

# Procedure in Civil Proceedings

Iryna Yu. Tatulych  
Yuriy Fedkovych Chernivtsi National University, Ukraine  
e-mail: i.tatulych@chnu.edu.ua

Abstract: the article reveals the essence, meaning and notion of procedure in civil proceedings. The author of the article has carried out the comparative characteristics of the procedure with other legal categories. Procedure in civil proceedings are also defined and generalized. On the basis of all the investigations the author definition of the notion “procedure” is formed.

Keywords: procedure; process; civil proceedings; procedural order; civil procedural form; writ proceedings; writ.

[1, .48].

[2, . 46-48],

[3, p. 29]. . . . [4, p. 22].

[5, pp. 11-12].

[6,

p.122].

[7, pp. 41-43],

« . . . » « . . . »

( )

( )

( )





),

[12, p. 62].

2 . 102

: 1)

, 2)

[22, pp. 137-140],

( )

:

( )

( )

( )

#### References:

1. Zaytsev, I.M. (1995) Grazhdanskaya protsessual'naya forma: poniatie, sodержaniye, znacheniye [Civil procedural form: notion, content, meaning]. Gosudarstvo i pravo [State and law], 1995, No.2, pp.47-52. (In Russian).
2. Savitskiy, V.M. (1979) Sovetskiy ugovolno-protsessual'nyy zakon i problema ego effektivnosti [Soviet code of Criminal Procedure and the problem of its effectiveness]. Moscow. 319 p. (In Russian).
3. Gorshenev, V.M. (1973) Protsessual'naya forma i yeyo naznacheneye v sovetskom prave [Procedural form and its function in Soviet law]. Gosudarstvo i pravo [State and law], 1973, No.12, pp.28-35. (In Russian).
4. Kartashov, V.N. (1990) Yuridicheskaya deyatelnost': problemy teorii i metodologii [Legal activity: theory and methodology problems] Avtoreferat dissertatsyyi na soiskaniye uchonooy stepeni doktora yuridicheskikh nauk: 12.00.03 Grazhdanskoye pravo; semeynoye pravo; grazhdanskiy protsess; mezhdunarodnoye chastnoye pravo [Abstract of the DSc thesis on getting the DSc degree in law: specialty 12.00.03 Civil law; family law; civil proceedings; international private law]. Moscow. 42 p. (In Russian).
5. Barishpol'skaya, T.Yu. (1988) Grazhdanskiy protsess i protsedura [Civil proceeding and procedure] Avtoreferat dissertatsyyi na soiskaniye uchonooy stepeni doktora yuridicheskikh nauk: spetsyal'nost' 12.00.03 Grazhdanskoye pravo; semeynoye pravo; grazhdanskiy protsess; mezhdunarodnoye chastnoye pravo [Abstract of the DSc thesis on getting the DSc degree in law: specialty 12.00.03 Civil law; family law; civil proceedings; international private law]. Tomsk. 21 p. (In Russian).
6. Borisov, G.A., Musiyaka, V.L., Bindik, I.V., Gorsheniye, V.M. (1990) Fundamental'nyye problemy kontseptsyyi formirovaniya sovetskogo pravovogo gosudarstva [Fundamental problems of the conception of soviet legal state formation]. Kharkov: Osnova. 176 p. (In Russian).

7. Belyayev, V.P. (2011) Protsessual'naya forma yuridicheskoy deyatelnosti: voprosy teorii i praktiki: monografiya [Procedural form of legal activity: questions about the theory and practice: monography]. Moscow: Yuridicheskaya literatura. 144 p. (In Russian).
8. Kovalenko, A.G. (1981) Polnota materialov po grazhdansko-pravovym sporam [Completeness of the materials on civil disputes]. Saratov: Saratov University. 73 p. (In Russian).
9. Osnovin, V.S., Luchin, V.O., Pigolkin, A.S. (1976) Yuridicheskaya protsessual'naya forma: teoriya i praktika [Legal procedural form: theory and practice]. Moscow: Yuridicheskaya literatura. 280 p. (In Russian).
10. Alekseyev, S.S. (1975) Pravo v nashey zhyzni [Law in our life]. Sverdlovsk: Middle Ural publishing house. 168 p. (In Russian).
11. Kleanurov, M. (2000) Kak uskorit' arbitrazhnoye sydoproizvodstvo [How to quick arbitrary proceedings]. Rossiyskaya yustitsiya [Russian justice], 2000, No. 7, pp. 17-18. (In Russian).
12. Sakhnova, T.V. (2008) Kurs grazhdanskogo protsessa: teoreticheskiye nachala i osnovnyye instituty [Civil proceedings course: theoretical basis and main institutes]. Moscow: Walters Clover. 676 p. [XVI]. (In Russian).
13. Pavlushyna, A.A. (2005) Teoriya yuridicheskogo protsessa: itogi, problemy, perspektivy razvitiya [Theory of legal proceeding: results, problems, development prospectives]. Samara: Samara state economic academy. 478 p. (In Russian).
14. Komarov, V.V. (2011) Tsyvil'nyy protsess u hlobal'nomu konteksti [Civil proceeding in global context] Pravo Ukrayiny [Law of Ukraine], 2011, No.10, pp.22-45. (In Ukrainian).
15. Komarov, V.V., Luspenyk, D.D., Radchenko, P.I. and others (2011) Pozovne provadzhennia: monohrafiya [Action proceedings: monography]. Kharkiv: Pravo. 552 p. (In Ukrainian).
16. Treushnikov, M.K. (1996) Grazhdanskiy protsess [Civil proceeding]. Moscow: Spark. 480 p. (In Russian).
17. Yarkov, V.V. (2001) Grazhdanskiy protsess: uchebnik [Civil proceeding: textbook]. Moscow: BEK. 502 p. (In Russian).
18. Gromoshyna, N.A. (2004) Prikaznoye proizvodstvo. Grazhdanskoye protsessual'noye pravo: uchebnik [Writ procedure. Civil procedural law: textbook]. Moscow: Wellbe, Prospect publishing house. 580 p. (In Russian).
19. Gromoshyna, N.A. (2002) Kommentariy k glave 11-1. Kommentariy k Grazhdanskomy protsessual'nomu kodeksu RSFSR [Commentaries to Chapter 11-1. Commentaries to Civil procedural code of the RSFSR]. 2<sup>nd</sup> edition. Moscow: Yurist. 944 p. (In Russian).
20. Sakhnova, T.V. (2005) O sudebnykh protsedurakh v tsyvilisticheskoy protsesse, ili k voprosu o differentsyatsyyi protsessual'noy formy [About law procedures in civil proceedings or to the question of procedural form differentiation]. Teoreticheskiye i prakticheskiye problemy grazhdanskogo, arbitrazhnogo protsessa i ispolnitelnogo proizvodstva [Theoretical and practical problems of civil, arbitrary process and executive proceedings]. Krasnodar: Law centre Press publishing house. pp. 53-62. (In Russian).
21. Fursa, S. Ya. (2006) Tsyvil'nyy protsessual'nyy kodeks Ukrayiny: naykovo-praktychnyy kommentar u 2 tomakh [Civil procedural code of Ukraine: scientific-practical commentary in 2 volumes]. V.1. Kyiv: Publisher Fursa S.Ya.: KNT. 912 p. (In Ukrainian).
22. Kucher, T.M. (2009) Shliakhy pryvedennia protsedury nakaznoho provadzhennia u vidpovidnist' do pryntsyipiv tsyvil'noho protsessu ta norm mizhnarodnoho prava [Ways of writ proceedings conformation to the principles of civil procedure and norms of international law]. Chassopys Kyivskoho universytetu prava [Kyiv law university journal], 2009, No.3, pp. 137-140.