

Participants in Civil Court Proceedings

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ABSTRACT

It is known to everyone that cases related to social problems are heard in the civil court. But who will participate in this process is the information that can be of interest to many people. This article provides detailed information about the civil court and the participants in the trial.

KEYWORDS: *civil court, judge, lawyer, prosecutor, human rights, criminal liability, etc*

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Judicial reforms implemented in our country an important direction - highly qualified, competitive, modern legal personnel who can meet international standards consists of preparation, which, in turn, of students practical strengthening of theoretical knowledge is underway improve the quality and effectiveness of lectures and practical training of the system of improving the qualifications of professors and teachers further improvement of activities, independent procedural in students to develop the skills of creating documents and thus related to the field assistance in the assimilation of legal documents, which is being carried out to further improve the quality of research and development, most importantly, with theoretical scientists, experienced pedagogues and experts in the field in cooperation, modern for students, for the new generation requires the preparation of intended educational literature.

Courts are different in the implementation of justice in civil cases actions related to and based on the procedural system does. The order of such procedural actions is Uzbekistan In the Civil Procedure Code of the Republic (hereinafter in the text referred to as FPK), on a specified basis, that is, an application, a claim, a complaint, in the form of objection, protest,

court decisions, decisions and rulings finds its expression. Civil cases in court are defined by law considering the deadlines and issuing a legal, reasonable and fair decision, precisely, procedural documents are concise and in accordance with the specified requirements requires drawing up, will help to solve the case correctly in the future. On the contrary, documents drawn up without compliance with the requirements of the procedural law makes it difficult to work, and in some cases provided for by law to the modification or annulment of court decisions by higher courts will lead to However, civil procedural law is a court strict for all procedural documents in the course of conducting business does not imply a fixed form.

As a result of the development of the life of society and the improvement of social relations in the society of individuals, as well as changes in the forms of ownership, court practice in civil cases has created a number of examples of court documents. Procedural documents in civil cases are divided into types according to the types of civil court proceedings, stages of civil proceedings, the structure and content of procedural documents, and the range of subjects authorized to draw up or accept these documents. For example, depending on the types of civil court

proceedings, cases that are considered in the order of claim (family, housing, labor relations, recovery of damages, cases related to inheritance, etc.); As an example, procedural documents drawn up on cases arising from legal relations related to the actions (decisions) of bodies and officials, proceedings in order of order, and cases conducted in a separate order can be cited. The tasks of conducting civil court cases are defined in Article 4 of the Civil Procedure Code of the Republic of Uzbekistan, according to which the personal, political, economic and social rights, freedoms and interests of citizens, as well as enterprises, institutions, organizations, public associations and it consists in correct and timely consideration and resolution of civil cases in order to protect the rights of citizens' self-government bodies and interests protected by law. Each stage of the civil process has its own independent tasks to achieve the general goal of conducting civil court proceedings. After the judge accepts the application and initiates a civil case, he prepares it for trial in order to consider and resolve the case in a timely manner. Persons participating in the case - Parties, third parties, their representatives, applicants and other interested parties in cases pending in court, prosecutors, state administration bodies, organizations and some other persons participating in the protection of the rights and interests protected by law in the case citizens are recognized as persons participating in the case.

After the civil case is assigned to be heard in court, the persons participating in the case, as well as witnesses, experts, specialists and translators are called to the court by means of summonses, and in necessary cases, by phonegrams, telegrams and other means of communication, and certain procedural actions of the court are correct. will be notified. A copy of the court summons sent in electronic form through the information system shall be attached to the case file in the case of being summoned to the court or informed about certain procedural actions of the court through telephones, telegrams and other means of communication that ensure the fact of notification is recorded. is added. Along with the summons, the judge may also send copies of the application and the documents attached to the application to the respondent. Also, if the defendant has given a written explanation or objection to the court, the judge must send a copy of this explanation or objection along with the summons to the person who applied to the court.

Certain specialists and experts also give a conclusion on a civil case. However, conclusions and opinions given by technical inspectors of state management bodies and trade unions cannot be replaced by

conclusions given by experts. An expert is a person who is not interested in the solution of the case. He is appointed by a court decision and answers only questions related to the actual situation of the case. Representatives of state administration bodies or representative bodies of employees participate in the case as participants in the process and, due to their duties, are interested in the positive resolution of the case and the issuance of a reasonable and legal decision. Such bodies do not limit themselves to the evaluation of the facts in making their conclusions. At the court session, based on all the verified information, they should also express their opinions about what decision of the court, in their opinion, would be correct. The court may not agree with the opinion given by the state management body or organization when deciding the case. Such opinions and considerations are discussed, evaluated and taken into account by the court. Representatives of the state administration bodies involved in the proceedings by the court or who entered the proceedings on their own initiative speak after the parties and third parties at the court session. Civil court cases can be about:

- money and debts
- property
- housing – such as eviction, foreclosure or to fix bad living conditions
- an injury – such as from a car accident, medical malpractice or environmental harm
- marriage and children – such as divorce, child custody, child support, or guardianship

Key figures in a courtroom trial are the judge, a court reporter (in superior court), a clerk, and a bailiff. Other central people are the attorneys, the plaintiff, the defendant, witnesses, court interpreters, and jurors. The judge is the central figure in the courtroom and typically is seated higher than everyone else. The judge allows each side the opportunity to present its version of the facts. A court reporter (in superior court), a clerk, and a bailiff each assists the judge with the trial. The court reporter records all proceedings in superior court. The clerk records selected activities for official case file records and is responsible for all case exhibits. The bailiff maintains order in the court and supervises the jury, if there is one. Attorneys often represent the plaintiff and the defendant at a trial. As officers of the court, attorneys are expected to know and follow all court rules. Their role is to protect the rights of their client. Attorneys offer evidence and arguments to help the judge and the jury make a fair decision. The judge oversees the trial and decides any legal questions that arise. Cases tried in court are decided by either a

judge or a jury. In most criminal and civil cases, either party may request a jury trial. To ensure fair and consistent proceedings, all trials are conducted according to established rules of procedure and evidence.

Criminal laws are the rules that apply when someone commits a crime, such as assault, robbery, murder, arson, rape and other kinds of crimes. After a person is arrested and charged with a crime, that person goes to a Criminal Court. Civil law refers to almost all other disputes—these are the rules that apply when one person sues another person, a business or agency. This can cover a housing case such as for eviction or foreclosure, a family case such as divorce or custody, consumer problems such as debt or bankruptcy, or when someone sues for money because of damage to property or personal harm. All of these cases go to a Civil Court. The judges in criminal and civil court have different powers. Criminal Court judges can punish you for breaking the law by sending you to jail. Civil Court judges can order you to pay money or a fine, or make decisions about your family or your home. In civil court, one person sues (files a case) against another person because of a dispute or problem between them. A business or agency can also file a case in civil court or be sued in civil court. If someone loses a case in civil court, that person may be ordered to pay money to the other side or return property, but that person does not go to jail just for losing the case.

Civil law is a major branch of the law. In common law legal systems such as England and Wales and the United States, the term refers to non-criminal law. The law relating to civil wrongs and quasi-contracts is part of the civil law, as is law of property (other than property-related crimes, such as theft or vandalism). Civil law may, like criminal law, be divided into substantive law and procedural law. The rights and duties of persons (natural persons and legal persons) amongst themselves is the primary concern of civil law. It is often suggested that civil proceedings are taken for the purpose of obtaining compensation for injury, and may thus be distinguished from criminal proceedings, whose purpose is to inflict punishment. However, exemplary damages or punitive damages may be awarded in civil proceedings. It was also formerly possible for common informers to sue for a penalty in civil proceedings.

Because some courts have both civil and criminal jurisdiction, civil proceedings cannot be defined as those taken in civil courts. In the United States, the expression "civil courts" is used as a shorthand for "trial courts in civil cases". In England and other common-law countries, the burden of proof in civil

proceedings is, in general—with a number of exceptions such as committal proceedings for civil contempt—proof on a balance of probabilities. In civil cases in the law of the Maldives, the burden of proof requires the plaintiff to convince the court of the plaintiff's entitlement to the relief sought. This means that the plaintiff must prove each element of the claim, or cause of action in order to recover.

The judge presides over the trial from a desk, called a bench, on an elevated platform. The judge has five basic tasks. The first is simply to preside over the proceedings and see that order is maintained. The second is to determine whether any of the evidence that the parties want to use is illegal or improper. Third, before the jury begins its deliberations about the facts in the case, the judge gives the jury instructions about the law that applies to the case and the standards it must use in deciding the case. Fourth, in bench trials, the judge must also determine the facts and decide the case. The fifth is to sentence convicted criminal defendants. The lawyers for each party will either be sitting at the counsel tables facing the bench or be speaking to the judge, a witness, or the jury. Each lawyer's task is to bring out the facts that put his or her client's case in the most favorable light, but do so using approved legal procedures. In criminal cases, one of the lawyers works for the executive branch of the government, which is the branch that prosecutes cases on behalf of society. In federal criminal cases, that lawyer is the U.S. Attorney or an assistant U.S. attorney. On relatively rare occasions, defendants in criminal cases or parties in civil cases attempt to present their cases themselves, without using a lawyer. Parties who act on their own behalf are said to act *pro se*, a Latin phrase meaning "on one's own behalf."

The parties may or may not be present at the counsel tables with their lawyers. Defendants in criminal cases have a constitutional right to be present. Parties in civil cases may be present if they wish, but are often absent. Witnesses give testimony about the facts in the case that are in dispute. During their testimony, they sit on the witness stand, facing the courtroom. Because the witnesses are asked to testify by one party or the other, they are often referred to as plaintiff's witnesses, government's witnesses, or defense witnesses. The courtroom deputy, who is usually seated near the judge, administers the oaths to the witnesses, marks the exhibits, and generally helps the judge keep the trial running smoothly. The court reporter sits near the witness stand and usually types the official record of the trial (everything that is said or introduced into evidence) on a stenographic machine. Federal law requires that a word-for-word

record be made of every trial. The court reporter also produces a written transcript of the proceedings if either party appeals the case or requests a transcript to review. However, transcripts will not be available to jurors because there is not enough time to create a transcription. The federal judiciary operates separately from the executive and legislative branches, but often works with them as the Constitution requires. Federal laws are passed by Congress and signed by the President. The judicial branch decides the constitutionality of federal laws and resolves other disputes about federal laws. However, judges depend on our government's executive branch to enforce court decisions. Courts decide what really happened and what should be done about it. They decide whether a person committed a crime and what the punishment should be. They also provide a peaceful way to decide private disputes that people can't resolve themselves. Depending on the dispute or crime, some cases end up in the federal courts and some end up in state courts. Learn more about the different types of federal courts.

If the defendant admits that they are to blame and you are not happy with the amount offered in settlement of damages, then the matter will be sent to

a court to determine the amount of damages you are entitled to. In this situation, the court does not consider the question of who is to blame. The judge will merely place a value on your case based on an examination of the nature and extent of your injuries and losses to date and into the future. This examination will be conducted by considering the available medical evidence relating to your injuries and any evidence in relation to your financial losses and expenses. You may be asked to produce receipts and bills to prove you have incurred all of these expenses so it is important to keep a file of every bill and receipt. If you have been injured as a result of any wrongdoing, you will likely be called as a witness so that you can describe your injuries.

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