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Thesis brochure

To the doctoral dissertation titled
The requirement of completion within a reasonable time in civil litigation

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1. Aim of the dissertation and research overview

The requirement to act within a reasonable time is the backbone of fair trial standards, as it is a fundamental condition for the fairness of the procedure that it shall be free from excessive, avoidable delays. The reasonable time requirement is an integral and inseparable part of the right to a fair trial, which, when examined from various angles, clearly shows that its fulfilment, both in theory and in practice, both formal and informal, is a fundamental condition for legal certainty.

The legal protection provided by a civil lawsuit is only effective if it is done in a timely manner, and at an optimal cost.[1] The real theoretical and practical weight of the time factor is mainly due to the fact that it is as inevitably present in all civil proceedings as the client, the authority and the subject of the case, and, although it is indeed an indispensable part of all proceedings, it is distinguishable by its particular features from all other fundamental parameters of proceedings, since it can be quantified.[2] However, in addition to the general objectivity of the time factor – as a specific point of view due to the characteristics of the field – it is essential to take into account that both the brevity and the speed of civil procedure is a question of fact, but a question of fact that expresses a qualification and evaluation and can therefore only be established as a result of comparison.[3]

The main topic of the dissertation is the examination, analysis and evaluation of the domestic status quo of the reasonable time procedure in the light of international and domestic legal regulations, applied jurisprudence and legal cases of precedent, as well as the characteristics of the judicial organisation system, focusing exclusively on judicial civil proceedings. The main objective of the dissertation is to examine the reasons for the delays in civil litigation, including those beyond the legal environment, i.e., the reasons inherent in the judicial system and the administrative environment, and to analyse the means and possible organisational and administrative measures outside the Code on Civil Procedure to prevent delay. Other dissertations[4] have already extensively examined if the regulation of civil procedure, i.e., the

[1] KENGYEL, Miklós: Magyar polgári eljárásjog. Osiris Kiadó, Budapest, 2003. 81-82. o.
[2] GÁSPÁRDY, László: Az idő-tényező elmélete és alapvető összefüggései a polgári eljárásjog dogmatikájában. Gazdaság- és Jogtudomány – A MTA Gazdaság- és Jogtudományi Osztályának Közleményei 15 kötet, 1981. 374. o.
[3] GÁSPÁRDY i.m. 376. o.
[4] CZOBOLY, Gergely: A perelhúzódás megakadályozásának eljárási eszközei. Doktori értekezés, 2014. https://doktori.hu/index.php?menuid=193&lang=HU&vid=12670

creation of the Hungarian Code on Civil Procedure as a prerequisite for the effective operation of the judiciary is implemented, and how it can be implemented in Hungary – with the remark that although a well-drafted procedural law is a necessary condition for preventing excessive litigation, it is not in itself a panacea for problems. Since the proper organisation and management of judicial activity, the provision of material resources and, above all, the proper selection, training and motivation of judges and judicial staff are indispensable for the implementation of the principle of procedural action within a reasonable time and for the swift and efficient completion of civil proceedings, the aim of the dissertation is to present and analyse the situation and possibilities of this latter area, which has not been widely studied so far.

Judicial procedures are a complex, dynamic system with many components, and a holistic approach is needed to analyse them, avoiding one-sided methods of analysis that may distort the overall picture, and taking into account the interaction of the individual components. The basic components of the system of court proceedings are, broadly speaking, the legislative framework, organisational forms and characteristics, the infrastructural background, and the personal attributes of the judges who preside over the proceedings. From the point of view of examining the duration of the procedures, it may not be sufficient to identify a single component as the one to be improved, it is also necessary to examine the interrelationship between the individual components, since a change in a single factor may cause the emergence of new anomalies in another factor, for example, a change in the legislative framework may negatively affect conditions related to personnel or other resources - which may result in an increase in the problem set for the entire system, and a decrease in efficiency. In the course of the research, the principle of synergy was given special consideration, which, when translated into deficiencies, can be described as a system-theoretic phenomenon where the deficiencies experienced in relation to the system as a whole will be more problematic than the sum of the deficiencies experienced separately for the components of the system. For all these reasons, it was essential to keep the system as a whole in the focus of the research activity, even in the midst of analyses of the individual components. Thus, with a complex systemic approach, we examined the components that are central to the reasonable time requirement, and have also examined the steps and possibilities that are recommended or necessary to ensure and improve the implementation of this requirement.

2. The examination and analysis performed, research methodology

The basic units of the dissertation are circumstances that have a significant influence on the implementation of the principle of procedure and completion within a reasonable time. The dissertation presents the relevant sub-areas of the right to a fair trial, as well as the international documents establishing the right to proceed and complete within a reasonable time as a principle of justice, and the international organisations entitled to interpret them. The implementation of the international principle of reasonable time into domestic law, and also the case law of the European Court of Human Rights concerning the duration of proceedings and termination within a reasonable time were analysed, as well as the methods for determining the duration of a proceedings. The third chapter of the dissertation presents the indicators of timeliness of the Hungarian courts on the basis of the EU Justice Scoreboard and the Hungarian statistical data, and here we point out the reasons and consequences of the discrepancy between the Hungarian statistical data and the judgments of the ECtHR, using the results of our research on the duration of civil proceedings before the Hungarian courts.

The dissertation analyses the possibility of holding domestic courts liable for breach of the reasonable time requirement, examines the statistical data of actions for damages brought against domestic courts on this ground and of proceedings brought against the state before the ECtHR, and also presents the discrepancies between condemnations before domestic courts and before the ECtHR. We show the impact of the new Code on Civil Procedures on the duration of civil proceedings using our research results based on statistical data.

Since the procedure within a reasonable time can be carried out in the widest and most effective way if the judges proceeding are capable of timely proceedings, are adequately trained and educated, and sufficiently motivated to conduct timely and effective proceedings, the sixth chapter of the dissertation examines the regulations and practices relating to the selection, training, motivation, supervision and accountability of domestic judges. In the seventh chapter of the dissertation, we analyse the possible organisational and administrative means to prevent procedural delays, and thus the possible measures that could be taken to achieve a timely procedure, and the lack of their implementation. The chapter pays particular attention to the need for a proportionate and balanced workload between courts, and to the analysis of possible methods of proportionate workload. The chapter also looks at the possibility of introducing and further developing technical achievements that may be applicable in civil proceedings, such as

digitalization and artificial intelligence, and describes the shortcomings of domestic courts in this area.

Due to the complexity of the subject matter of the thesis, it was typically necessary to use different research methods in each chapter, or even within chapters, thus different methods were emphasised in each topic. The fundamental and legal background of the right to procedure within a reasonable time, with the description of the international and domestic legal provisions that enshrine it, were examined using a dogmatic method, and the requirement of the procedure within a reasonable time along with the related principles have been determined by a conceptual analysis method. Since it is not possible to determine the expected duration of the procedure within a reasonable time on the basis of the legal provisions, the case-law concerning the requirements of the timely procedure was examined using a qualitative method, namely document analysis, including content analysis. In this context, the dissertation pays special attention to the examination of the case law of the European Court of Human Rights with regard to timely procedure, and on this basis, the methodology for determining a reasonable period of time.

With regard to the Code on Civil Procedure providing a legal framework for proceedings and termination within a reasonable time, the extent to which the regulation of certain periods may be suitable for the implementation of the principle was examined by means of a historical and then dogmatic analysis relating to the current regulation. We also used a traditional, dogmatic method to analyse domestic regulations and practices regarding the concept of case endings or case distribution regulations, as well as regulations and practices regarding the liability of judges and courts in case of violation of the right to proceed within a reasonable time.

We examine the domestic case completion statistics, and such statistics of EU member states through quantitative comparative data analysis, and we present the arrival and termination data of a domestic court that can be considered representative for its civil section by statistical data analysis, and the qualitative result is analysed on a quantitative basis in the thesis using the comparative analysis of official statistical and calculated, factual data. The statistical data of the declaration of incapacity of judges and the distribution of workload among domestic courts are presented through quantitative data analysis.

3. Summary of main findings

By comparing the right to proceed and to termination within a reasonable time as part of a fair trial with a number of related principles, such as the principle of judicial independence or the right to a lawful judge, it can be concluded that, on a theoretical level, compliance with this requirement is equivalent to the principle of the existence of effective legal protection. In addition to the value of the efficiency and results of the administration of justice provided by the appropriate organisation, completion within a reasonable time ensures that the possibility of further harm arising from possible delays is avoided. On the basis of the regulation of the principle enshrined in international fundamental documents, as well as the related case law, it can be concluded that the ECHR and its enforcement body, the ECtHR, and, in EU terms, the Charter of Fundamental Rights and the CJEU, have developed and improved an excellent theoretical and precedent-setting case law over the decades, which through its enforcement practice are capable of providing an ideal basis for the protection of the requirement of completion within a reasonable period of time. The reasonable time requirement declared in international documents as a fundamental principle has been fully incorporated into domestic law and is guaranteed both in the Fundamental Law and in the Act on the status of judges.

There is no objective definition of the duration of a procedure within a reasonable time which is completely independent of the procedures, and therefore it must always be a time factor relative to the complexity of the specific procedure, and the relevant case-law of the ECtHR can provide a perfect compass in the process of determining it. Regarding Hungary, the comparison between the Member States in the European Commission's Judicial Scoreboard based on statistics indicate the excellent performance of the Hungarian courts, which is more than satisfactory. However, the pilot judgment of the ECtHR, which became final in 2015 is in sharp contrast to this statistical statement, as it imposed an obligation on Hungary to transform the system of redress for procedures that were prolonged beyond a reasonable time, by defining the phenomenon as a systemic, persistent and recurrent problem beyond the specific case.

According to the results of our analysis based on statistical data it can be established that the seemingly excellent result of the comparison between member states is due to a significant methodological difference in the calculation of case closures. In the domestic context, the calculation of the completion of cases is driven by a purely administrative-based change of data within the scope of the registration system, the BIIR, which does not coincide at all with the

final completion of the case in terms of content and meaning, including from the client's point of view. Continuing along this line, based on an in-depth comparison and analysis of domestic statistical data and the data available from the BIIR regarding a selected Model Court, there is a significant difference in terms of outcome of the domestic statistical data prepared on an administrative basis, and in terms of real case number data prepared in a way that takes into account actual endings. For the two groups of procedures examined on the basis of the data of the representative sample of the Model Court treated, it was found that the rate of completion in 2019 within 1 year, which according to official statistics is close to 87%, is at most 70% for actual completion, and for procedures received in 2019 and completed within 1 year, which according to official statistics is around 85%, is at most 60% for actual completion.. Consequently, the application of a flawed practice of administrative principles, which present a more favourable picture than the actual completion data, is the primary reason for the glaring discrepancy between the ECtHR's assessment of the length of our country's judicial proceedings and the performance that appears to be excellent in comparison with other EU member states.

In order to establish the real timeliness indicators of the judicial organisation system, it would be advisable to monitor and statistically analyse the actual duration of the proceedings using the method presented in the dissertation, i.e., to collect the indicators of the actual, substantive completion of the civil proceedings, namely the final conclusion of the judgment; the final, i.e., uncontested court order,; the final order approving a settlement, the final order on termination, and the final order of dismissal, the latter in the event if the plaintiff has not repeatedly submitted his application within deadline. As far as we are aware, such extensive statistical data collection, taking into account the actual duration of the procedures, is not currently in the process of being implemented, even though it could be used as a basis for assessing and analysing the disadvantages to be overcome and the weaknesses to be corrected in terms of the timeliness of the procedures. The central administration of the judicial system would be in the position to analyse the actual duration of the proceedings on a much broader scale than the examination conducted in the thesis, which only concerned a Model Court, and thus to obtain a real picture of the extent to which the organizational system requires improvement on the basis of real statistical data.

The remedies available in the event of a breach of the reasonable time requirement, and thus the accountability of the courts, have a paramount importance. As a result of examining the theoretical background to the imposition of liability, it can be concluded that the objective form

of liability regulated in Article 2:5 of the Civil Code, namely the provisions of the grievance fee cannot be applied in the event of a claim for infringement of the right to proceed within a reasonable time, since the fundamental right of justice is not considered a right relating to personality. Although the fact of harm can be established by reference to the Fundamental Law, it is beyond the competence of the Constitutional Court to judge the legal consequences. Thus, the range of means available on the merits is reduced to a minimum, and a claim for compensation for damage caused by the court may appear as the only remedy. On the basis of the analysis of the statistical on damages actions dating back over the last few years, it is clear that the judgment of these lawsuits is extremely biased and one-sided in favour of the courts designated as defendants, since the data examined show the average defendant success rate of well over 95% over the last few decades. In this context, the paper presents an interesting comparison regarding the success rate and the number of cases of damages litigation by the courts, and the number of litigation cases extending beyond 5 years for the given years. Of course, in this case we are not talking about data that can be compared one-on-one, but we find it interesting and illustrative to mention that in respect of damages brought against the court in a given year – taking into account all possible facts, and not only the reference to the reasonable time – there are only a few proceedings won by the claimants, while in respect of the previous years, procedures that exceed 5 years, i.e., where the fulfilment of the requirement to act within a reasonable time is at least questionable, can be found in the order of several hundreds, or thousands if aggregated over several years,. This anomaly can be contrasted with the ECtHR's case-law condemning Hungary on the violation of the principle to conduct proceedings within a reasonable time, after the ECtHR has established a significant number of violations of the principle in Hungary in recent years, and in 2015, in a pilot judgment, it drew attention to a systemic problem with regard to the judicial system. An important finding in comparing the differences between the ECtHR and domestic judgments is that the ECtHR did not actually qualify domestic legislation – because it did not examine it – but expressed its view that the Hungarian State could not prove that there was an adequate and effective remedy within the framework of domestic legislation. It is therefore the case that the ECtHR's position on the relevant legal framework has been determined on the basis of an analysis of case instances and statistical data on the specific operation of the framework. In our opinion, the framework itself carried and carries in itself to a significant extent the characteristics that would have made it suitable or would have made it possible to incorporate the operation desired and accepted by the ECtHR, i.e., the cause of the problem is not necessarily to be found in the framework in question itself, but in the mode of operation implemented in it. By examining the individual

case-law data, we also found that, in addition to the different number of judgments, there is also a significant difference in terms of the amount of the grievance fee awarded. These data suggest that, unfortunately, the professionalism, conscientiousness, fairness and self-reflection that is expected by the organisation from clients in any other type of procedure is not present in respect of actions for damages brought against the courts..

The above contradiction is clearly demonstrated by the fact that despite the extremely positive picture in the EU Justice Scoreboard and in the domestic statistical data, which do not show the time of actual proceedings, it is clearly a societal expectation and, as a consequence, a legislative aim to speed up proceedings and thereby to shorten the duration of civil litigation. This can undoubtedly be deduced from the fact that the basic reason and primary motivation of creating the new Hungarian Code on Civil Procedures is to provide an appropriate legal background and an opportunity for more efficient litigation. The principle of trial concentration, the introduction of a split litigation structure, the changes to the pre-trial phase, the regulation of title and compulsory legal representation all support the theoretical objective of higher professionalism, and the faster and more efficient enforcement of rights.

Reviewing the regulatory concept of the Code on Civil Procedure, it can be concluded that the new Code provides a much more effective tool for judges to prevent protracted proceedings than the previous Code. However, it must be clearly seen that this instrument remains in the hands of the judge, and however well a procedural code may be able to achieve the stated aim of timely judgment and procedure, this tool will remain underutilised if used in an inadequately designed organisational system, with a disproportionate allocation of workload, by an inadequately selected and trained, unmotivated and overloaded judge, who has no reason to fear procedural errors, since the system for his control, removal and impeachment does not work properly in practice. Thus, in our opinion, it is not the lack of regulation, but organisational and administrative problems that are the reason why our analysis based on statistical data does not show any faster or higher number of case closures connected to the introduction of the new Code on Civil Procedures, i.e., the introduction of the Code has had no accelerating effect on administration and the completion of procedures in the short time since its introduction.

In addition to the establishment of a procedural regulation capable of ensuring proper and timely adjudication, administrative measures should have been taken, both within and affecting the judicial organisation to facilitate the application of the new Code, to ensure the optimal working

conditions and a proportionate workload, and to encourage judges applying the new procedural rules to be interested in effective proceedings. However, no substantive measures have been taken in the field of judicial administration to counter recodification. The administration of the court organisation did not adapt to the changed circumstances created by the entry into force of the new Code on Civil Procedures, the divided litigation structure and the increased importance of the written preparatory phase introduced by the code, i.e., no action has been taken so far to reflect on the tasks related to the entry into force of the new Code. After the entry into force of the new legislation, neither the number of judges, nor the system of judges' work, nor their duty to hear cases has adapted to the fact that, according to the new Code on Civil Procedure ("CP"), the increase in the written procedure and the principle of concentration of litigation under the CP, as well as the increase in judicial activity under the CP is accompanied by an increase in the tasks to be performed by judges, thus necessitating, on the one hand, a modification of the rules on hearings established for the CP and, on the other hand, an increase in the number of judges.

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Our hypothesis was that due to the peculiarities of the selection system, not necessarily the most suitable persons would be placed in the position of judge. At present, the selection system evaluates in favour of the applicant a number of circumstances which are not related to the suitability for an effective and reasonable procedure nor to a commitment to the judicial profession. It would be appropriate to consider a system for the selection of judges which, on the one hand, is able to take account of professional commitment to a greater extent than is currently the case and, on the other hand, gives the Judicial Council a decisive role in the selection of judges, and in which greater importance is given to the assessments of persons who have knowledge of the applicant and of the quality of his or her past work. Thus, it seems necessary to reform the system for the selection of judges and, in this context, to create a method that takes greater account of the candidate's knowledge, skills, human and professional qualities. Prior to the selection of judges, it seems worthwhile to introduce a targeted psychological examination of their suitability and commitment, and a continuous psychological examination of judges already appointed – since, under the current system, judges are only required to undergo psychological examination before their first appointment, and the examination of their psychological fitness during their judicial activity is not required by law, although this could ensure compliance with the workload associated with a timely procedure, and an effective and timely conduct.

Regarding the training system, there is a a forward-looking, professionally-based, practical and effective institutional and individual training strategy, furthermore, there is a rather serious demotivating factor as well, according to which the participation in the training system may indirectly, ultimately, result in an increase in the workload of the judge concerned. Continuous professional and competency training and lifelong learning of judges would be of paramount importance, and it should be avoided that a judge drops out of the training process, i.e., does not receive further training for a longer period after his or her appointment. It would therefore be necessary to devise a training strategy that would, on the one hand, ensure the continuous participation of judges in both central and local and regional training by introducing a credit system, and which, on the other hand, should make the training of judges compatible with their workload, thus ensuring that judges are interested and motivated to use the given forms of training through a well-designed and elaborated compensation programme.

As a result of our analysis, it can be concluded that judges, as the main custodians of the fulfilment of the requirement of proceedings within a reasonable time, are not sufficiently motivated, either materially or non-materially, in addition to their own internal expectations of themselves, of course, stemming from their own personality, to close as many cases as possible in the shortest possible time and in high quality in accordance with the legal framework. The development of performance-based salaries for judges, taking into account both timeliness indicators and the soundness of judicial activity, would require legislative amendments, as well as ensuring that the judges at first instance level, who are most affected by the length of proceedings, are paid on an equal scale with their colleagues at higher courts, i.e., that judges who are able to conduct timely and effective proceedings do not leave the courts of first instance for financial reasons. In addition to the financial incentive, it would be useful to give judges who act efficiently and in a timely manner greater autonomy with regard to their order of hearings, i.e., the possibility for judges to decide when and how many cases to hear, while having an interest in completing their cases as soon as possible, in order to ensure an effective procedure.

In addition to the motivational tools, it is of course equally important to analyse the system that raises the question of responsibility and examines it and discusses its consequences.. In addition to the shortcomings of the control system, it can be stated that, on the basis of the statistics examined, no real accountability has been achieved in practical terms to the extent that may be

justified, and as the paper shows, the system of removing incompetent judges is not working effectively, either. With regard to damages and disciplinary liability, the statistics examined show that the liability of domestic judges for untimely is minimal in practical terms. However, with regard to judicial managers, the practical trend of the President of the OBH (National Office for the Judiciary) recently rejecting the reappointment of an increasing number of managers in the light of a negative assessment of the organisation's performance in terms of timeliness is to be acknowledged and welcomed. Since it would be possible to monitor the quality of the judge's work through a modern and feasible IT system, it would be worthwhile to regulate the need for judges to be examined based on predetermined objective indicators, and not only at the organizational level but also at the individual level, based on professional criteria, following an IT development aimed at verifying this. It also requires IT development – on the one hand, ensuring the possibility of an online hearing, and on the other hand creating an e-file – to implement the objective assessment of judges, following an objective, accurate, well-founded and careful examination carried out by a judge who does not know the judge being examined, who is not in daily contact with him or her, and who works in a geographically distant court.

With regard to organisational, infrastructural and administrative aspects related to procedures conducted within a reasonable time, one of the most important preconditions is the avoidance of overloading, i.e., indirectly the establishment of a proportionate workload both within and between organisations. The results of our analysis show that the proportional workload is not realized between the individual municipal court, the distribution of cases is extremely uneven, and the analysis of basic statistical calculations and values also suggests that such differences cannot be caused solely by individual abilities, which otherwise have a normal distribution according to the law of large numbers, but these differences are clearly due to the workload conditions of the individual organisations, i.e., the characteristics of a highly disproportionate, not even remotely balanced workload. The most basic way to achieve a balanced workload is the thoughtful redeployment of staff, the establishment of new judicial statuses, and the filling of any vacancies as soon as possible.

In this regard, we conclude that the marked inflexibility of the organisation from the point of view of human resources has been confirmed and the continuous, statistically proven downward trend in the number of judges, with the unspoken, but still noticeably applied staff stop practiced in recent times, represent a serious obstacle to human resource-based development on the way to a proportionate workload. Some restructuring of the organisational and administrative

framework appears to be essential, with the primary aim of balancing the workload between the departments and of ensuring greater flexibility in the organisational structure. Thus, in order to ensure a proportionate distribution of the workload, or at least to avoid further escalation of inequalities, it is essential to fill vacant judicial posts, to increase the number of judicial staff – including the number of legal assistants – in the organisation, and to rethink the distribution of staff among district courts and municipal courts.

Regarding of the examination of the infrastructure background and related opportunities, on one hand it is extremely positive that there is considerable potential to exploit information technology opportunities, however, on the other hand, we also had to conclude that the necessary steps to achieve optimal results have not been taken and are still not being taken to make real use of these opportunities. In particular, with regard to online court hearings, we found that neither the infrastructural foundations, nor the training and motivation of the court staff currently provide the necessary background for the change, and the organisational and administrative framework does not facilitate the rapid development and improvement of this background, either. In 2020, due to the epidemic situation, the judicial organization system received a huge opportunity to introduce and facilitate online court hearings on a wide scale, but it was clearly not taken advantage of during the given period. Based on practical experience, the possibility of online hearings during the period of restrictions was clearly not manifested, or only to a minimal extent, and after the emergency situation passed, the related investigations and conclusions were not carried out. At the same time as the restrictions were lifted, the legislator also took away the theoretical possibility of e-hearings, so both the "online" period under the restrictions, and the subsequent period in terms of development remained unused in relation to the personal and material creation of the conditions for online hearings. This also means that the future outlook on the subject is also pessimistic, as is confirmed by the fact that the court organisation has acted in exactly the same way with regard to the new period of restrictions and online trial opportunities that arose in spring 2021 as it did in the period a year before, therefore the one year that has elapsed between the two periods with the opportunity to conduct court hearings without personal presence, if strictly examined in this regard, can also be considered as wasted time. With regard to the infrastructural background, we believe that the integration and the widest possible application of the possibilities offered by the technologies of the 21st century, with particular focus on the full implementation of the conditions for online hearings are unavoidable. In order to facilitate the proportionality of the workload, we consider it necessary for the legislator to improve the regulation of online

hearings, in particular, to ensure that the judge is entitled to order the hearing to be conducted online in cases in progress, and to assess the types of cases in which the introduction of an online hearing on a general basis appears to be effective. At the same time, there should be an examination of the reasons why judges did not use the possibility of e-hearings during the emergency period, why they were reluctant to do so, and what administrative steps can and should be taken to enable civil proceedings to be conducted on a general basis by means of online hearings – with the provision that legislative amendment is needed to require parties acting with a legal representative to have the IT tools necessary for online hearings.

The court organisation is also seriously in debt to the requirements of the times in terms of digitalisation. Our research has shown that it would be essential to introduce a modern, complex, integrated administration system, both for the purpose of meeting the requirement of a reasonable timeframe and independently of it, the advantages of which – in contrast to the currently used IT system – are explained in more detail in the dissertation. In addition, we feel the need for a deliberate but decisive adaptation of the results of artificial intelligence, one of the most fashionable and developing disciplines and industries of the modern age, to court proceedings, as the services provided by the IT industry could provide competitive, efficient and effective functions, that would be a huge mistake and a serious error of judgment for generations to ignore in court proceedings..

The various anomalies identified in connection with the reasonable time requirement throughout the thesis pointed to neuralgic points both in the legislation and in the judicature, as well as in the organisational, infrastructural, personnel and procedural areas within the court organisation, which, in the long run, will necessarily catalyse the amortization of the application of law in both academic and public thinking. The problems explored and the issues analysed in this thesis all belong to clearly identifiable, seemingly separate sub-areas, but at the same time they are integral parts of a complex system, and the mechanism of direct and indirect relationships and interactions between these components makes the application of a holistic, systemic approach an essential aspect. Creating the right context for development involves several areas, many of which still lack a widely accepted scientific discourse. By recognising and acknowledging the problems, involving the stakeholders and assuming that there is a basic will to improve, a professional dialogue and a forum based thereon can be created, which will undoubtedly be a good basis for seizing the opportunity for progress on the reasonable time requirement , and thus for raising the professional level of legal services, and also the level of

public perception of legal services to ever greater heights. It is a significant task and responsibility of the judicial practitioners, as well as of the legislators, of the 21st century, to stop and reverse the current process, i.e., to ensure that the traditions dating back thousands of years and the social and technological challenges and opportunities provided by the modern age serve the consistent and valid development of the judicature in symbiosis while preserving the fundamental, noble objective.

4. List of publications

4.1. Publications related to the dissertation

1. A bírósági eljárások elhúzódása miatti hatékony kártérítési jogorvoslat. Magyar Jog, 2016/7-8. szám. 460-470.

2. A felróhatóság megítélése a bírósági jogkörben okozott kár megtérítése iránti igény elbírálása során. Jogtudományi Közlöny 2016/11. szám. 565-574.

3. Az ésszerű időn belüli eljárás, mint polgári peres eljárási alapelv a nemzetközi követelmények tükrében.
In: Ábrahám, Márta (szerk.): Mailáth György Tudományos Pályázat 2016 Díjazott Dolgozatok, ISBN-978-963-89313-1-3. Országos Bírósági Hivatal, Budapest, 2017. 8-53.

4. A bírói függetlenség megítélése a magyar és a dán igazságszolgáltatási szervezetben.
In: András, Masát (szerk): Skandinavisztikai Füzetek. Skandináv Kultúrmozaik konferenciakötet. ELTE, Budapest, 2017. 79-90.

5. Távol Európától – Az ésszerű időn belüli eljáráshoz kapcsolódó jogorvoslati lehetőségek. Eljárásjogi Szemle, 2017/4. 11-16.

6. A törvényes bíróhoz való jog, mint a tisztességes eljárás részkövetelményének szabályozása és a hazai gyakorlatban felmerülő problémái.
In: Miskolczi, Bodnár Péter (szerk.): XI. Jogász Doktoranduszok Szakmai találkozója, doktoranduszi konferenciakötet. Károli Gáspár Református Egyetem, Állam- és Jogtudományi Kar, 2016. 156-178.

7. Az ésszerű időn belüli eljárás követelményének érvényesülése az új Pp. alapján.
In: Miskolczi, Bodnár Péter (szerk.): XII. Jogász Doktoranduszok Szakmai találkozója, doktoranduszi konferenciakötet. Károli Gáspár Református Egyetem, Állam- és Jogtudományi Kar, 2017. 341-353.

8. A bírák időszerű eljárását segítő tényezők.

In: Miskolczi, Bodnár Péter (szerk.): XIII. Jogász Doktoranduszok Szakmai találkozója, doktoranduszi konferenciakötet. Károli Gáspár Református Egyetem, Állam- és Jogtudományi Kar, 2018. 205-211.

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