

Current Trends in Preparatory Proceedings

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Editors

Current Trends in Preparatory Proceedings

A Comparative Study of Nordic and Former
Communist Countries

 Springer

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ISBN 978-3-319-29323-3 ISBN 978-3-319-29325-7 (eBook)
DOI 10.1007/978-3-319-29325-7

Library of Congress Control Number: 2016935069

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Preface

The project *Current Trends in Preparatory Procedures—Comparative Studies in Nordic and Former Communist Countries* were founded by the NOS-HS (Joint Committee for Nordic Research Councils for Humanities and the Social Sciences) in 2014–2016. The project was based on workshops where the book was prepared by the project members. The kick-off seminar was in Örebro organised by Laura Ervo. Anna Nylund arranged the mid-seminar in Tromsø. The final seminar will be organised in Budapest in late 2016 by Adél Köblös as soon as the book is published. This anthology is the fruit of the project.

The anthology covers the preparatory stage in civil procedure and is mainly focused on the non-mandatory cases from a comparative perspective between the Nordic and the former communist countries. One of the greatest challenges for today's civil procedural law all over the world is effectiveness and speediness. In order to achieve this objective, legislators tend to introduce new legal institutions and carry out overall reforms affecting even the structure and role of the judiciary and the course of civil litigation. One of the ways legal disputes can be adjudicated within a reasonable time and soundly is to emphasise the role of the preparatory phase of the proceeding and make the parties more active in solving their dispute. Legislators also tend to ease the workload of the courts by directing the parties to choose alternative ways of dispute resolution. This study aims to throw light on two different but special streamlines of European development in this field, one of which is the Nordic trend. Here, Finland, Denmark, Norway and Sweden are studied. The other is the development in the Baltic and other former communist countries that joined the European Union in 2004. That group consists of Poland, Slovenia, the Czech Republic, Slovakia, Estonia, Latvia, Lithuania and Hungary. The reasons for the latter choice were to choose countries that have a longer experience with western legal culture and to avoid a fragmented structure. It was impossible to study all former communist countries. Even though the original roots of all chosen countries were close to each other (i.e. adopting the continental

system), after World War II the development of these procedural regimes took different directions, while now the studied countries face similar problems again. The study attempts to show similar ways of thinking, bearing in mind, nevertheless, that the previous directions of development of civil procedural laws may result in different solutions.

The project was planned mainly by the principal applicant Professor, Dr. Laura Ervo (the University of Örebro, Sweden, and Adjunct Professor/Docent at the Universities of Helsinki, Eastern Finland, and Turku, Finland). Professor, Dr. Anna Nylund (the University of Tromsø, Norway), Associate Professor, Dr. Lin Adrian (the University of Copenhagen, Denmark) and Professor, Dr., LL. M. Jakob Juul-Sandberg (the University of Southern Denmark) were enthusiastic enough to join in the project as co-applicants. The other project members were Professor, Dr. Aleš Galič (the University of Ljubljana, Slovenia), Associate Professor, Dr. Vigita Vėbraité (the University of Vilnius, Lithuania), Associate Professor, Dr. Anna Piszcz (the University of Białystok, Poland) and Legal Counsel, Dr. Adél Köblös (the Constitutional Court of the Republic of Hungary). All project members have put excellent effort into the workshops and project anthology. Therefore, we want to thank you all very warmly for your wonderful co-operation during these project years.

Professor, Dr. Alan Uzelac (the University of Zagreb, Croatia) and Adjunct Professor (docent), Dr. Kaijus Ervasti (the University of Helsinki, Finland) have peer reviewed the texts and come with their deep expertise and detailed feedback that has been very valuable for the project publication. The peer review process has been double blind, but it is time to open the curtains and say thank you for your wonderful work and appreciated expertise.

Satu Svahn, who holds a juris doctor degree from Brooklyn Law School and a master's degree in urban planning from New York University and who is a member of the New York State Bar Association, has worked hard and in a surprisingly rapid way in order to check the English language of the whole manuscript. Her expertise and effective way to work and co-operate is incomparable.

Our multi-expert, Professor, Dr. Anna Nylund who is one of the editors has even effectively fixed the index and other technical unifying. All authors are grateful for your technical skills! We also are grateful for your clever thinking and wide expertise as to the contents and sharp eyes—even for formal mistakes. Thank you for your purposeful but kind, patient and motivated way to co-operate.

The project publication has been published by Springer, and we are very grateful for this possibility to make results known in English and outside the Nordic and former communist countries. It is rather difficult to find an English material on both studied groups of countries, and it is unique to find a comparative analysis made between them. We hope that this volume could be of help for foreign readers and cover this lack from its side. Executive Editor Dr. iur. Brigitte Reschke and other colleagues at Springer have been both effective and professional and made it much

easier for us to come out with our final product, thanks to these wonderful characteristics.

It is time to finish the pleasant project and fruitful co-operation with this book, but we do hope the discussion will continue and cause new possibilities for further researches, projects and co-operation.

Örebro, Sweden
Tromsø, Norway
November 2015

Laura Ervo
Anna Nylund

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