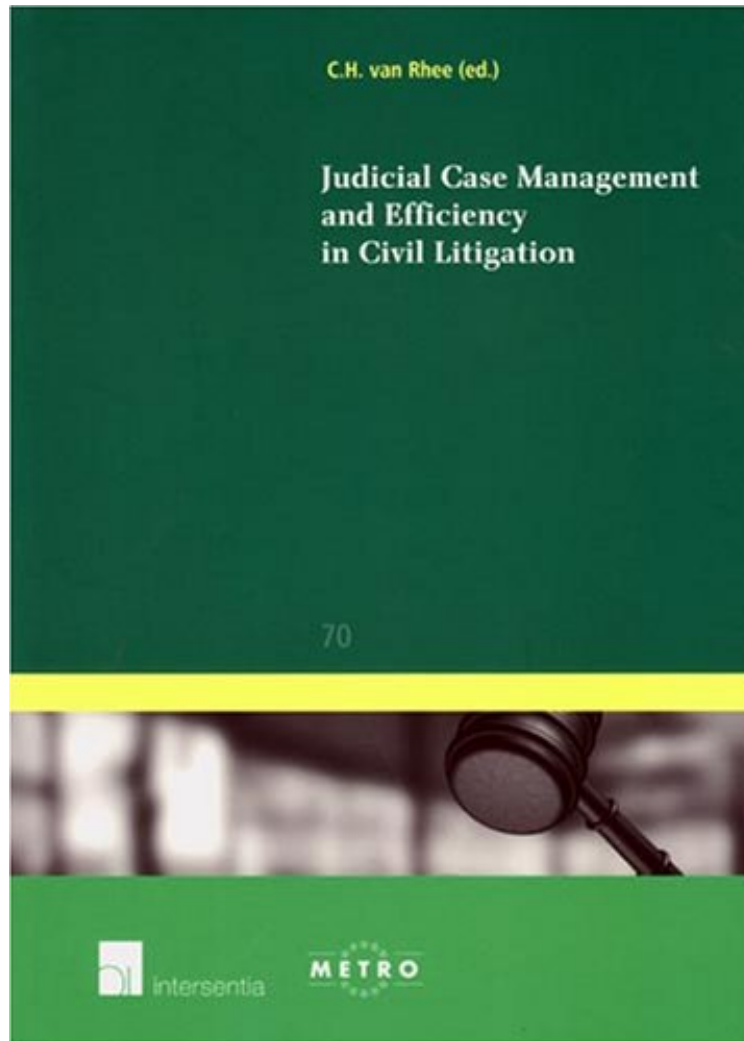


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Judicial Case Management and Efficiency in Civil Litigation (Ius Commune Europaeum)

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From Intersentia : Judicial Case Management and Efficiency in Civil Litigation (Ius Commune Europaeum) before purchasing it in order to gage whether or not it would be worth my time, and all praised Judicial Case Management and Efficiency in Civil Litigation (Ius Commune Europaeum):

This book addresses judicial case management and issues of efficiency in civil litigation. Apart from France, the focus is on the issues in three comparatively small jurisdictions which are often ignored in the international legal debate -

Scotland, Belgium, and the Netherlands. In addition, the ALI /Unidroit Principles of Transnational Civil Procedure and the Storme Report are considered. The volume also contains a contribution on the history of case management in Europe from the end of the 19th century. The book shows that effective judicial case management is likely to flourish in an environment where: (1) the rules of civil procedure do not prescribe a uniform procedural framework for each and every case, but differentiate between different types of cases; (2) these rules leave the judge with the necessary discretion to manage individual cases - preferably in close co-operation with the parties - and the caseload as a whole; (3) this discretion is only exercised to promote certain well-defined goals - in particular, efficiency, appropriate speed, and moderate cost; (4) the parties and their lawyers have a duty and the necessary incentives to cooperate; (5) there are adequate sanctions in respect of parties and lawyers who refuse to cooperate; and (6) courts are provided with adequate resources in order to create an environment where judges and highly qualified court staff can manage cases within an organizational framework that meets contemporary needs and standards.