

Ministry of Education and Science of Ukraine

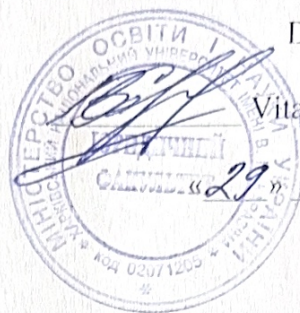
V.N. Karazin Kharkiv National University

Department of Civil Law Disciplines

«I APPROVE»

Dean of the Faculty of Law

Vitalii SEROHIH



29 August 2024

WORKING PROGRAM OF EDUCATIONAL DISCIPLINE  
**CIVIL PROCESS**

level higher education	first (bachelor degree level)
subject area	29 international relations
special field	293 international law
program of study	international law
type of discipline	normative
faculty	law

2024 / 2025 year

The program is recommended for approval by the Academic Council of the Faculty of Law dated 28.08.2024, protocol No. 1

Program developers:

Meniv Y.O., Associate Professor of the Civil Law Department of V.N. Karazin Kharkiv National University, Ph.D. in Law

The program was approved at a meeting of the Department of Civil Law Disciplines of the Faculty of Law

Protocol No. 14 dated June 27, 2024


Head of Department  
Department of Civil Law Disciplines



Olena USTYMENKO

The program was agreed with the guarantor of the educational and professional program «International Law»

Guarantor of educational and professional programs of the first (bachelor) level of higher education of education in the specialty 293



Lina FOMINA

The program was approved by the scientific and methodical commission of the Faculty of Law Protocol dated 08.28.2024 No. 1

Head of the Scientific and Methodological Commission  
of the Faculty of Law



Hanna ZUBENKO

## INTRODUCTION

The curriculum of the discipline «Civil procedure» is compiled in accordance with the educational and professional training program for bachelors in the specialty 293 International law.

### 1. Description of the course

1.1. The purpose of teaching the discipline is to teach students to correctly interpret and apply the rules of civil procedural law; use the data of the science of civil procedural law to solve professional problems; evaluate evidence in a civil case; understand the content of procedural institutions, decisions of the plenums of the Supreme Court; to prepare a qualified specialist in the interpretation, analysis of the rules of civil procedural law and their practical application in resolving specific court cases.

1.2. The main tasks of studying the discipline are the formation of the following general and subject (professional) competencies.

GC 2. Knowledge and understanding of the subject area and understanding of professional activity.

GC 4. Ability to communicate in the state language both orally and in writing.

GC 5. Ability to communicate in foreign languages both orally and in writing.

GC 6. Ability to apply knowledge in practical situations.

GC 7. Ability to adapt and act in a new situation, in particular, in an international context.

GC 8. Ability to act on the basis of ethical considerations (motives).

GC 9. Ability to work both independently and in a team.

GC 12. Ability to argue the choice of ways to solve problems of a professional nature, critically evaluate the results and justify decisions.

GC 13. Ability to be aware of equal opportunities and gender issues.

PC2. Knowledge and understanding of the retrospective of the formation of international institutions, foreign policy structures, legal and state institutions.

PC3. The ability to protect the national interests of one's own state with the help of international legal instruments.

1.3. Credit hours – 4.

1.4. Total hours – 120.

1.5. Characteristics of the course	
Compulsory	
Full-time mode of study	Part-time mode of study
Year of study	
3	3
Semester	
5	5
Lectures	
32 hours	8 hours
Practicals, seminar classes	
32 hours	4 hours
Lab practicals	
0 hours	0 hours
Independent work	
56 hours	108 hours

Individual task	
10 hours	10 hours

1.6. As a result of mastering the material of the discipline, students must:

PRN 2 Understands the interaction of international law with the national legislation of states, the procedure for implementing international norms in the legislation of Ukraine;

PRN 8 Recognizes the legal and political significance of international law for the national legal system; system of international law, methods and content of legal regulation in various branches of international law;

PRN 16 Has the skills of oral and written business communication, research on international law, problem solving in the field of professional activity and finding an algorithm for solving them;

PRN 18 Able to provide legal assessment of international events and acts; to resolve international legal disputes; to provide legal support to foreign policy activities.

## 2. Topic plan of the discipline

### SECTION 1. General part.

#### **Topic 1. General provisions of civil procedure.**

Civil procedural procedure for protection of property and personal non-property rights and interests of citizens and organizations protected by law. Judiciary and Ukraine. Justice and civil proceedings. The concept, subject and method and system of civil procedural law. Sources of civil procedural law.

#### **Topic 2. Principles of civil procedural law.**

The concept of principles of civil procedural law. System of principles of civil procedural law. Characteristics of certain principles of civil procedural law. The principle of adversarial proceedings in civil proceedings. The principle of dispositiveness in civil proceedings. The principle of publicity in civil proceedings. The principle of procedural publicity of the parties.

#### **Topic 3. Participants in the trial.**

Participants in litigation: concepts, types, rights and responsibilities. Subjects of civil procedural legal relations and their classification. Civil procedural legal capacity and legal capacity. The court as a subject of civil procedural legal relations. The composition of the court. Grounds for removal of judges. Persons involved in the case and other participants in the process as subjects of civil procedural legal relations. The concept and composition of the persons involved in the case. Rights and responsibilities of persons involved in the case. The concept of parties in civil proceedings. Procedural rights and obligations of the parties. Procedural complicity. Types of complicity. Necessary and optional complicity. Procedural rights and obligations of the participants. The concept, conditions and procedure for replacing the improper party. Consequences of replacing the wrong side. Procedural succession (concepts and conditions of entry into the process of successor).

#### **Topic 4. Civil jurisdiction and jurisdiction of civil cases.**

The concept of jurisdiction. Judicial jurisdiction of civil cases (concept, meaning). Types of jurisdictions. The concept and types of jurisdictions. Generic jurisdiction of civil cases. Territorial jurisdiction of civil cases. Consequences of violation of jurisdiction. Grounds and procedure for transferring the case to another court.

#### **Topic 5. Procedural deadlines and court costs.**

Concepts and types of procedural terms, their calculation. Extension and renewal of procedural deadlines. Terms of judicial activity, their nature. The concept and types of court costs. Exemption from court costs. Allocation and reimbursement of court costs.

#### **Topic 6. Evidence and evidence in civil proceedings.**

The concept and purpose of proof in civil proceedings. Limits of proof in civil proceedings. The concept of forensic evidence. The concept of means of proof in civil proceedings. Subject of proof. Determining the subject of evidence in specific civil cases. Facts that do not require proof. Division of the burden of proof between the parties. Legal presumptions (concepts, meanings). Adequacy of evidence and admissibility of evidence. Classification of evidence. Explanation of the parties and third parties. Testimony of witnesses, the order of their examination. Written evidence. Computer-generated documents as evidence in civil proceedings. Minutes of the court hearing as a kind of written evidence. Evidence. The procedure for reviewing physical evidence at the place of their location. Expert opinion. Examination in civil proceedings. Court orders, the order of their issuance and execution.

#### **Topic 7. Lawsuit.**

The concept and essence of litigation. The right to judicial protection. The concept of claim and its elements. Types of lawsuits. The right to sue. Prerequisites for the right to sue. The procedure for filing a lawsuit. Conditions for exercising the right to file a lawsuit. The statement of claim and its details. Combining and separating several claims. The right to judicial protection of the defendant. Counterclaim. The settlement agreement. Change of claim. Dismissal of the claim. Recognition of the claim.

### **SECTION 2. Special part.**

#### **Topic 8. Initiation of a civil case.**

Initiation of a civil case. Substantive and procedural consequences of initiating a civil case. Grounds for refusing to accept the application. Legal consequences of the court's refusal to accept the application. The content and procedure for preparing civil cases for trial. Assignment of the case for trial. Litigation and notices.

#### **Topic 9. Consideration of the case on the merits.**

The concept and significance of the stage of consideration of the case on the merits. Trial. Procedure of the court session. Powers of the presiding judge in conducting the case. Preparatory part of the court session. Consideration of the case on the merits as part of a court hearing. Judicial debate. The procedure for making and announcing a court decision. Minutes of the court hearing. Remarks on the minutes of the court session, the procedure for their consideration. Grounds and consequences of adjournment of the case. Grounds and consequences of the suspension of the proceedings. Completion of the case without a court decision. Closing the proceedings. Leaving the application without consideration.

#### **Topic 10. The decision of the court of first instance. Correspondence consideration of cases.**

Concepts and types of court rulings. Requirements that a court decision must meet. The content of the court decision as a procedural document. Means to eliminate the shortcomings of the decision of the court that ruled it. Additional solution. Explanation of the decision. Correction of mistakes and obvious arithmetic errors in the decision. The legal force of a court decision. Immediate execution of the court decision. Decisions of the court of first instance. Types of decisions of the court of first instance. The procedure for consideration of the case in absentia. Conditions for conducting a case in absentia. The procedure for filing an application for

review of a court decision.

**Topic 11. Order proceedings.**

The concept, legal nature and features of the institution of injunctive proceedings. The concept of injunctive proceedings. The concept and essence of injunctive proceedings and court orders. Stages of injunctive proceedings. The concept of a court order and the conditions of its issuance.

**Topic 12. Separate proceedings.**

General characteristics of separate proceedings in civil proceedings. Consideration of cases on recognition of a citizen is of limited legal capacity or incapable. Consideration of cases on recognition of a citizen as missing or declaring him dead. Judicial consideration of cases on adoption of children living on the territory of Ukraine by citizens of Ukraine and foreign citizens. Consideration of cases on establishing facts of legal significance.

**Topic 13. Appeal proceedings.**

The essence of the appeal against decisions and rulings that have not entered into force. Subjects of appeal. Exercise of the right to appeal. Preparation of appellate proceedings. Appointment of the case for consideration in the court of appeal. Limits of consideration of the case by the court of appeal. Procedural order and terms of consideration of cases by the court of appellate instance. Grounds for rejecting the appeal, submission. Grounds for reversing the decision or making a new decision. Grounds for rejecting the complaint, submission of the prosecutor to the decision of the court of first instance. Decisions and decisions of the appellate court and their validity.

**Topic 14. Cassation proceedings.**

The essence of cassation review of court decisions. Subjects of appeal in cassation. Exercise of the right to cassation appeal. Preparation of the case for cassation. Procedural procedure and terms of consideration of the case by the court of cassation. Limits of consideration of the case by the court of cassation. Powers of the court of cassation. Obligation of conclusions and motives of the cassation instance. Decisions and decisions of the cassation instance. Validity of decisions, rulings of the court of cassation. Review of court decisions by the Supreme Court.

**Topic 15. Proceedings in connection with newly discovered circumstances.**

General characteristics of the review of decisions that have entered into force in connection with newly discovered circumstances. The concept of newly discovered circumstances and grounds for review of decisions. The difference between the newly discovered circumstances and the new evidence. Persons who have the right to raise the issue of review of cases in newly discovered circumstances. Courts that review cases based on newly discovered circumstances. Procedural procedure for reviewing cases based on newly discovered circumstances. Court rulings when reviewing cases based on newly discovered circumstances.

**Topic 16. Litigation with foreign citizens and organizations.**

The concept of recognition and enforcement of foreign court decisions in Ukraine. Recognition of a foreign court decision that is not subject to enforcement. Civil procedural status of foreign persons. Lawsuits against foreign states and international organizations. Diplomatic immunity. Jurisdiction of the courts of Ukraine in civil cases in disputes involving foreigners.

### 3. The structure of the discipline

Names of sections and topics	Number of hours												
	Full time						Part-time						
	Total	including					Total	including					
		l	p	lab.	ind.	ind.		l	p	lab.	ind.	ind.	
<b>Section 1. General part</b>													
Topic 1. General provisions of civil proceedings.	6	2	2			2	10	2	1			7	
Topic 2. Principles of civil procedural law.	7	2	2			3	10	2	1			7	
Topic 3. Participants in the trial.	12	2	2			8	19	2	1			7	
Topic 4. Civil jurisdiction and jurisdiction of civil cases.	8	2	2			4	10	2	1			7	
Topic 5. Procedural deadlines and court costs.	8	2	2			4	7					7	
Topic 6. Evidence and evidence in civil proceedings.	12	2	2			8	7					7	
Topic 7. Lawsuit.	6	2	2			2	7					7	
<b>Total section 1</b>	<b>59</b>	<b>14</b>	<b>14</b>			<b>31</b>	<b>57</b>	<b>8</b>	<b>4</b>			<b>49</b>	
<b>Section 2. Special Part</b>													
Topic 8. Initiation of a civil case.	7	2	2			3	7					7	
Topic 9. Legislation.	7	2	2			3	7					7	
Topic 10. The decision of the court of first instance. Correspondence consideration of cases.	7	2	2			3	7					7	
Topic 11. Order proceedings.	7	2	2			3	7					7	
Topic 12. Separate proceedings.	7	2	2			3	7					7	
Topic 13. Appeal proceedings.	7	2	2			3	7					6	
Topic 14. Cassation proceedings.	7	2	2			3	7					6	
Topic 15. Proceedings in connection with newly discovered circumstances.	7	2	2			3	7					6	
Topic 16. Litigation with foreign citizens and organizations.	5	2	2			1	7					6	
<b>Total section 2</b>	<b>61</b>	<b>18</b>	<b>18</b>			<b>25</b>	<b>63</b>					<b>61</b>	
<b>Total hours</b>	<b>120</b>	<b>32</b>	<b>32</b>			<b>10</b>	<b>56</b>	<b>120</b>	<b>8</b>	<b>4</b>		<b>10</b>	<b>108</b>

#### 4. Topics of seminar (practical, laboratory) classes

№	Name topics	Number of hours
1.	General provisions of civil proceedings.	2 (1)
2.	Principles of civil procedural law.	2 (1)
3.	Participants in the trial.	2 (1)
4.	Civil jurisdiction and jurisdiction of civil cases.	2 (1)
5.	Procedural deadlines and court costs.	2
6.	Evidence and evidence in civil proceedings.	2
7.	Lawsuit.	2
8.	Initiation of a civil case.	2
9.	Legislation.	2
10.	The decision of the court of first instance. Correspondence consideration of cases.	2
11.	Order proceedings.	2
12.	Separate proceedings.	2
13.	Appeal proceedings.	2
14.	Cassation proceedings.	2
15.	Proceedings in connection with newly discovered circumstances.	2
16.	Litigation with foreign citizens and organizations.	2
	<b>Total</b>	<b>32</b>

#### 5. Tasks for independent work

№	Types, content of independent work	Number of hours
1.	Topic: General provisions of civil proceedings (learn to understand the main categories of civil proceedings, and know the sources of civil proceedings).	2 (7)
2.	Topic: Principles of civil procedural law (learn to describe the basic principles of civil procedure).	3 (7)
3.	Topic: Participants in the trial (learn to disclose the set of basic rights and responsibilities of participants in civil proceedings).	8 (7)
4.	Topic: Civil jurisdiction and jurisdiction of civil cases (to have knowledge on the delimitation of jurisdiction of courts on the grounds of territoriality, subjectivity and instance).	4 (7)
5.	Topic: Procedural deadlines and court costs (learn to distinguish between the categories of «procedural deadlines» and «procedural deadlines»; learn to correctly calculate the amount of court costs in civil proceedings).	4 (7)
6.	Topic: Evidence and evidence in civil proceedings (learn to properly evaluate evidence in civil cases).	8 (7)
7.	Topic: Lawsuit (learn how to properly file a lawsuit in a civil case).	2 (7)



8.	Topic: Initiation of a civil case (know the procedural rights and responsibilities of the participants in the process at the stage of initiating a civil case).	3 (7)
9.	Topic: Legislation (to know the procedural position and rights of participants in civil proceedings during the trial on the merits).	3 (7)
10.	Topic: The decision of the court of first instance. Correspondence consideration of cases (to know the structure of the decision of the court of first instance).	3 (7)
11.	Topic: Order proceedings (to know the procedure for consideration of applications in the process of injunction proceedings).	3 (7)
12.	Topic: Separate proceedings (understand the procedure for consideration of applications in the process of injunctive proceedings; learn to make a statement in a separate proceeding).	3 (7)
13.	Topic: Appeal proceedings (learn to file an appeal on the case; preparation for court debates at the stage of appeal proceedings).	3 (6)
14.	Topic: Cassation proceedings (learn to file a cassation appeal).	3 (6)
15.	Topic: Proceedings in connection with newly discovered circumstances (know the procedure for consideration of cases in connection with newly discovered circumstances).	3 (6)
16.	Topic: Litigation with foreign citizens and organizations (learn to understand the procedure for recognition and enforcement of foreign court decisions in Ukraine).	1 (6)
	<b>Total</b>	<b>56</b>

## 6. Individual tasks

When writing an individual task (abstract) should be guided by the following guidelines.

When starting to write an individual task, the student must disclose as fully as possible the content of theoretical issues, it is necessary to use theoretical developments in civil law and refer to specific rules of current international treaties and other regulations. The theme of the work should be detailed, meaningful, reasoned. Thus the teacher provides clarity of necessary normative material.

The student independently performs in writing the following topics of abstracts:

1. The right to judicial protection under the Constitution of Ukraine.
2. Types of proceedings in civil cases.
3. Principles in civil proceedings.
4. Persons involved in the case.
5. Parties in civil proceedings.
6. Participation in civil proceedings of third parties.
7. Legal representation in civil proceedings.
8. Jurisdiction of civil courts.
9. Statement of claim in civil proceedings.
10. Evidence in civil proceedings.
11. Examination in civil proceedings.
12. The essence and significance of the court decision.
13. Features of consideration of cases of separate proceedings.
14. Peculiarities of consideration of cases on establishing facts of legal significance.

15. Consideration by the court of cases on restriction of civil legal capacity of a natural person, recognition of a natural person as incapable and restoration of civil legal capacity of a natural person.

16. Consideration by the court of cases on granting a minor full civil capacity.

17. Consideration by the court of cases on recognition of a natural person as missing or declaring him / her dead.

18. Court consideration of adoption cases.

19. Consideration by the court of cases on establishing facts of legal significance.

20. Consideration by the court of cases on recognition of inheritance as deceased.

21. The right of appeal and the procedure for its implementation. Form and content of the appeal.

22. Consideration of a civil case by a court of appeal.

23. Powers of the appellate court.

24. Procedure for consideration of the case in the court of cassation.

25. Grounds for cancellation or change of decision in cassation.

26. Powers of the cassation instance.

27. Appeal against decisions of the court of first instance.

28. Recognition and enforcement of foreign court decisions.

## **7. Teaching methods**

Three groups of teaching methods are used:

1. verbal - descriptive disclosure of educational material, explanation of the essence of the phenomenon, concept, process, instruction on the peculiarities of the application of certain rules, checking the level of independent study of educational material, etc.;

2. visual - demonstration of diagrams, tables, drawings (if available);

3. practical - the formation of skills and abilities to operate with legal categories, the application of legal norms and the use of acquired knowledge in conducting seminars.

## **8. Methods of control**

Elements of problem lectures, problem lecture with elements of discussion, elements of discussion (disputes, clashes of positions, deliberate aggravation and even exaggeration of contradictions in the discussed substantive material), individual tasks for independent work, independent search work, problem solving, active learning methods (business game, role-playing, analysis of specific situations).

Current control (oral and written), control work, which is carried out in the form of complex tasks with tests and open questions (total score for correctly completed test tasks – 50 points; correct answer to open questions – 5 points), credit (conducted by answer) for three open questions, the total score for open questions – 40 points).

A student is allowed to take the semester final examination if he or she has scored at least 10 points. The maximum number of points that a student can score in the final examination is 40. The maximum amount of points that a student can score in a discipline is 100.

## **Test questions**

1. Civil procedural procedure for protection of property and personal non-property rights and interests of citizens and organizations protected by law.

2. Judiciary and Ukraine.

3. Justice and civil proceedings.

4. The concept, subject and method and system of civil procedural law.

5. Sources of civil procedural law.
  6. The concept of principles of civil procedural law.
  7. System of principles of civil procedural law.
  8. Characteristics of certain principles of civil procedural law.
  9. The principle of adversarial proceedings in civil proceedings.
  10. The principle of dispositiveness in civil proceedings.
  11. The principle of publicity in civil proceedings.
  12. The principle of procedural publicity of the parties.
  13. Participants in litigation: concepts, types, rights and responsibilities.
  14. Subjects of civil procedural legal relations and their classification.
  15. Civil procedural legal capacity and legal capacity.
  16. The court as a subject of civil procedural legal relations.
  17. The composition of the court.
  18. Grounds for removal of judges.
  19. Persons involved in the case and other participants in the process as subjects of civil procedural legal relations.
  20. The concept and composition of the persons involved in the case.
  21. Rights and responsibilities of persons involved in the case.
  22. The concept of parties in civil proceedings.
  23. Procedural rights and obligations of the parties.
  24. Procedural complicity.
  25. Types of complicity.
  26. Necessary and optional complicity.
  27. Procedural rights and obligations of the participants.
  28. The concept, conditions and procedure for replacing the improper party.
  29. Consequences of replacing the wrong side.
  30. Procedural succession (concepts and conditions of entry into the process of successor).
  31. The concept of jurisdiction. Judicial jurisdiction of civil cases (concept, meaning).
- Types of jurisdictions.
32. The concept and types of jurisdictions.
  33. Generic jurisdiction of civil cases. Territorial jurisdiction of civil cases.
  34. Consequences of violation of jurisdiction.
  35. Grounds and procedure for transferring the case to another court.
  36. Concepts and types of procedural terms, their calculation.
  37. Extension and renewal of procedural deadlines.
  38. Terms of judicial activity, their nature.
  39. The concept and types of court costs. Exemption from court costs.
  40. Allocation and reimbursement of court costs.
  41. The concept and purpose of proof in civil proceedings. Limits of proof in civil proceedings.
  42. The concept of forensic evidence.
  43. The concept of means of proof in civil proceedings. Subject of proof.
  44. Determining the subject of evidence in specific civil cases.
  45. Facts that do not require proof.
  46. Division of the burden of proof between the parties.
  47. Legal presumptions (concepts, meanings). Adequacy of evidence and admissibility of evidence. Classification of evidence. Explanation of the parties and third parties.
  48. Testimony of witnesses, the order of their examination.
  49. Written evidence.
  50. Computer-generated documents as evidence in civil proceedings.

51. Minutes of the court hearing as a kind of written evidence. Evidence.
52. The procedure for reviewing physical evidence at the place of their location.
53. Expert opinion. Examination in civil proceedings.
54. Court orders, the order of their issuance and execution.
55. The concept and essence of litigation.
56. The right to judicial protection.
57. The concept of claim and its elements.
58. Types of lawsuits. The right to sue. Prerequisites for the right to sue.
59. The procedure for filing a lawsuit.
60. Conditions for exercising the right to file a lawsuit.
61. The statement of claim and its details. Combining and separating several claims.
62. The right to judicial protection of the defendant. Counterclaim.
63. The settlement agreement. Change of claim. Dismissal of the claim.
64. Recognition of the claim.
65. Initiation of a civil case.
66. Substantive and procedural consequences of initiating a civil case.
67. Grounds for refusing to accept the application.
68. Legal consequences of the court's refusal to accept the application.
69. The content and procedure for preparing civil cases for trial.
70. Assignment of the case for trial. Litigation and notices.
71. The concept and significance of the stage of consideration of the case on the merits.
72. Trial. Procedure of the court session.
73. Powers of the presiding judge in conducting the case.
74. Preparatory part of the court session. Consideration of the case on the merits as part of a court hearing.
75. Judicial debate.
76. The procedure for making and announcing a court decision.
77. Minutes of the court hearing. Remarks on the minutes of the court session, the procedure for their consideration.
78. Grounds and consequences of adjournment of the case. Grounds and consequences of the suspension of the proceedings.
79. Completion of the case without a court decision.
80. Closing the proceedings. Leaving the application without consideration.
81. Concepts and types of court rulings. Requirements that a court decision must meet.
82. The content of the court decision as a procedural document.
83. Means to eliminate the shortcomings of the decision of the court that ruled it.
84. Additional solution. Explanation of the decision.
85. Correction of mistakes and obvious arithmetic errors in the decision.
86. The legal force of a court decision. Immediate execution of the court decision.
87. Decisions of the court of first instance.
88. Types of decisions of the court of first instance.
89. The procedure for consideration of the case in absentia.
90. Conditions for conducting a case in absentia.
91. The procedure for filing an application for review of a court decision.
92. The concept, legal nature and features of the institution of injunctive proceedings.
93. The concept of injunctive proceedings.
94. The concept and essence of injunctive proceedings and court orders.
95. Stages of injunctive proceedings.
96. The concept of a court order and the conditions of its issuance.

97. General characteristics of separate proceedings in civil proceedings.
98. Consideration of cases on recognition of a citizen is of limited legal capacity or incapable.
99. Consideration of cases on recognition of a citizen as missing or declaring him dead.
100. Judicial consideration of cases on adoption of children living on the territory of Ukraine by citizens of Ukraine and foreign citizens.
101. Consideration of cases on establishing facts of legal significance.
102. The essence of the appeal against decisions and rulings that have not entered into force. Subjects of appeal.
103. Exercise of the right to appeal.
104. Preparation of appellate proceedings.
105. Appointment of the case for consideration in the court of appeal.
106. Limits of consideration of the case by the court of appeal.
107. Procedural order and terms of consideration of cases by the court of appellate instance.
108. Grounds for rejecting the appeal, submission.
109. Grounds for reversing the decision or making a new decision.
110. Grounds for rejecting the complaint, submission of the prosecutor to the decision of the court of first instance.
111. Decisions and decisions of the appellate court and their validity.
112. The essence of cassation review of court decisions.
113. Subjects of appeal in cassation. Exercise of the right to cassation appeal. Preparation of the case for cassation.
114. Procedural procedure and terms of consideration of the case by the court of cassation. Limits of consideration of the case by the court of cassation. Powers of the court of cassation.
115. Obligation of conclusions and motives of the cassation instance.
116. Decisions and decisions of the cassation instance.
117. Validity of decisions, rulings of the court of cassation.
118. Review of court decisions by the Supreme Court.
119. General characteristics of the review of decisions that have entered into force in connection with newly discovered circumstances.
120. The concept of newly discovered circumstances and grounds for review of decisions.
121. The difference between the newly discovered circumstances and the new evidence. Persons who have the right to raise the issue of review of cases in newly discovered circumstances.
122. Courts that review cases based on newly discovered circumstances.
123. Procedural procedure for reviewing cases based on newly discovered circumstances.
124. Court rulings when reviewing cases based on newly discovered circumstances.
125. The concept of recognition and enforcement of foreign court decisions in Ukraine.
126. Recognition of a foreign court decision that is not subject to enforcement.
127. Civil procedural status of foreign persons.
128. Lawsuits against foreign states and international organizations.
129. Diplomatic immunity.
130. Jurisdiction of the courts of Ukraine in civil cases in disputes involving foreigners.

## 9. Scheme of points

Current control, independent work, individual tasks										Total	Test	Total
Section 1.										60	40	100
T1	T2	T3	T4	T-5	T6	T7	Test					
2	2	2	2	2	2	2	15					
Section 2.										60	40	100
T8	T9	T10	T11	T12	T13	T14	T15	T16	IND			
2	2	2	2	2	2	2	1	1	15			

### Evaluation criteria of control and examination/credit papers

Control and examination (credit) works are performed in written form. The control work consists of 15 test tasks, the examination/credit work consists of 40 test tasks. Each test task has five answer options, only one of which is correct; one point is awarded for each correct answer.

#### Evaluation criteria for credit:

During the semester a student can score a maximum of 60 points.

Total – the maximum number of points for the test – 40 points.

#### Rating scale

The sum o points for all types of educational activities during the semester	Rating
90-100	credited
70-89	credited
50-69	credited
1-49	non credited

## 10. Recommended literature

### Basic literature

1. Андронов І.В. Судові рішення в цивільному процесі України: монографія. Одеса: «Юридична література». 2018. 372 с.
2. Андрюшко А.А. Принцип диспозитивності цивільного процесуального права України. Х.: Консул. 2006. 172 с.
3. Балюк М.І., Луспенік Д.Д. Практика застосування цивільного процесуального кодексу України (цивільний процес у питаннях і відповідях). Коментарі, рекомендації, пропозиції. Серія «Судова практика». Х.: Харків юридичний. 2008. 708 с.
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### **Supporting literature**

1. Постанова Пленуму Верховного Суду України від 1 листопада 1996 року № 9 «Про застосування Конституції України при здійсненні правосуддя».
2. Постанова Пленуму Верховного Суду України від 18.12.2009 року № 14 «Про судові рішення у цивільній справі».
3. Постанова Пленуму Верховного Суду України від 06.11.2009 року № 9 «Про судову практику розгляду цивільних справ про визнання правочинів недійсними».
4. Постанова Пленуму Верховного Суду України від 6 листопада 1992 року № 9 «Про практику розгляду судами трудових спорів».
5. Постанова Пленуму Верховного Суду України від 27.03.1992 року № 6 «Про практику розгляду судами цивільних справ за позовами про відшкодування шкоди»
6. Постанова Пленуму Верховного Суду України від 31.03.1995 року № 4 «Про судову практику в справах про відшкодування моральної (немайнової) шкоди».
7. Постанова Пленуму Верховного Суду України від 27 лютого 1981 року № 1 «Про практику перегляду судами у зв'язку з нововиявленими обставинами рішень, ухвал і постанов у цивільних справах, що набрали законної сили».
8. Постанова Пленуму Верховного Суду України від 16 квітня 2004 року № 7 «Про практику застосування судами земельного законодавства при розгляді цивільних справ».
9. Постанова Пленуму Верховного Суду України від 13 червня 2007 року № 8 «Про незалежність судової влади».
10. Постанова Пленуму Верховного Суду України від 22 грудня 2006 року № 9 «Про практику застосування судами цивільного процесуального законодавства при розгляді заяв про забезпечення позову».
11. Постанова Пленуму Верховного Суду України від 31 березня 1995 року № 5 «Про судову практику в справах про встановлення фактів, що мають юридичне значення».
12. Постанова Пленуму Верховного Суду України від 24 жовтня 2008 року № 12 «Про судову практику розгляду цивільних справ в апеляційному порядку»
13. Постанова Пленуму Верховного Суду України від 30.05.2008 року № 7 «Про судову практику у справах про спадкування».
14. Постанова Пленуму Верховного Суду України від 26 грудня 2003 року № 14 «Про практику розгляду судами скарг на рішення, дії або бездіяльність органів і посадових осіб державної виконавчої служби та звернень учасників виконавчого провадження».

15. Постанова Пленуму Верховного Суду України від 12 червня 2009 року № 2 «Про застосування норм цивільного процесуального законодавства при розгляді справ у суді першої інстанції» .

16. Постанова Пленуму Верховного Суду України від 21.12.2007 року № 11 «Про практику застосування судами законодавства при розгляді справ про право на шлюб, розірвання шлюбу, визнання його недійсним та поділ спільного майна подружжя».

17. Постанова Пленуму Верховного Суду України від 27.02.2009 року № 1 «Про судову практику у справах про захист гідності та честі фізичної особи, а також ділової репутації фізичної та юридичної особи».

18. Постанова Пленуму Верховного Суду України від 12.04.1996 року № 5 «Про практику розгляду цивільних справ за позовами про захист прав споживачів».

19. Постанова Пленуму Верховного Суду України від 30.03.2007 року № 3 «Про практику застосування судами законодавства при розгляді справ про усиновлення і про позбавлення та поновлення батьківських прав».

### **11. Links to information resources on the Internet, video lectures, other methodological support**

1. Офіційний веб-портал Верховної Ради України – <http://portal.rada.gov.ua/>
2. Єдиний веб-портал органів виконавчої влади України – <http://www.kmu.gov.ua/>
3. Офіційний веб-портал органів судової влади України – <http://court.gov.ua/>
4. Офіційний веб-сайт Конституційного Суду України – <http://www.ccu.gov.ua/>
5. Єдиний державний реєстр судових рішень – <https://reyestr.court.gov.ua/>