

Second Study Commission

Civil Law and Procedure

66th Annual Meeting of the IAJ – Cape Town (South Africa)

Questionnaire 2024

Written submissions – when do they turn from a help to a hindrance?

REPLIES OF THE ASSOCIATION OF JUDGES OF THE REPUBLIC OF ARMENIA

In Taipei, Taiwan, we decided that in 2024, our Second Study Commission will focus on how written submissions in civil litigations can turn from a help to a hindrance and whether there are limits on written submissions in our various jurisdictions. If so, what these limits include.

We have limited the questionnaire to six questions and expect to receive short but concise answers. The questions are as follows:

1. Are there limits for written submissions in civil litigations in your jurisdiction in terms of the maximum length?

No, they are not limited in content, if submitted in paper version, on the electronic platform there is a limit in terms of megabytes.

2. Are there time limits for filing written submissions?

Time limits are set for various procedural actions in civil proceedings, and in individual cases, such time limits are defined by a judicial act of the court. So, for example 14 days is defined by the law for submitting a response to the lawsuit, in the case of a simplified examination of cases, a one-month deadline for submitting motions is established, the court sets a deadline for presenting evidence, there are also other deadlines.

3. Are there limits in terms of a maximum number of additional submissions in a case?

No, there are no such limits.

4. Are there rules, including penalties or cost implications, for breaches of these requirements?

The Code of Civil Procedure may provide for court costs derivative from various types of applications. For example, on the inclusion of costs associated with the copying of written evidence in the scope of court costs. No other punitive rules and penalties are provided.

5. Are these limits or requirements effective in terms of reducing the number and length of written submission and the time spent preparing for and determining a case?

There are no such effective regulations.

6. What is the effect of written submissions on any hearing which subsequently takes place?

Any submission or motion has an effect on the court hearing. It is subject to discussion and resolution by law during the investigation of the case, and if the case is scheduled for a court hearing, then during the hearing.

7. Comments or suggestions as to what could otherwise prove to be effective.

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