



## **THE ROLE OF TECHNOLOGY IN ENHANCING A RECOVERER-ORIENTED APPROACH TO THE ENFORCEMENT PROCESS**

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### **ABSTRACT**

This research paper delves into the role of technology in promoting and enhancing a recoverer-oriented approach to the enforcement process. Recognizing the evolving nature of the enforcement process and the need to prioritize the rights of recoverers, this study explores how technological advancements can be leveraged to facilitate a more efficient and effective enforcement process. By adopting a recoverer-oriented approach, where the focus is on restoring the rights of recoverers rather than solely on the debtor, the enforcement process can align more closely with principles of justice and fairness. The research employs a multidimensional methodology, combining legal analysis, case studies, and comparative assessments of enforcement processes across different jurisdictions. Additionally, technological advancements such as automation, data analytics, and digital platforms are examined for their potential to streamline and optimize the enforcement process. The study also considers the impact of technology on enforcement procedural legislation and its role in harmonizing enforcement practices on a national and international level. Through the analysis of relevant literature and empirical data, this research provides insights into the benefits and challenges associated with integrating technology into the recoverer-oriented enforcement process. Furthermore, it investigates the potential impact of technology on the quality, efficiency, and effectiveness





of the enforcement process, with a specific focus on enhancing the enforceability of court decisions and decisions of other bodies.

**Keywords:** enforcement process, debtor's duty, priority of collector's rights, enforcement model, enforcer.

## 1 INTRODUCTION

During the thirty years of Ukraine's independence, the perception of enforcement proceedings (compared to its soviet vision) has undergone significant changes. With the passage of time, it should be noted that the term "enforcement proceedings" used by the national legislator in the title of the specialized law adopted in 1999 has lost its original legal meaning and turned out to be outdated, given the incorrectness and inconsistency of the theory of procedural law (Shcherbak, 2013), application due to the so-called terminological inertia and unreadiness of the legislator to apply the achievements of the general theory of law (Verba-Sydor, 2020b), as a result of which its modern interpretation causes inconsistencies and even stratification of views in the understanding of branch affiliation. It is these factors that determine the need to replace the scientific category "enforcement proceedings" with a more relevant one – "enforcement process", the use of which is increasingly used in legal science and law enforcement (Fursa, 2010). In such a way, the overcoming of the monistic view regarding the understanding of enforcement proceedings as the last stage of the civil process, characteristic of the socialist doctrine of the codification period of civil procedural legislation in the 60s of the last century, is emphasized.

The concept of enforcement process is first of all personified by ensuring the rights and interests of its parties – the recoverer and the debtor, with an emphasis on the fact that the activities of the enforcer are directed to the decision enforcement of the court or other body adopted in favour of the recoverer. In turn, the nature of the civil process (which also includes the enforcement process) (Karmaza, 2017) stems from the nature of material legal relations, which are based on rights and obligations, in particular on property, and it is during the enforcement of court decisions and decisions of other bodies that the actual restoration of the recoverer's right (Kucher, 2017).





As a result of the evolutionary transformations of enforcement of decisions field, the variation of approaches that were the basis for determining the role played by one or another party in the enforcement process in the decisions enforcement of courts and other bodies can be quite clearly traced. In the modern enforcement process, changing the priority and giving it to the collector will fully comply with the principle of the rule of law, as well as European values and standards for the enforcement of court decisions. However, the state of the enforcement process indicates the incompleteness of the existing developments and shows that today both the practice and the national science of the enforcement process require further fundamental changes in the direction of focusing on ensuring the rights of the collector, which determines the relevance of this study.

## 2 METHODOLOGICAL FRAMEWORK

During the study of the collector-oriented approach in the course of the national enforcement process evolution, the dialectical method was used to consider the researched problems and determine the main improvement areas of the enforcement procedural legislation. The research uses the historical method of transformation of approaches that were used in one or another period of the development of the field of decisions enforcement and the evolution of enforcement proceedings as a whole. Thus, this method made it possible to trace the chronology of the development of the legislation on enforcement proceedings regarding the procedural position of the debtor and the collector, their changes, and the factors that influenced its development using the historical-legal method. In general, the use of the historical method provided an opportunity to trace the evolution of legal regulation, as well as to determine the waves of reforming the enforcement process associated with the formation of a collector-oriented approach to the enforcement process.

The formal-legal method and the method of analysis of legal norms were used, including a detailed review of normative-legal acts of national legislation in the context of regulating the enforcement of the recoverer's rights. Logical techniques were used to interpret legal norms. The summarization of the research materials and general





information regarding the development of the vector of the enforcement process targeting the recoverer, taking into account the retrospective analysis of the enforcement process of court decisions and decisions of other bodies in the study, was carried out thanks to the use of the analytical method. The comparative-legal method was used for a comparative analysis of the protection features of the material sphere of the debtor and the recoverer in the enforcement process, foreclosure on the debtor's property, enforcement models, and the effectiveness of modern enforcement procedures before and after the adoption of relevant legislation.

### 3 RESULTS

The genesis of the enforcement process, which took place during the period of Ukraine's independence, along with other factors, consists in the permanent, but gradual formation of an approach focused on the recoverer as the side of the enforcement process as the most balanced and accepted by society. The above mentioned can be traced back to several waves of reforming the national enforcement process, which at the same time became a reflection of the directionality vector of enforcement.

- 1) The first wave – judicial and constitutional reforms.

Taking into account the fact that the restructuring of the judicial power took place within the framework of the first judicial reform of 1992, the constitutional legal understanding of that time also determined a new main goal of justice – the adoption of court decisions, transferring the jurisdictional function of their implementation to the bodies of the state enforcement service.

With Ukraine gaining independence, our state inherited the soviet-style enforcement system with enforcers in the structure of the courts, which continued from 1991 to 1999, and only after that the Law of Ukraine “On Enforcement Proceedings” became the basic normative act of the enforcement process, and the state enforcer as its the mandatory subject was no longer subordinate to the court and was assigned to the





bodies of the enforcement rather than the judicial branch of government. Legislative regulation (and this was Chapter V of the 1963 CPC “Enforcement of Court Decisions”; Civil Procedural Code of Ukraine, 1963) did not give priority to any of the parties to enforcement proceedings, and it is unlikely that these issues were actualized, because in this context it should also be mentioned about the fact that in the times of the USSR, when there was criminal liability for social parasitism, almost all debtors were working individuals, and privately owned enterprises, except for cooperatives, were absent.

2) The second wave (1998-1999) was marked by the adoption of the first relevant laws – the Law of Ukraine “On Enforcement Proceedings” (On Enforcement Proceedings, 1999) and “On State Enforcement Service” (On the State Enforcement Service, 1998) and a number of secondary legal acts.

The post-soviet legislation on enforcement proceedings, adopted with obvious delay, did not correspond to the realities of life or the development of market relations, and, in fact, created an imbalance in the status of the parties, because the main place in the enforcement proceedings was not assigned to the recoverer, but to the debtor. The material sphere of the debtor during the implementation of the enforcement process was so protected that the actual restoration of the collectors’ rights did not occur, and the procedural guarantees of the debtor in the enforcement of court decisions and decisions of other bodies prevailed compared to the protection of collector’s rights and interests. This allowed the debtor to not comply with court decisions for years, while the legal regulation of the enforcement process for a long period of time did not contain the proper mechanisms that would allow the state enforcement agencies to carry out effective and timely enforcement.

As a result, the reverse side of the excessive liberalism of the debtor’s status was “an extremely large number of unenforced decisions of courts and other bodies, violations of the terms of enforcement proceedings, excessive workload of enforcers (up to 4,000 proceedings per year) and others (Verba-Sydor, 2020b).





The obvious falsity of this approach became the basis for another reformation and the search for ways to overcome the debtor's evasion of the requirements of the enforcement document.

3) The third wave is the new specialized legislation on enforcement proceedings of 2016-2018, which not only changed the ideological dimension of the enforcement process, but radically directed the vector of the enforcement process from the priority of the debtor's interests to the interests of the recoverer.

4) The fourth wave – the evolution of the enforcement process these days – is a continuation of the recoverer-oriented course laid down in Draft Law 5660 “On Enforcement of Decisions” (Draft Law, 2021), voted by the Verkhovna Rada in the first reading in the autumn of 2021.

The development of the national enforcement process in the context of recoverer-oriented practices was carried out in several directions, among which the following should be highlighted as the main ones:

1) Strengthening the levers of the debtor's obligation to enforce the decision.

The obligation of the debtor to comply with the court decision and the decision of other bodies was enshrined at the legislative level when defining the concept of debtor in Article 15 of the Law of Ukraine “On Enforcement Proceedings” (On Enforcement Proceedings, 2016). This obligation should be defined as the key obligation of the party to the enforcement process, which consists in the obligation to fulfil the requirements of the enforcement document by the debtor, the immanent direction of enforcing against the will of the debtor himself.

It is in connection with its non-fulfilment that the entire process of enforcement is actualized, and all norms of enforcement procedural legislation are functionally oriented towards forcing the debtor to fulfil his duty.





The enforcement process becomes closer to the implementation of the subjective material right of the recoverer, which for one reason or another was not restored before the opening of enforcement proceedings, the role of civil law institutions and its autonomous subjects is strengthened, the activities of the enforcer are subject to civil principles, and the legal relationship between the state and a private enforcer have all the signs of a contract.

## 2) Expansion of influence measures on the debtor.

For the first time, achieving a fair balance of interests between the protection of the rights of recoverers and debtors, including by providing enforcers with practical access to debtors' assets and at the same time providing guarantees against abuse, the introduction of effective incentives for the voluntary enforcement of court decisions, measures of influence on debtors were discussed in the Strategy for Reforming the Judicial System, Legal Proceedings and Related Legal Institutions for 2015-2020 (On the Strategy for Reforming the Judicial System..., 2015).

The meaningful characteristics of the implementation of a whole measures system aimed at the decision enforcement should be defined as the introduction of the Unified register of debtors, the binding of the debtor's property without alternative at the same time as the opening of enforcement proceedings, the access of enforcers to electronic databases and registers to identify the debtor's property, as well as other procedural measures of influence to the debtor.

The mechanism of coercion always exists as a potential and comes into play only when duties are not voluntarily fulfilled. Sanctions, which determine measures of state coercion for violation of legal norms, are a necessary component of any legal system, but they do not have a leading role in this system (Leist, 2002).

The specific weight of legal norms in its content acts as a kind of guide of state coercion in enforcement proceedings through the consolidation in sanctions (in some cases in dispositions) of legal norms of means of influencing enforcement proceedings subjects, with the help of which the subject of enforcement proceedings is ensured the fulfilment of the obligations assigned to him ties regardless of his will or create obstacles





in the exercise of the subject's rights to ensure the normal movement of enforcement proceedings (Hetmantsev, 2018).

At the same time, in a fundamental dimension, there is a transition to enforcement proceedings as a part of private law, where mechanisms of state coercion coexist with institutions of civil law, and risks arising during enforcement procedures are considered as risks of a civil nature (Sibilyov, 2021).

Under such circumstances, it is more about the method of the enforcement process as a branch of law, which is sanctioned coercion, where sanction should be understood as permission, legitimization, etc. The state clearly defined the procedure, the means of decisions enforcement, regulated the procedure for applying and the grounds for the application of state coercion and, thus, sanctioned the potential possibility of coercion to the obliged person within the clear limits of the enforcement process, and on the other hand, the recoverer, turning to the enforcer with a statement on the opening of enforcement proceedings, authorizes compulsory collection against a specific debtor, and, as a result, the latter's failure to fulfil his duty in a voluntary manner.

Legal restrictions applied in the enforcement process may manifest themselves in the imposition of additional duties and a reduction in the scope of subjective rights. "Reduction of the scope of subjective rights" can be understood in two ways: as the deprivation of any one right and, thus, the reduction of the total scope of subjective rights; or as a reduction of the scope of some specific subjective right. For example, such measures as the seizure of the debtor's movable and immovable property, the seizure of the debtor's bank accounts are aimed at fulfilling the obligation that he had before the application of these measures. At the same time, in essence, such measures are the restriction of the property rights of the debtor who cannot dispose of his money or property, a deposit in a banking institution or loses the ability to independently dispose of, and in some cases, use property that has been seized by a state (private) enforcer.

Depending on the method of implementation, impact measures can be divided into two groups:

1) measures, the application of which is related to the fulfilment by the obliged person of the duties additionally assigned to him, which implies the need for either active







behaviour (for example, to pay debts or other monetary funds) or passive behaviour (not to perform certain actions that are specified in the enforcement document);

2) measures, the implementation of which is not related to any manifestation of the person's will (debiting money from the debtor's bank accounts, seizure of the debtor's property).

In the practical aspect, the "explosion effect" in 2018 was the initiative of the Government of Volodymyr Groysman "There are no other people's children", embodied in the relevant package of laws (On making changes to some legislative acts of Ukraine..., 2018), which related to enforcement documents on the collection of alimony as a state response to the problem of mass non-payment of alimony for maintenance children. During the implementation of the program, i.e., in one and a half years, 7.3 billion alimony payments were collected for the benefit of almost 1 million children. State enforcers applied temporary restrictions to 128,000 debtors (Petrenko, 2019) – in the right to leave Ukraine, the right to drive vehicles, the right to use weapons, the right to hunt, automated seizure of the debtor's funds in bank accounts, etc. Debtors who owed tens or even hundreds of thousands of hryvnias for alimony and never paid alimony for the maintenance of their children, while having considerable wealth, were forced to pay off existing alimony debt to recoverers, because most of them could not imagine their lives without holidays abroad or the comfort of luxury cars and even yachts.

3) The impact of the enforcement model on the role of the recoverer in the enforcement process and the growth of the status of the enforcer, increasing public trust to private enforcers.

The specified factor should be recognized as one of the fundamental ones, reflecting the focus of the enforcement process on the interests of the recoverer. With the introduction of the institution of a private enforcer (Law, 2016), the state monopoly on the enforcement of court decisions and decisions of other bodies, officials with the transfer of relevant powers to private individuals was abandoned, and the model of enforcement in Ukraine was modernized from a state-legal model to a mixed one, combining the state





and a non-state form of enforcement organization, where both state and private enforcer have the right to enforce decisions.

The influence of the new enforcement model on the recoverer in the enforcement process is evidenced by the disciplinary proceedings that were initiated against private enforcers at the beginning of their professional career. The first proceedings initiated against A. Avtorgov, a private enforcer of the enforcement district of Kyiv in 2018, which arose after he actually carried out enforcement proceedings for several million hryvnias, as a result of which the activities of the private enforcer were terminated (Decision of the District Administrative Court of Kyiv in case No. 826/8311/18, 2018), were particularly loud. After the annulment of the decision of the Disciplinary Commission of private enforcer in court proceedings, the activities of the private enforcer resumed, and he successfully continues his activities to this day.

Private enforcers have become generators of new ideas aimed at improving the enforcement process, because even a few years ago, no one could imagine that a private enforcer would be able to search for a debtor's property by using a drone, as well as video recording the debtor's residential building and land plot, to which there is no access, that it is possible to foreclose on funds that are in the bank box, or to foreclose on unharvested crops, etc. The mentioned cases of private enforcers not only prove their desire to fulfil the decision made in favour of the collector, but also testify to a high level of professionalism.

In terms of the advantages of private enforcement for the collector, the Supreme Court also expressed itself in the decision of the Grand Chamber dated 05.12.2018 in case No. 904/7326/17, where it is stated that the systems of state and private enforcement of court decisions are not equivalent and substitutable. Appealing to a private enforcer provides the recoverer with the opportunity to use the following guarantees and opportunities: a) mandatory civil liability insurance of the private enforcer; b) the possibility of financing enforcement costs for enforcing at the private enforcer's own expense (while the state enforcement service body, in case of insufficient advance payment, always requires the collector to cover additional costs); c) the possibility of establishing in a contract with a private enforcer a different amount of additional remuneration or an advance payment, timely coverage of costs associated with the implementation of





enforcement actions, that is, the possibility, in the manner prescribed by law, to influence the effectiveness of the decision enforcement important for him by means of the appropriate motivation of the private enforcer (Decision of the District Administrative Court..., 2018).

4) Expansion of the recoverer's right to access to enforcement and digitalization of the enforcement process.

The initial changes in the possibility of remote access of the recoverer to enforcement proceedings began in 2003 with the appearance of the electronic register of enforcement proceedings, the administrator of which was the state enterprise "Information Centre" of the Ministry of Justice of Ukraine (Regulations on the Unified State Register of Enforcement, 2003). The collector has had direct access to the register since 2008, with the provision of an identifier for access to the register information, which was specified in the resolution on the opening of enforcement proceedings, but only information about enforcement proceedings was entered into the register, which led to inconveniences in the practical activities of state enforcers both for recoverers and state enforcers, because it was the collectors (especially for enforcement proceedings on the collection of alimony) on certain appointment days that created long queues to the office of the state enforcer, and the state enforcer was forced to conduct the reception of parties instead of carrying out his activity of enforcement court decisions and decisions of other bodies.

With the introduction of the Automated System of Enforcement Proceedings in 2016 (On Enforcement Proceedings, 2016), the recoverer received more extensive access to the enforcement proceedings using electronic technologies, which allows him to follow the course of the enforcement process without visiting the enforcer, which is especially relevant when staying recoverer territorially in another part of Ukraine. In particular, from the part of the system of enforcement proceedings, which contains the access section of the parties to enforcement proceedings to the data of enforcement proceedings, you can find out information about who opened the enforcement proceedings and which body of the State Enforcement Service (state enforcer) or private enforcer conducts the enforcement proceedings, information about actions of the state





(private) enforcer, information about the state of the enforcement proceedings, which resolutions were issued by the enforcer.

The right obtained by the recoverer to choose to present the enforcement document to the body of the state enforcement service or to a private enforcer should also be considered as a significant expansion of the boundaries of the right to enforcement, and, accordingly, the right to freely choose a private enforcer from among those whose information is entered in the Unified Register of Private Enforcers of Ukraine, and especially the right to transfer an enforcement document from a state enforcement service body to a private enforcer, for enforcement proceedings that remained unexecuted in the departments of the state enforcement service for a long time, as a result of which recoverers received satisfaction at the expense of the realized property of the debtor after many years, when there was already any hope of obtaining enforcement under the enforcement document is lost.

## 4 DISCUSSION

The analysis of the legal literature indicates the absence of scientific works devoted to the evolution of the national enforcement process through the prism of the recoverer-oriented approach. It should be noted that mainly the research of the enforcement process in Ukraine was conducted in the context of a retrospective analysis of the enforcement proceedings development, as well as regarding the status of the parties to the enforcement process and the protection of their interests in the case of decisions enforcement.

O. Verba-Sydor (2020a) studied the evolution of the enforcement system of court decisions and decisions of other jurisdictional bodies in Ukraine, within the historical framework for the time period from the 1930s to the present. This historical discourse has been carried out based on the following criteria: dates of adoption of key legal acts, reorganization of justice bodies, significant socio-economic changes in society, changes in state policy in the field of justice.





S. Rozumnyi and A. Kupriianova (2021) consider the historical context of the development of legislation on enforcement proceedings in independent Ukraine. The authors carried out a critical analysis of the reformation of enforcement bodies in the post-soviet period, as well as state policy in the field of enforcement proceedings.

The recoverer as a subject of the enforcement process was investigated by M.V. Vintsyaslavska (2014) in a thesis devoted to the subjects of the enforcement process. L. Maliarchuk and O. Snidevych (2020) outlined the shortcomings of the regulation of subjects of enforcement proceedings in the legislation on enforcement proceedings and, for the future, came to the conclusion about not taking into account the assets of the science of the enforcement process in further legislative work.

Some aspects of the use of coercion in enforcement proceedings were considered by Yu.V. Bilousov (2014) and O.V. Hetmantsev (2018). Finality of judgments, that affects the emergence of the enforcement process, is investigated K.Gusarov and V.Terekhov (2019). Therefore, the genesis of the enforcement process by applying an approach focused on the recoverer in the context of the ideological foundations of enforcement has not been studied at all and needs the attention of scientists and lawyers.

## 5 CONCLUSION

As a result of the study of the enforcement process evolution from the point of view of the recoverer-oriented approach, the following conclusions were made:

1. The development of a unified approach, focused on the recoverer, in the enforcement process of the period of independent Ukraine took place in the context of the enforcement process evolution in general. It is the recoverer-oriented approach that should be a further guideline for improving the process of enforcement of court decisions and decisions of other bodies, because it indicates a fundamentally new quality of the enforcement process, where the reflection of the interests of the recoverer is given big importance.

At the current stage of the development of the science of the enforcement process, the mentioned approach is still insufficiently formed, and we are only standing on the path





of focusing the enforcement of decisions on ensuring the rights of the recoverer. For its continuation, it is necessary to minimize the ways that allow the debtor to avoid fulfilling his key duty in the enforcement process – the duty to enforce the decision regardless of the status of the debtor, his wealth or other criteria.

For this, it is also necessary to increase the number of private enforcers and equalize the powers scope of private enforcer with state ones. When developing the Ukrainian reform, the road map was calculated in such a way that by the end of 2016, at least 1,000 private enforcers would appear in the country, which would make up at least 50% in relation to state ones. In 2017, there was talk of 4,000 private enforcers as the minimum number for the state of enforcement of decisions in our country to fundamentally change. As we can see, after 6 years of existence, the number of private enforcers is about 300. This situation indicates insufficient attempts to build the institutional capacity of the decision-making process, the existence of obstacles to access to the profession of a private enforcer, an opaque examination system for people who intend to become a private enforcer.

2. A recoverer-oriented approach in the enforcement process should also mean a change in the legal awareness of society, which consists in the attitude of the subjects of the enforcement process to the current branch legislation, characterizes not only the state of enforcement procedural legal relations, but also the trends of their changes. The functional purpose of the ideology of the enforcement process is seen in ensuring the influence on the formation and development of the legal, political and moral consciousness of the subjects of enforcement procedural legal relations, their worldview and general culture, raising the prestige of bodies and people who carry out the enforcement of court decisions and decisions of other bodies and respect to the very profession of a public or private enforcer. It is not only about achieving the level of legal awareness of the debtor, as it is in European countries, and emphasizing national traditions, the psychology of citizens and the positive (instead of negative) attitude of society towards the debtor, when in difficult economic conditions society sympathizes with the debtor, and most citizens see themselves rather in the role of a debtor than a recoverer. This situation should gradually change, and the recoverer should be at the





epicentre of the enforcement process as the person who initiated the enforcement process to restore his rights.

As for further scientific research, the outlined topic is quite broad and requires the solution of a number of issues related to the orientation of the enforcement process on the interests of the recoverer, one of which is the enforcement by the enforcer of the debtors' rights during the implementation of the enforcement process, which, also, are his main subjects, and therefore legislative gaps that exist in the current enforcement procedural legislation are subject to elimination. New challenges to the enforcement process are posed in connection with Ukraine's acquisition of the status of a candidate for membership of the European Union and the study of the European experience of enforcement and cooperation with the International Union of Judicial Officers, which will also directly affect the determination of the approaches to be used in the enforcement of judgments.

## REFERENCES

Bilousov, Y. (2014). Principles of state policy in the sphere of enforcement of decisions of courts and other bodies. *Proceedings of the of the Fourth International Scientific and Practical Conference*. (pp. 31-46). Khmelnytskyi: Khmelnytskyi University of Management and Law.

Civil Procedure Code of Ukraine (1963). Law of the Ukrainian SSR. Retrieved from: <https://ips.ligazakon.net/document/KD0009?an=1>

Decision of the District Administrative Court of Kyiv No. 826/8311/18 (2018). Retrieved from: <https://zakononline.com.ua/court-decisions/show/80607294>

Draft Law on Enforcement of Decisions (2021). No. 5660. Retrieved from: <https://itd.rada.gov.ua/billInfo/Bills/Card/27003>

Fursa, S. (2010). Formation and development of new procedural branches of legal science in Ukraine. *Proceedings of the Second International Scientific and Practical Conference "Problems of Procedural Science: History and Modernity"* (pp. 11–15). Kyiv: Taras Shevchenko Kyiv University.

Gusarov, K. & Terekhov, V. (2019). Finality of judgement in civil cases and related considerations: the experience of Ukraine and Lithuania. *Access to Justice in Eastern*





Europe, 4(5), 6–30. Retrieved from: [http://ajee-journal.com/upload/attaches/att\\_1577085580.pdf](http://ajee-journal.com/upload/attaches/att_1577085580.pdf)

Hetmantsev, O. (2018). Separate issues of improving the efficiency of enforcement of court decisions. *Reform of enforcement proceedings: present and prospects: materials of the international scientific and practical conference* (pp. 13–16). Kyiv: Taras Shevchenko Kyiv University.

Karmaza, O. (2017). Concept and content of civil legal process. Scientific and information bulletin of Ivano-Frankivsk University of Law named after King Danylo Halytskyi. *Magazine. Law Series*, 3(15), 146–152

Kucher, T. (2017). *Proof theory in the civil process*. Kyiv: Taras Shevchenko Kyiv University. 490 p

Leist, O. (2002) *The essence of law: problems of the theory and philosophy of law*. Moscow: Zertsalo, 288 p.

Maliarchuk, L., Snidevych, O. (2020). Subjects of enforcement proceedings: legislative novellas. *Entrepreneurship, Economy and Law*, 8, 42–47.

On bodies and people carrying out enforcement of court decisions and decisions of other bodies (2016). Law of Ukraine No. 1403-VIII. Retrieved from: <https://zakon.rada.gov.ua/laws/show/1403-19#Text>

On Enforcement Proceedings (1999). Law of Ukraine No. 606-XIV. Retrieved from: <https://zakon.rada.gov.ua/laws/show/606-14#Text>

On Enforcement Proceedings (2016). Law of Ukraine No. 1404-VIII. Retrieved from: <https://zakon.rada.gov.ua/laws/show/1404-19#Text>

On making changes to some legislative acts of Ukraine regarding the creation of economic prerequisites for strengthening the protection of the child's right to proper maintenance (2018). Law of Ukraine No. 2475-VIII. Retrieved from: <https://zakon.rada.gov.ua/laws/show/2475-19#Text>

On the State Enforcement Service (1998). Law of Ukraine No. 606-XIV. Retrieved from: <https://zakon.rada.gov.ua/laws/show/202/98-%D0%B2%D1%80#Text>

On the Strategy for Reforming the Judicial System, Legal Proceedings and Related Legal Institutions for 2015-2020 (2015). Decree of the President of Ukraine No. 276/2015. Retrieved from: <https://zakon.rada.gov.ua/laws/show/276/2015#Text>

Petrenko, P. (2019). There are no other people's children. Proved by the Ministry of Justice. Retrieved from: <https://blogs.pravda.com.ua/authors/ppetrenko/5d1ef89be28f5>







Regulations on the Unified State Register of Enforcement (2003). No. 43/5. Retrieved from: <https://zakon.rada.gov.ua/laws/show/z0388-03/ed20030520#Text>

Resolution of the Great Chamber of the Supreme Court in case No. 904/7326/17 (2018). Retrieved from: <https://verdictum.ligazakon.net/document/78534731>

Rozumnyi, S. Kupriianova, A. (2021). Development of enforcement proceedings in Ukraine. Retrieved from: [https://pravo-izdat.com.ua/index.php?route=product/product/download&product\\_id=4410&download\\_id=1435](https://pravo-izdat.com.ua/index.php?route=product/product/download&product_id=4410&download_id=1435)

Shcherbak, S. (2013). Enforcement process in Ukraine: legal nature. *Legal Bulletin of the Ukrainian Academy of Banking*, 2(9), 30–34. Retrieved from: [https://essuir.sumdu.edu.ua/bitstream-download/123456789/52309/2/Shcherbak\\_executive\\_process.pdf;jsessionid=7D9488042B3B56F551DFD8515D824C65](https://essuir.sumdu.edu.ua/bitstream-download/123456789/52309/2/Shcherbak_executive_process.pdf;jsessionid=7D9488042B3B56F551DFD8515D824C65)

Sibilyov, D. (2021). The role of private enforcers in the context of the implementation of a mixed model of enforcement proceedings in Ukraine. *Proceedings of the round table devoted to contemporary issues of the activities of private enforcers in Ukraine* (pp. 58-62). Kharkiv: Yaroslav Mudryi National Law University.

Verba-Sydor, O. (2020a). Evolution of the system of enforcement of court decisions and decisions of other jurisdictional bodies in Ukraine. In *Aktualne problemy exzekucji sądowej w Polsce i na Ukrainie* (pp. 189-213). Sopot: Currenda

Verba-Sydor, O. (2020b). *Enforcement proceedings: textbook (in diagrams and tables)*. Lviv: Lviv State University of Internal Affairs. 600 p.

Vintsyaslavska, M. (2014). *Subjects of the enforcement process*. Kyiv: Taras Shevchenko National University of Kyiv, 200 p.

