

THE MINISTRY OF EDUCATION AND SCIENCES OF THE RUSSIAN FEDERATION  
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«V.I. VERNADSKY CRIMEAN FEDERAL UNIVERSITY»

Taurida Academy

GENERAL CHARACTERISTICS OF  
SPECIAL PROCEEDING

**Student Yatsuk Vladlena**  
**Group 211Г**

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Special proceedings as an independent type of civil proceedings originates in Roman law, which considered both the claim proceedings related to a dispute about the law, and indisputable, voluntary proceedings in which subjective rights were not disputed.



THE MAIN FEATURE OF ALL CASES  
COMBINED INTO ONE PRODUCTION IS THE  
ABSENCE OF A DISPUTE ABOUT SUBJECTIVE  
LAW



THE TOPICALITY

OF SPECIAL PROCEEDINGS  
IS DETERMINED BY ITS  
RELEVANCE IN CIVIL  
PROCEEDINGS.



The significance of special proceedings lies in the fact that during its course legal uncertainties and inaccuracies in relation to a diverse range of circumstances, actions or events are eliminated, as well as control over the legality of the activities of notary and registry offices, which ultimately contributes to the prevention of legal conflicts.

Cases are considered in the order of special proceedings:

on the establishment of facts of legal significance

about the adoption of a child

on the recognition of a citizen as missing or on the declaration of a citizen as deceased

on the declaration of a minor fully capable (emancipation)

on the restoration of rights on lost bearer securities or order securities

## Consideration of cases of special proceedings in court

The procedure for considering cases of special proceedings includes all the usual stages of civil proceedings: initiation of the case, preparation of the case for trial, consideration of the case at a court hearing, appeal stages (appeal, cassation, supervision, review on new and newly discovered circumstances), execution of the act.

# IN CONCLUSION,

Cases of special proceedings are distinguished by the absence of a dispute over the rights and obligations of participants in civil legal relations.



The function of special proceedings cases, as well as cases of other types of civil proceedings, is to satisfy certain interests of participants in civil turnover.



**Thanks for your  
attention**

