descriptive approach, given that it aimed to analyse the impact of pre-professional practices undertaken by future lawyers in marginalised urban sectors on the right to access justice, within the cantons of Ambato and Pillaro, Tungurahua Province. Both the students of the Universidad Técnica de Ambato (UTA), Facultad de Jurisprudencia y Ciencias Sociales, Law Programme, and individuals forming part of vulnerable groups with limited economic resources from the rural zones or sectors of Ambato and Pillaro cantons, Tungurahua Province, were crucial for ensuring access to equitable and free justice, thereby guaranteeing the fulfilment of all their rights. The researchers selected the localities within the cantons of Ambato and Pillaro based on poverty indices, urban and rural characteristics, and proximity to the UTA.

This was a non-experimental, cross-sectional investigation. Data were collected during the period from September 2017 to February 2018 in the offices of the Free Integral Legal Clinics of the Facultad de Jurisprudencia y Ciencias Sociales of the University, specifically at the main office in the urban centre of the city, and in the various legal offices available within the Gobiernos Autónomos Descentralizados (Decentralised Autonomous Governments) of the rural parishes of Ambato and Pillaro cantons.

The criteria used to determine the impact of pre-professional practices stemmed from the fact that the legal advice and sponsorship service provided to the community considers the

number of inhabitants in the rural parishes. The researchers chose these geographical locations to cover the rural parish where the legal offices are situated and to encompass several other rural zones or parishes.

The population consisted of users, both women and men, whose economic activities include agriculture, livestock, manual labour, homemaking, students, and private employees. These individuals daily visited the various offices of the Free Integral Legal Clinics, located at the main office and in rural parishes such as Atahualpa, Juan Benigno Vela, and Picaihua in Ambato canton; and similarly, in the rural parish of San Andrés in Pillaro canton of Tungurahua Province.

A general, simple random sampling was conducted based on cases attended per area of Law. Each type of case (divorce by mutual consent, divorce for cause, dissolution of conjugal partnership, guardianship (minor responsibility) and legal custody, regulation of visits, increase in alimony, reduction in alimony, establishment of alimony, support for pregnant women, coercion for non-payment of alimony, release warrants, congruous support, domestic violence, sworn declarations, petitions for second marriages, appointment of guardian; among others including inheritances, boundary disputes, deeds, tenancy, transactional records, verbal contracts, and labour matters) was eligible for collection and inclusion in the sample.

In order to collect the information, the researchers tabulated the cases attended to, the legal advice provided, and the cases sponsored (legal defence). Establishing averages of the costs to users of legal advice from a private lawyer exercising his or her free profession (whose fees are stipulated based on the Regulations of the Legal Clinic and Ecuador's unified minimum wage). Similarly, the researchers considered the representative expense a legal professional is entitled to for sponsoring legal cases before public bodies that administer justice or regulate public administration. For this article, only cases authorised by the controlling entities were organised and tabulated. Finally, organisation techniques based on information characteristics were applied, utilising univariate descriptive statistics.

## Context

It is important to highlight that this article forms part of the research project "Estudio Netnográfico de la comunicación desde lo invisible a lo visible en la violencia digital" (Netnographic Study of Communication from the Invisible to the Visible in Digital Violence) of the Universidad Técnica de Ambato, Facultad de Jurisprudencia y Ciencias Sociales, making pre-professional practices visible as a fundamental requirement for students of the Law Programme to obtain the professional title of Lawyer of the Courts and Tribunals of the Republic of Ecuador, by the stipulations of the Consejo de la Judicatura. To this end, Article 7 of the General Regulations to the Organic Law of Higher Education (2011) stipulates that 'Community services will be carried out through pre-professional practices and internships, in urban and rural areas' (p. 3), where the problems of violence due to the lack of access to justice in actions of violence



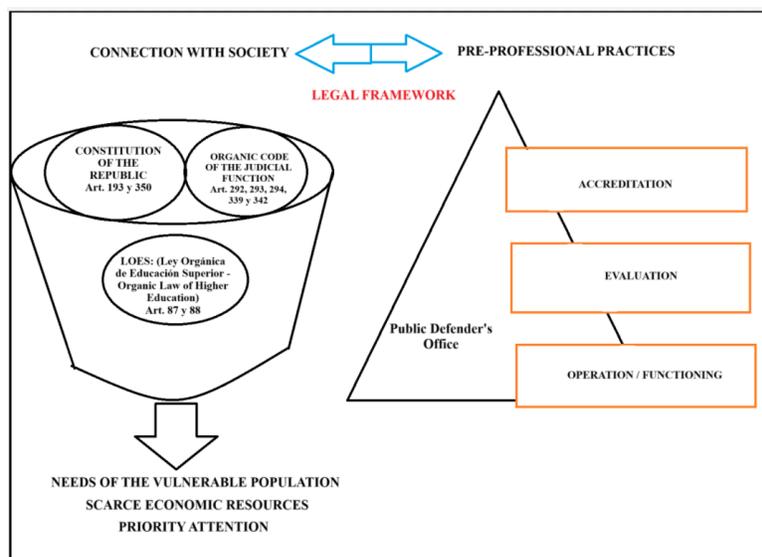
have been made invisible, hence the importance of analysing the specific characteristics of the Faculty and the Law Programme, and the needs of society.

Community services will be carried out through pre-professional practices and internships, in both urban and rural areas, according to the degree program's specific characteristics and society's needs.

To this effect, in order to comply with each of the legal provisions issued for the development and execution of pre-professional practices, the Plenary of the Consejo de la Judicatura (Judiciary Council) issued the Reglamento sustitutivo para la Práctica pre-profesional de las y los estudiantes y las y los egresados de las Facultades de Jurisprudencia, Derecho y Ciencias Jurídicas (Substitute Regulation for the Pre-professional Practice of Students and Graduates of Faculties of Jurisprudence, Law and Legal Sciences) (Consejo de la Judicatura, 2015). This legal regulation governs activities inherent to the pre-professional practices of undergraduate students. It has been subject to several reforms concerning duration and execution time, with the last reform enacted on 12 October 2015, through Resolución 319 de 2015 of the Consejo de la Judicatura. Students thus join the pre-professional practice programme according to scheduled plans and the calls that the universities make each academic cycle, which they publicise through various physical and technological media, in coordination with the different units and academic authorities of the Law Programmes or Schools within Faculties of Jurisprudence and Political and Social Sciences. The Consejo de la Judicatura, the Defensoría Pública (Public Defender's Office), and the Consejo de Educación Superior (Council of Higher Education) thus exercise control, as shown below in Figure 1:

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**Figure 1. Regulatory Framework for the Control of Pre-professional Practices.**



Source: Indicator of pre-professional practices for the UTA Law Programme 2018.

The Facultad de Jurisprudencia y Ciencias Sociales, Law Programme of the Universidad Técnica de Ambato (UTA), implemented the Free Integral Legal Clinic service in July 2003. The state entities regulating higher education required this implementation, which was in line with the provisions of the Código Orgánico de la Función Judicial (Organic Code of the Judicial Function) (2009). The aim was for students of the Law Programme to obtain the professional title of Lawyer of the Courts and Tribunals of the Republic of Ecuador, providing academic service to society as part of its community engagement. This service caters to social groups with limited economic resources who cannot access justice, guaranteeing their constitutionally recognised rights.

### 3. Findings

#### 3.1 Pre-professional Practices in the Free Integral Legal Clinic

Pre-professional practices enable many citizens to access the Ecuadorian justice system, particularly those on the margins of society. By providing this service, the programme builds trust in the State. It ensures the effective enjoyment of individual rights, particularly for those who, for various reasons, are in a condition of vulnerability.

Pre-professional practices serve as a unifying element for experiences in which university students, through many situations, apply the diverse empirical knowledge accumulated throughout their academic learning. These introduce a series of indeterminate variables, leading to an authentic understanding of professional activity.

Developing pre-professional practices is one of the most crucial links in the academic process for achieving a learning outcome that satisfactorily articulates knowledge, self-awareness, and practical application. These are indispensable elements for the optimal and professional training of individuals in contemporary society, which, coupled with an excellent process of conception, execution, and evaluation, will ensure significant success (Rodríguez-Díaz *et al.*, 2022, p. 6).

It is important to note that continuous supervision and control are maintained over the management carried out within the aforementioned organizations, by articulated personnel organised to ensure a service consistent with the standards of the representing institution.

Legal clinics are essential mechanisms for administrative management within the educational and social spheres. Their success hinges on adequate resources, efficient supervision, and a firm ethical commitment from students and the professionals who lead them. This enhances the reputation of these institutions and strengthens the rule of Law and social equity (Campoverde-Palma & Meleán-Romero, 2024, p. 138).

These activities thus not only present an opportunity to enhance the virtues and potential of prospective graduates, but also serve as a service provider or legal facilitator, invariably assisting every citizen with access to the justice system in its broadest sense. This is by the commitments assumed by the Ecuadorian State, as listed in the Constitución de la República del Ecuador (Constitution of the Republic of Ecuador). Furthermore, the Organic Code of the Judicial Function (Código Orgánico de la Función Judicial, 2009), in its article 339, stipulates that:

Graduates of Law or Legal Sciences programmes must compulsorily complete one academic year of free legal assistance for citizens in the bodies and dependencies that comprise the public sector, or, in indigenous communities, peoples and nationalities that exercise jurisdictional functions; this assistance must always be related to legal aid. (p. 111)

Furthermore, the large number of people living in poverty in Ecuador, especially in rural areas, presents a genuine obstacle, given that:

Comprehensive intervention is required to overcome the multifaceted barriers that limit access to justice in Ecuador. Economic and geographical limitations, evidenced by the prevalence of poverty and insufficient judicial infrastructure in rural and marginalised areas, significantly restrict citizens' ability to access legal services. Distance and the costs associated with accessing courts make it difficult to seek justice, especially for indigenous communities and other vulnerable groups. (Samaniego-Quiguiri, 2023, p. 60)

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In this regard, the Universidad Técnica de Ambato (UTA) established the Free Integral Legal Clinic in 2003; since its inception, it has been directed and administered by renowned legal professionals up to the present day. Its objective is to develop and execute the pre-professional practices of students and graduates from the Law, Social Work, and Social Communication programmes of the Faculty of Jurisprudence and Social Sciences in its offices. This service enables effective community engagement, thereby partially repaying society for the benefit of higher education received from it; it motivates students of Law, Social Work, and Social Communication to make their profession a social function in the service of justice, carrying out social and communicational scientific research; finally, it aims to fulfil the objectives and goals set for the aforementioned Free Integral Legal Clinic of the University.

The operation of the Free Integral Legal Clinic is overseen by the Faculty of Jurisprudence and Social Sciences of the University, in coordination and control with the Faculty's Governing Council, the Judiciary Council, and the Public Defender's Office. It also adheres to the educational guidelines established by the Council for Quality Assurance in Higher Education (CACES, formerly CEAACES) to link theory with practice for an improved teaching-learning process for future legal professionals. Through community engagement programmes, the University (or the Free Integral Legal Clinic) continuously strengthens and improves legal services, enabling individuals with limited economic resources to access justice and preventing violations of their rights. The Free Integral Legal Clinic allows Law students, under the supervision of highly

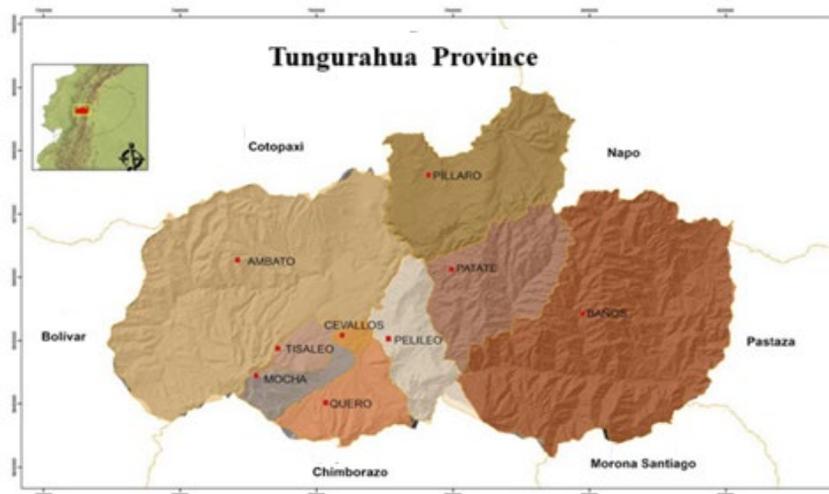


knowledgeable lecturers in various fields of Law and committed to social service, to provide legal advice to society, collaborate in the adequate protection and restitution of rights, and sponsor technical defence in legal cases.

The services provided by the University's Free Legal Clinic, which is legally constituted, approved, and authorised by the regulatory body, the Public Defender's Office, offer legal services in the areas of civil Law, criminal Law (adolescent offenders), childhood and family law, domestic violence, and labour law. The services provided by the University's Free Legal Clinic enable individuals belonging to vulnerable groups in urban-marginal sectors, as defined in Article 35 of the Constitution of the Republic of Ecuador, to access legal advice and representation in civil Law, criminal law (adolescent offenders), childhood and family law, domestic violence, and labour law. Similarly, users who lack the economic resources to access justice or other administrative entities where The University also serves users who lack the economic resources to access justice or other administrative entities that must guarantee the entire community's rights.

The University has established offices of the Free Integral Legal Clinics in the rural parishes of Ambato canton to achieve this, Tungurahua province, specifically in the Decentralised Autonomous Governments of the parishes of Atahualpa, Juan Benigno Vela, and Picaihua; and finally, in the rural parish of San Andrés in Pillaro canton. The Free Integral Legal Clinic allows the inhabitants of these parishes and surrounding areas to benefit from legal advice and sponsorship services. It fully guarantees their rights in both public and private spheres. The Free Integral Legal Clinic ultimately links the academic knowledge students acquire in classrooms with the practical roles that future legal professionals must understand and apply to perform their profession successfully. Figure 2 below illustrates the geographical area of the aforementioned Tungurahua Province.

**Figure 2. Geographical Data of Tungurahua Province.**



Source: Gobierno Provincial de Tungurahua (2019).

### 3.2 Marginal Urban Sectors of Priority Attention

Marginal urban sectors are typically located on the outskirts of larger, more developed cities and encompass areas unsuitable for a good social life. Individuals who live in these areas often face neglect and lack the protection of rights that the State should guarantee its citizens, especially those from rural areas. These communities include themselves and pursue all their objectives. However, in the rural areas of large cities, they cannot approach judicial bodies to guarantee their rights when they feel these rights have been violated or unfulfilled by the State, personally or collectively. The lack of economic resources to travel by transport to larger cities and be assisted by public administration or justice authorities, or in some cases by legal professionals, makes it impossible for them, thus leaving them isolated from having their constitutionally recognised rights fulfilled.

Tungurahua Province in the Republic of Ecuador, as seen in Figure 2, despite its small territory (area), is one of the four central provinces of the Ecuadorian State that exhibits the highest economic and production activity. This high economic and production activity exists because the province's inhabitants engage in industrial, artisanal, agricultural, and livestock activities. Tungurahua Province comprises nine cantons with their respective canton seats: Ambato, Baños de Agua Santa, Cevallos, Mocha, Quero, Pillaro, Pelileo, Patate, and Tisaleo. Each has urban parishes, to which many people from marginal urban sectors have migrated in search of a better lifestyle. Regrettably, due to the economic situation, in some instances, they cannot secure dignified employment that would allow them to cover their most basic needs, let alone access a legal professional to sponsor or defend a legal case when such assistance or representation is required.

The city of Ambato, considered the largest in Tungurahua province, is composed of urban parishes and has its rural parishes. Currently, under the new public administration model, the administrators of the rural parishes are represented by the Presidents of the Gobiernos Autónomos Descentralizados Parroquiales (Parochial Decentralised Autonomous Governments), who are responsible for ensuring that the rights of their inhabitants are guaranteed and respected. This city comprises rural parishes such as Ambatillo, Atahualpa, Augusto N. Martínez, Constantino Fernández, Huachi Grande, Izamba, Juan Benigno Vela, Montalvo, Pasa, Picaihua, Pilahuín, Quisapincha, San Bartolomé de Pinllo, San Fernando, Santa Rosa, Totoras, Cunchibamba, and Unamuncho.

The University, committed to contributing to social and community development in defence of the social and collective rights of individuals requiring attention to the guarantee of their rights, has entered into an Institutional Cooperation Agreement with the Consejo Nacional de Gobiernos Parroquiales Rurales del Ecuador (CONAGOPARE-TUNGURAHUA) (National Council of Rural Parochial Governments of Ecuador - CONAGOPARE-TUNGURAHUA). This agreement ensures that the offices of the Gobiernos Autónomos y Descentralizados of the Rural

Parishes, such as Atahualpa, Picaihua, and Juan Benigno Vela, have Free Integral Legal Clinic offices of the Facultad de Jurisprudencia y Ciencias Sociales. The Free Integral Legal Clinic enables the inhabitants of these parishes to access legal assistance and sponsorship when needed, ensuring their rights are not prejudiced and helping to overcome the barriers that prevent them from securing a legal professional.

Similarly, rural parishes are considered marginal urban sectors due to their inhabitants' agricultural and livestock activities. These circumstances limit these communities' ability to reach the legal centres in the canton seat of Ambato, where judges and legal professionals hear, respect, and apply their rights in every case.

Finally, to reach more rural sectors of the Tungurahua population, the aforementioned higher education institution established a new Free Integral Legal Clinic office in the Rural Parochial Government of San Andrés in Pillaro Canton. The authorities chose this parish because it has the largest rural population and limited economic resources. Figure 3 below illustrates the poverty levels in Tungurahua Province.

**Figure 3. Data on Poverty in Tungurahua Province.**

Regarding poverty in Tungurahua, the urban area is at 15.5%, the rural area at 39.5% of poor households, and households in extreme poverty are at 3.7% in urban areas and 20.5% in rural areas.

Households by Poverty Level	% Urban 2020	% Rural 2020	% Provincial 2020
Non-poor households	80.80%	40.00%	60.40%
Poor households	15.50%	39.50%	27.50%
Households with extreme poverty	3.70%	20.50%	12.10%
TOTAL	100%	100%	100%

According to income levels, 7.77% of the population of Tungurahua is poor and 2.61% is in extreme poverty, which shows we are below national indexes.

Source: Gobierno Provincial de Tungurahua (2019).

### 3.3 The Right to Access to Justice

The Constitution of the Republic of Ecuador establishes the right to access justice as a fundamental guarantee. It includes, among other aspects, access to the benefits of legal and judicial advice, appropriately tailored to the interest of each topic or matter. Natural or legal persons authorised to provide legal services must offer them free of charge or at affordable and

fair costs for the public, ensuring no discrimination based on economic status, race, sex, or religion.

Indeed, a constitution is the framework that builds and organises the various structures that make up the State. However, people must understand that it is incorrect to assume the Constitution is merely a set of rules to follow. From the breadth of philosophical perspectives, it is a feedback loop, as each foundational charter reflects the best qualities, beliefs, and essence of the society it is called upon to develop around, and this population, in turn, protects and expands the guidelines stipulated in that document. Consequently, in structuring society, it is necessary and moral to guarantee the effective enjoyment of the inherent rights of each individual, focusing in this dissertation on the benefit to citizens within the vulnerable and lower-income population. According to the provisions of the Constitution of the Republic of Ecuador (Constitución de la República del Ecuador, 2008):

Art. 35.- Elderly persons, children and adolescents, pregnant women, persons with disabilities, persons deprived of liberty, and those suffering from catastrophic or highly complex illnesses shall receive priority and specialised attention in the public and private spheres. The same priority attention shall be given to persons at risk, victims of domestic and sexual violence, child abuse, natural or anthropogenic disasters. The State shall provide special protection to persons in situations of double vulnerability. (p. 12)

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In this vein, during the complex journey of life on this planet, it is a recurring fact that individuals proceeded to unite in different formations, with diverse norms, whose primary intention was protection and the search for a state of alertness regarding external factors. The evolution of such unions led to present-day societies, and it is clear that, for a considerable period, the exclusion of people reached an endemic level, based on various nuances including gender, religion, and economic status.

Throughout the construction of human history, human beings have grouped and associated around their affinities, strengths, and opportunities to maintain their survival and continue their progress. In this grouping, on many occasions, people with no exact position of strength or superiority have been left aside because they are the weakest in the group. These people have historically been relegated from decision-making within the social group or even from access to certain goods and services due to their condition of “inferiority” (Castro-Torres & Amancha, 2023, p. 62).

Consequently, through arduous work and citizen will that effectively brings about a paradigm shift, the new Constitution reflects the following:

Article 11.- The following principles shall govern the exercise of rights:

... All persons are equal and shall enjoy the same rights, duties, and opportunities.



The State must ensure that no one discriminates against anyone for reasons of ethnicity, place of birth, age, sex, gender identity, cultural identity, marital status, language, religion, ideology, political affiliation, criminal record, socio-economic status, migratory status, sexual orientation, health status, HIV status, disability, physical difference; nor for any other personal or collective, temporary or permanent distinction, which has as its object or result the impairment or nullification of the recognition, enjoyment or exercise of rights. The Law shall punish all forms of discrimination.

The State shall adopt affirmative action measures to promote genuine equality in favour of rights holders in a situation of inequality. (Constitución de la República del Ecuador, 2008, p. 9)

Similarly, unanimously and uniformly, the jurisprudential decisions of the high national courts aim to compel the Ecuadorian State to remain on the path of reducing existing social disparities, all in order to comply with the mandate of the supreme norm, with special attention to groups or segments of society that are at a greater disadvantage, as observed in Sentence 344/16 of the Constitutional Court of Ecuador.

In this sense, this Magistracy notes that it is incumbent upon judicial operators to contribute to this special protection from their respective jurisdictional spheres; thus, upon learning of a case in which the rights of elderly persons conflict, the analysis they undertake must observe a systematic interpretation of the Constitution, which considers the factual situation of inequality in which they find themselves. Therefore, the decision they issue must have as its primary objective the protection of the older adult, their active inclusion in society, and the guarantee of equal opportunities in access to all rights recognised in the Constitution, in order to provide them with a dignified life (Sentence 344/16).

In this line of thought, for cases at the inter-American level, the recognition of individuals for whom the State must redouble its efforts is deeply rooted. The State must consolidate practices and structures within its institutional framework through public policies that prevent or alleviate the consequences of risk situations for individuals, to improve their integration and access to the de facto enjoyment of the inherent rights of the human species.

The Court has indicated that, under Article 19 of the American Convention (Organization of American States [OAS], 1969), the State is obliged to promote special protection measures oriented towards the principle of the best interests of the child, assuming its guarantor position with greater care and responsibility in consideration of their special condition of vulnerability. In this sense, the Court establishes that protecting children aims to develop the personality of girls and boys and guarantee their enjoyment of the rights recognised for them. In this way, girls and boys have special rights that correspond to specific duties on the part of the family, society, and the State. Furthermore, their condition requires special protection from the latter, which must be understood as an additional and complementary right to the other rights the Convention recognises for every person (Inter-American Court of Human Rights [IDH], 2023).

When considering the obligations of States, established from the first articles of the American Convention on Human Rights, it is, objectively, concerning Articles 8 and 25, the commitment for each signatory to build an independent, autonomous, functional system that in turn allows easy and broad access, so that each citizen can access the justice system to validate rights that are affected by private parties or by the State itself, all within a guaranteeing process.

Furthermore, in the Constitución de la República del Ecuador (2008), free access to justice is a right that every citizen must enjoy, as stated in Chapter Eight, on Rights of Protection, in its article 75, which prescribes:

Every person has the right to free access to justice and practical, impartial, and expeditious protection of their rights and interests, subject to the principles of immediacy and celerity; in no case shall they be left defenceless. The Law shall sanction non-compliance with judicial decisions. (p. 20)

Thus, in application of the international legal framework, the Free Integral Legal Clinic of the Faculty of Jurisprudence and Social Sciences of the aforementioned University in the Republic of Ecuador, and by the studied sample, identified that 71% of individuals who required legal assistance and sponsorship services were women. In comparison, 29% corresponded to the male population who also required free legal assistance in each area of Law. These services are most reflected in matters or topics of family law, as illustrated in Table 1 below:

**Table 1. Report on Sponsorship and Advisory Cases, Academic Cycle September 2017 - February 2018.**

Main Areas of Work	Sep.	Oct.	Nov.	Dic.	Ene.	Feb.	Total	Women	Men
Divorce by mutual consent	18	16	22	14	9	7	86	59	27
Divorce for cause	14	17	19	12	10	9	81	52	29
Dissolution of conjugal partnership	12	18	21	14	14	6	85	57	28
Guardianship and legal custody	7	19	15	16	12	3	72	59	13
Regulation of visits	6	17	14	7	11	8	63	60	3
Increase in alimony	1	15	12	3	3	6	40	32	8
Reduction of alimony		14	5	9	9	4	41	3	38
Establishment of alimony	6	17	21	18	9	5	76	61	15
Alimony for pregnant women	2	22	5	4	3	9	45	45	
Release warrant/alimony	1	11	1			1	14		14

Coercion warrant/alimony	8	11	14	8	6	8	55	53	2
Congruous alimony		9		5	3	1	18	11	7
Domestic violence	1	18	13	5	5	4	46	38	8
Sworn declarations		12	2				14	8	6
Second marriages/appointment of a guardian	3	28	19	9	9	4	72	47	25
Others (inheritances, boundaries, deeds, tenancy, transactional records, verbal contracts, traffic challenges, labour)	3	12	16	17	14	9	71	39	32
Subtotal	82	256	199	141	117	84	879	624	255
Total, September 2017 - February 2018							879		

**Source:** Self-elaboration. Indicator of pre-professional practices of the UTA Law Programme 2018.

The previous figure shows that the right to access justice is a fundamental principle of the rule of Law. It determines that among the sixteen legal services, the highest percentage of legal cases attended were divorces by mutual consent, reaching 9.97% of the total cases handled by the Free Integral Legal Clinic offices; followed by cases of dissolution of conjugal partnership at 9.67%; and also, among the most frequently requested causes, contested divorces accounted for 9.22%. In contrast, 1.60% represents the cases with the least user attendance, such as requests for release warrants for non-payment of alimony for their children.

The inhabitants of Ambato and Pillaro canton in Tungurahua Province have exercised this constitutional right and have received assistance in cases related to: divorce by mutual consent; contested divorces; dissolutions of conjugal partnership; guardianships and legal custody of children; regulation of visits; establishment, increase, and reduction of alimony; alimony for pregnant women; release warrants for alimony; coercion warrants for non-payment of alimony; congruous alimony; domestic violence; sworn declarations for second marriages; appointment of guardians; and, among others such as inheritances, boundaries, deeds, tenancy, transactional records, verbal contracts, and labour cases.

Thus, the Law Programme of the Faculty of Jurisprudence and Social Sciences of the University, in the Republic of Ecuador, by having the Free Integral Legal Clinic, provides legal advice and sponsorship (defence) services in judicial and administrative proceedings arising from the legal sphere, to people with limited economic resources immersed in situations where their constitutional rights are vulnerable, as these services should be free of charge. It also allows future lawyers of the Republic of Ecuador to link the academic knowledge received in classrooms with the practical life of a legal professional.

The inhabitants of the rural parishes of both Ambato canton and Pillaro canton of Tungurahua province are the direct beneficiaries of the services provided by the Free Integral Legal Clinic, with all the technical and human team, such as tutoring lecturers and legal professionals, and the pre-professional practice students that comprise said clinic. Likewise, a series of beneficial economic effects are derived from the free nature of the pre-professional practices, as shown in Table 2.

**Table 2. Cost-benefit report of legal advice and sponsorship services.**

<b>Total, Main Office September (2017). - February 2018</b>	<b>Women</b>	<b>Men</b>	<b>Total (Men &amp; Women)</b>	<b>Average professional service cost</b>
Number of cases advised	931	355	1286	1286XUSD.20 = 25.720
Number of cases sponsored	624	255	879	879X1SBU = 329.625
Subtotal	1555	610	2165	
Total		2165		<u>USD. 355.345</u>
<b>Total Atahualpa Parish September 2017 - February 2018</b>	<b>Women</b>	<b>Men</b>	<b>Total (Men &amp; Women)</b>	<b>Average professional service cost</b>
Number of cases attended	34	21	55	55XUSD.20 = 1.100
Number of beneficiary cases	14	4	18	18X1SBU = 6.750
Subtotal	48	25	73	
Total		73		<u>USD. 7.850</u>
<b>Total Picaihua Parish September 2017 - February 2018</b>	<b>Women</b>	<b>Men</b>	<b>Total (Men &amp; Women)</b>	<b>Average professional service cost</b>
Number of cases attended	32	21	53	53XUSD.20 = 1.060
Number of beneficiary cases	9	5	14	14X1SBU = 5.250
Subtotal	41	26	67	
Total		67		<u>USD. 6.310</u>
<b>Total Juan B. Vela Parish September 2017 - February 2018</b>	<b>Women</b>	<b>Men</b>	<b>Total (Men &amp; Women)</b>	<b>Average professional service cost</b>
Number of cases attended	89	15	104	104XUSD.20 = 2.080
Number of beneficiary cases	24	6	30	30X1SBU = 11.250
Subtotal	113	21	134	
Total		134		<u>USD. 13.330</u>
<b>Total San Andrés de Pillaro Parish, September 2017 - February 2018</b>	<b>Women</b>	<b>Men</b>	<b>Total (Men &amp; Women)</b>	<b>Average professional service cost</b>
Number of cases attended	48	22	70	70XUSD.20 = 1.400
Number of beneficiary cases	8	6	14	14X1SBU = 5.250
Sub total	56	28	84	
Total		84		USD. 6.650
<b>Grand Total</b>	↔			<b>USD. 389.485</b>

**Fuente:** Indicator of pre-professional practices of the UTA Law Programme 2018 (Unified Basic Salary - SBU).

From an economic perspective, the Free Integral Legal Clinic demonstrates a significant benefit by providing free services to social groups with limited economic resources, thus returning value to the Ecuadorian State and the community. Students and all individuals who

make up each Legal Clinic achieve this, ensuring their work reflects the right to access justice regarding user satisfaction. That is to say, the inhabitants of rural sectors such as the Rural Parishes of Atahualpa, Picaihua, Juan Benigno Vela in Ambato Canton, and also the Rural Parish of San Andrés in Pillaro Canton and its surrounding or neighbouring parishes, considered marginal urban sectors, have been able to access the right to justice. The students and legal professionals of the Free Legal Clinic protect people's rights and prevent any violation or infringement caused by a lack of economic and social resources. In this sense, the impact of providing free legal advice and sponsorship to priority attention groups and those with limited economic resources is primarily legal. However, it also touches upon economic, social, and academic aspects.

#### **4. Conclusions**

The findings of this research demonstrate that pre-professional practices are of immense utility to the community, as they enable compliance with Article 76 of the Constitution of the Republic of Ecuador, which stipulates that all persons have the right to free access to justice. In this way, the UTA efficiently and promptly repays the Ecuadorian State for its financial contribution, as it invests in legal advisory and sponsorship services, providing legal assistance to the community free of charge.

Thus, the students carry out their pre-professional practices directly where the needs of the urban and marginal population lie; this includes both the main office and the offices of the Legal Clinics in the rural areas of Ambato and Pillaro cantons in Tungurahua province. They attend various legal proceedings arising from legal processes, which allows them to gain better training and human and professional development for their performance upon qualifying as Lawyers of the Courts and Tribunals of the Republic of Ecuador.

The establishment of a joint and cooperative effort between the University and the National Council of Rural Parochial Governments of Ecuador (CONAGOPARE-TUNGURAHUA) has been beneficial in ensuring constitutional rights, including free access to justice, for individuals requiring priority attention and those with limited economic resources from marginal urban sectors. The Free Legal Clinic has received the highest number of female users, since Ecuadorian legal regulations also require greater protection for women's rights.

Despite the efforts of the Ecuadorian Government to implement plans, programmes, and/or strategies to fully guarantee the right to free access to justice for social groups, there are still gaps and challenges related to this fundamental right that need to be regulated by the oversight bodies of both public administration and the judiciary.

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## Authors' Contributions

Galo Iván Masabanda-Analuiza: conceptualization, analysis, investigation, resources, supervision, resource acquisition, validation, writing (original draft), writing (review and editing); Egda Maribel Campoverde-Quijano: conceptualization, analysis, information validation, resource acquisition, investigation, methodology, visualization, writing (original draft), writing (review and editing); Juan Pablo Montero-Solano: conceptualization, research administration, writing (original draft), writing (review and editing); Bryan Israel Nuela-Masabanda: conceptualization, research administration, writing (original draft), writing (review).

## Conflicts of Interest

The authors declare that they have no conflicts of interest in the writing or publication of this article.

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## Ethical Implications

The authors have no ethical implications to declare in the writing and publication of this article.

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