

Landelijk Procesreglement Rolzaken Kanton De Rechtspraak

The European lawmaker is currently overseeing what appears to be a paradigm shift in the way that cross-border litigation is conducted within the European Union (EU). This matter was initially conceptualised from the perspective of international judicial cooperation, based on the notion of mutual recognition. Recent developments, however, have introduced the option of harmonisation as a new and complementary approach to consolidating European Civil Justice. It is a controversial decision due to traditional 'procedural autonomy' of the Member States and the domestic reluctance to cede any of it. This book contributes to the current discussions surrounding this European change of tack, identifying progress made as well as limitations encountered.

The editors' earlier book *Delivering Family Justice in the 21st Century* (2016) described a period of turbulence in family justice arising from financial austerity. Governments across the world have sought to reduce public spending on private quarrels by promoting mediation (ADR) and by beginning to look at digital justice (ODR) as alternatives to courts and lawyers. But this book describes how mediation has failed to take the place of courts and lawyers, even where public funding for legal help has been removed. Instead ODR has

Get Free Landelijk Procesreglement Rolzaken Kanton De Rechtspraak

developed rapidly, led by the Dutch Rechtwijzer. The authors question the speed of this development, and stress the need for careful evaluation of how far these services can meet the needs of divorcing families. In this book, experts from Canada, Australia, Turkey, Spain, Germany, France, Poland, Scotland, and England and Wales explore how ADR has fallen behind, and how we have learned from the rise and fall of ODR in the Rechtwijzer about what digital justice can and cannot achieve. Managing procedure and process? Yes. Dispute resolution? Not yet. The authors end by raising broader questions about the role of a family justice system: is it dispute resolution? Or dispute prevention, management, and above all legal protection of the vulnerable?

Economic Value of the Judiciary

Counting Votes and Weighing Options

The 50th Anniversary of the European Law of Civil Procedure

A Study on Consumer Judicial Protection and the Powers of the Courts to Raise Pleas of Union Law of Their Own Motion

The Arrest Conventions, signed in 1952 and 1999, play a fundamental role in the worldwide enforcement of maritime claims. Arrest of ships is one of the most distinctive features of international maritime law. It provides a powerful, efficient and effective means of enforcing maritime claims in rem, obtaining sufficient asset security and preserving property pending substantive proceedings. Ship arrest is, however, also a draconian power that cuts across property rights and can cause

Get Free Landelijk Procesreglement Rolzaken Kanton De Rechtspraak

considerable commercial harm to shipowning interests. This book provides thematic and comparative analysis from leading international commentators on the most significant legal and policy issues, including practical problems arising from the Arrest Convention texts, as well as the direct implementation or indirect 'translation' of the Arrest Conventions into domestic legal systems. It critically analyses the political and historical development of the Conventions, explores the key concepts underpinning the Arrest Convention frameworks and considers the future of ship arrest.

Originally presented as the author's thesis (Ph. D.) -
Erasmus University, Rotterdam, 2017.

State Immunity in Dutch Civil Proceedings

Luxembourg Report on European Procedural Law

Selected Issues in International Litigation and Arbitration

The Netherlands Commercial Court

The contributions in this book cover a wide range of topics within modern dispute resolution, which can be summarised as follows: harmonisation, enforcement and alternative dispute resolution. In particular, it looks into the impact of harmonised EU law on national rules of civil procedure and addresses the lack of harmonisation in the US regarding the recognition and enforcement of foreign judgments. Furthermore, the law on enforcement is examined, not only by focusing on US law, but also on how to attach assets in order to enforce a judgment. Finally, it addresses certain types of alternative dispute resolution. In addition, the book looks into the systems and cultures of dispute resolution in several regions of the world, such as the EU, the US and China, that have a high impact on globalisation. Hence, the book is diverse in the sense of

Get Free Landelijk Procesreglement Rolzaken Kanton De Rechtspraak

dealing with multiple issues in the field of modern dispute resolution. The book offers explorations of the impact of international rules and EU law on domestic civil procedure, through case studies from, among others, the US, China, Belgium and the Netherlands. The relevance of EU law for the national debate and its impact on the regulation of civil procedure is also considered. Furthermore, several contributions discuss the necessity and possibility of harmonisation in the emergency arbitrator mechanisms in the EU. The harmonisation of private international law rules within the EU, particularly those of a procedural nature, is juxtaposed to the lack thereof in the US. Also, the book offers an overview of the current dispute settlement mechanisms in China. The publication is primarily meant for legal academics in private international law and civil procedure. It will also prove useful to practitioners regularly engaged in cross-border dispute resolution and will be of added value to advanced students, as well as to those with an interest in international litigation and more generally in the area of dispute resolution. Vesna Lazić is Senior Researcher at the T.M.C. Asser Institute, Associate Professor of Private Law at Utrecht University and Professor of European Civil Procedure at the University of Rijeka. Steven Stuij is an expert in Private International Law and a PhD Candidate/Guest Researcher at the Erasmus School of Law, Rotterdam. Ton Jongbloed is Guest Editor on this volume.

How to choose the most beneficial enforcement regime for cross-border claims of a client? A question considerably complicated by (1) the existence of various European

Get Free Landelijk Procesreglement Rolzaken Kanton De Rechtspraak

Union enforcement tools and (2) particularities in the national legal systems that impact on the operation and suitability of the various enforcement tools. This book compares and analyses the practical utility and potential pitfalls of the 2nd generation regulations (European Enforcement Order, European Order for Payment, European Small Claims Procedure and European Account Preservation Order) and their relation to Brussels Ibis. The work is based on an extensive evaluation of case law (published and unpublished), empirical data and literature from eight Member States (Belgium, France, Germany, Italy, Luxembourg, The Netherlands, Poland, Spain) and the Court of Justice of the European Union.

- Dutch Law of Civil Procedure and the United Nations Convention on State Immunity -

Civil Procedure and Harmonisation of Law

Informed Choices Cross-Border Enforcemhb

Cross-border Debt Recovery in the EU

Should a lawyer keep a client's secret even when disclosure would exculpate a person wrongly accused of crime? The Practice of Justice is a fresh look at this and other traditional questions about the ethics of lawyering.

This book explores how EU and international civil procedure rules (hard law, soft law, and judicial decision) shape national civil procedure law of the EU member states.

Digital Family Justice

International Business Courts

Impediments of National Procedural Law to the Free Movement of Judgments

Collective Judging in Comparative Perspective

This volume presents a comparative examination and empirical evaluation of national procedural rules

Get Free Landelijk Procesreglement Rolzaken Kanton De Rechtspraak

and practices, and further assesses the key procedural problems that impact mutual trust and the free movement of judgments in light of national and European Court of Justice case law. It provides an exhaustive overview of the similarities and differences of civil procedure in all EU Member States, and their impact on the recognition and enforcement of judgments. Alongside *Implementing EU Consumer Rights by National Procedural Law: Luxembourg Report on European Procedural Law Volume II*, this volume offers the most comprehensive, empirically-driven comparative investigation of national civil procedure thus far undertaken in Europe. Using an extensive dataset comprising hundreds of interviews and responses to a multi-language online survey, it examines the rules of civil procedure in all EU Member States, and identifies their impact on mutual trust and the free movement of judgments. This volume will be of interest to all practitioners, academics and policymakers with a focus on judicial cooperation and civil justice, and will facilitate a better understanding of the impact of national procedural laws on cross-border dispute resolution in Europe.

Am 27. September 1968 unterzeichneten die sechs EG-Mitgliedstaaten das Brüsseler Übereinkommen über die gerichtliche Zuständigkeit und Vollstreckung gerichtlicher Entscheidungen in Zivil- und Handelssachen. Anlässlich des 50. Jubiläums dieses Meilensteins veranstalteten der Europäischen Gerichtshof und das Max-Planck-Institut Luxemburg

Get Free Landelijk Procesreglement Rolzaken Kanton De Rechtspraak

eine internationale Konferenz zu den wichtigsten Entwicklungen, Errungenschaften und Herausforderungen des europäischen Zivilprozessrechts. Dieses Buch beinhaltet Beiträge von Mitgliedern des Europäischen Gerichtshofes, etablierten Wissenschaftlern und jungen Forschern über das Brüsseler Regime. Es dient zur Veranschaulichung des Dialogs zwischen dem EuGH und den nationalen Gerichten über die Auslegung des europäischen Zivilprozessrechts, sowie dessen Einfluss auf die Europäisierung des internationalen Privatrechts. Es thematisiert Überlegungen zur Zukunft des europäischen Zivilprozessrechts und der Eignung des Brüsseler Regimes in der heutigen Zeit.

The Doctrine of the 'Active Consumer Court'
The Dynamics of Eu and International Treaties
Civil Procedure in the European Union
Harmonisation of Civil Procedure in Europe

The Active Role of Courts in Consumer Litigation traces the emergence of a specific EU Law doctrine governing the role of the national courts in proceedings involving consumers that whilst only established more recently, has already become an important benchmark for effective consumer protection.

Written by leading authorities in the field of European civil procedure and collective redress, this timely book explores the model collective proceedings rules in the ELI/UNDROIT European Rules of Civil Procedure. It explains the intended application of this 'best practice' set

of collective redress rules, intended to promote greater consistency in civil and commercial court procedure across Europe, linking to existing European practice and initiatives in the field.

***A Pilot Study for Five Countries on Volume, Value and Duration of Large Commercial Cases
International Enforcement of Maritime Claims
The Practice of Justice
Collective and Mass Litigation in Europe***

This open access eBook documents an empirical inquiry into the number, value and duration of large commercial court cases in five countries from different parts of Europe: Ireland, Italy, Lithuania, the Netherlands and Norway. It is an exploratory study as for each country data had to be extracted from the case registration systems of the courts. The study shows that a substantial part of economic activity is 'paralyzed' by disputes that are fought out in the courts. This has broad negative consequences for the countries in question. There are large differences in the number, value (as measured by reference to the claims) and duration of these court cases. All five judiciaries can improve their performance, to a greater or lesser degree, with Italy (volume, duration), Lithuania (volume) and the Netherlands (duration) having much to gain. The study is of interest for its outcomes, but also from a methodological perspective, as it shows the necessity of taking the diversity of court cases into account and a method to achieve this. While

Get Free Landelijk Procesreglement Rolzaken Kanton De Rechtspraak

the economic analysis is relatively simple and the analysis is confined to one type of dispute, the outcomes clearly show the importance of the legal/judicial system for the economy.

Bailiffs play an important role in the enforcement of court orders. They are part of the state machinery for the transfer of assets from debtors to creditors and for evictions. This book investigates the surprising differences in bailiff regulation across Europe and questions how far governments take adequate responsibility for enforcement action.

A European and Global Perspective

International Dispute Resolution

a theory of lawyers' ethics

From Alternative Dispute Resolution to Online Dispute Resolution?

Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in the European Union. Lawyers who handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that read

Get Free Landelijk Procesreglement Rolzaken Kanton De Rechtspraak

who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in the European Union will welcome this very useful guide, and academics and researchers will appreciate its comparative value as a contribution to the study of civil procedure in the international context.

International Business Courts provides a comprehensive critical evaluation of the institutional design and procedural rules of established and emerging international business courts. It focuses on major European and global centres.

A Comparative and Empirical Study on the Use of the European Uniform Procedures

Third Party Litigation Funding

Model Rules for Effective Dispute Resolution

The Arrest Conventions

"This book deals with one important aspect of the 2013 civil justice reforms, namely means of funding civil litigation. The book concentrates in particular on third party funders, who are also referred to as litigation funders. The book recounts the history of third party funding both before and after the 2013 reforms. It looks at the position in several overseas jurisdictions. There is also discussion of other means of funding litigations, such as conditional fee agreements (CFAs) and damages based agreements (DBAs). The author rightly draws attention to problems with the present DBA regulations."--Foreword.

This book provides unique insights into modern collective judicial decision-making. Courts all over the world sit in panels of several judges, yet the processes by which these judges produce the court's

Get Free Landelijk Procesreglement Rolzaken Kanton De Rechtspraak

decision differ markedly. Judges from some of the world's most notable judicial bodies, in both the civilian and the common law tradition and from supra-/international courts, share their experiences and reflect on the challenges to which their collective endeavour gives rise. They address matters such as the question of panel constitution, the operation of rapporteur systems, pre-and post-hearing conferences, the hearing procedure itself, the nature of the interaction between the judicial panel and parties? advocates, the extent to which a unitary judgment of the court or at least a single majority judgment is required or deemed desirable, and how it is ultimately arrived at through different voting mechanisms. They allow the reader a unique inside view into the functioning of modern judicial bodies. The judges? chapters are supplemented by a series of comparative analyses and reflections on the lessons to be learnt from them. 'Collective Judging in Comparative Perspective' thus also provides a starting point for thinking about future court design.

Trends on Enforcement Law