



LEGAL TECHNIQUE IN THE EXECUTION OF A JUDGMENT ISSUES

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Article history:	Abstract:
Received: November 10 th 2022 Accepted: December 6 th 2022 Published: January 6 th 2023	The article analyzes the main approaches to the definition of the concept of "legal technique", reveals the essence of this concept as a necessary method of legislative activity, which allows us to offer a more accurate definition of the concept of legal technique. The article also describes the general rules adopted in sentencing, the Code of Criminal Procedure and the requirements of the Plenum of the Supreme Court of the Republic of Uzbekistan "On Judgment", an analytical study of legal techniques in sentencing, common problems and recommendations for their solution.

Keywords: Legal technique, tasks, development prospects, judgment, introductory part, justice, court decision.

The result of the will of each legal state is what is reflected in the documents adopted by it. The correctness, accuracy and adequacy of these documents is one of the most pressing issues.

The constant goals facing lawmaking are achieved by the observance of legal techniques by all states of all times.

Such attention to legal techniques is due to the fact that it is legal constructions that act here as tools, objectively reflecting a certain level of Legal Regulation.

Before directly referring to the study of legal structures, it is advisable to clarify the content and meaning of the phrase "legal technique", as well as answer questions about the relationship of this phenomenon with such relevant concepts as lawmaking and norms.

When determining the concept of legal technology, it is necessary to take into account a number of its most basic features.

To clarify the content of the phrase "legal technique", we can use the definition in the encyclopedic legal dictionary, which indicates, in particular, that it is a certain set of techniques that are used to develop the content and structure of the legal instructions of the state.

Such techniques:

- a) legal terminology;
- b) legal residue;
- c) methods of constructing regulatory legal

acts.

In a large legal dictionary, legal techniques are understood as a set of certain techniques, rules, methods that are used both in the development of the content and structure of legal acts and in their implementation.

In this case, its elements include such types as legal terminology, legal structures, methods of drawing up legal documents, as well as legislative techniques, judicial techniques.

If we approach the definition of this phenomenon from a strictly scientific point of view, we note that legal techniques cannot and should not be interpreted in a very broad or very narrow sense. In other words, it cannot be combined with the content of the entire science of law, with the philosophical and sociological methodology of knowledge of law.

However, it is not limited to the study and interpretation of legal terms. Regardless of how law is defined, first of all, social relations in society and the state are a set of regulated norms (rules of conduct).

In the system of legal knowledge, there are different approaches to determining the place of such a phenomenon as legal technology. Studying this issue will help clarify the essence of legal techniques.

All existing approaches to this issue can be combined into **three large groups**: 1) purely practical; 2) purely scientific; 3) scientific and practical (methodological).

It should be noted that, according to its content, legal technology consists of two elements:

- a) technical means;
- b) technical methods.

In the field of law, we can include in technical means, in particular, legal molds, terminology; legal technology - methods for presenting norms, a system of appeals.

There are **three main types** of legal techniques.

1. It acts as a sum of tools and techniques of an intangible, technical nature. The means and methods here are technical in nature, since they are



external means and methods of regulating legal material. Like any technique, they are used with equal success in the development, execution and systematization of many and different acts.

2. It is expressed in the rules (norms), in accordance with which it is used. They can be expressed in regulatory documents, including special instructions for the preparation and execution of bills. They are technical and legal norms that impose certain requirements on the legislator, other subjects, the observance of which depends on the perfection of the acts.

3. Legal techniques materialize from the outside. As soon as the means and methods of legal techniques are actually embodied in legal acts, they become a feature of this legislative system. The level of legal technology in a particular country is determined, first of all, by the actual use of technical means and methods in legislation, legal acts.

When forming court decisions, which are one of the legal acts, the judge must certainly correctly assess these situations and make a decision that will provide them with the right support and will be understandable to all, both legally and legally.

In this process, it is impossible without the formation of judicial acts in compliance with the norms of law. This is the main content of Justice. When forming an excellent judicial document, a high professional experience is required from the judge.

Depending on how the judicial document is formed, the position of the judicial authorities depends, and its public function in an important Society is carried out by the judge.

Compliance with requirements and rules when drawing up legal documents indicates the original culture of legal documents.

Despite the fact that many guidelines, manuals and seminars on the preparation of legal documents have been created, the experience of Justice specialists in this regard is at a low level.

An important legal document is judgment. Its importance in criminal proceedings determines the special responsibility of judges for its quality.

A sentence is a decision on the innocence or guilt of the accused and his punishment or his release from the punishment imposed by the court of the first or appellate instance.

Only by a court sentence can a person be found guilty of committing a crime or justified, with this legal action a penalty is imposed on the convicted person.

In cases typical for judgment, we can include:

- accuracy of words (use of terms, explanation);

* the objectivity of bayonn (comprehensive consideration and assessment of facts);

* legality;

* compliance of decisions made by the court with the Criminal Code of the Republic of Uzbekistan and the Criminal Procedure Code;

* formality (transmission of information through work-permitted emotional means);

* literacy (compliance with the rules of spelling and punctuation, compliance with lexical and other norms);

* shading (the use of generally accepted forms, compliance with the established structure).

The structure of this legal document (the presence of all necessary components, compliance with the rules of formation) and their linguistic design were analyzed.

Currently, in accordance with the Criminal Procedure Code of the Republic of Uzbekistan, there are requirements for the conclusion of a sentence, that is, for its parts.

It is not placed in a specific mold or shape. In addition, there are no requirements for writing judgments on the established forms.

The reason for this is the skill of specialists in various courts to write judgments, based on general rules by which they form the rest of the parts based on their own experience.

Computerization or digitization of the workflow also played a role – all judgments and protocols were carried out using the Word text editor, so the need for a paper version of the form disappeared.

In this regard, there is a violation of uniformity in the design of the legal actions under study.

Makes a huge difference when making a sentence:

1) font Standard-Times New Roman, but Kegel (font size) or 12 or 14; 2) the main text is located in some cases in width, in others-on the left; 3) the writing of information about the composition of the court (or two columns, or on the left) in different forms; 4) in some sentences, the choice of font (capital letters, Bold, Italic form, with; 5) each confirmation of the guilt of the accused in the provision of evidence should be indicated from a new paragraph, which is not always observed.

Nevertheless, in electronic variants of judgments, certain requirements of the criminal law code are interpreted in different ways, for example, if the time and place in one sentence are indicated separately at the top, then in one sentence it is indicated inside the text, in one the composition of the court begins with a separate paragraph, the defendant



is indicated before the defender, information about the form of the court session (open or closed) is not reflected.

In this regard, employees of the judicial system should be advised to develop a standard form of judgment in electronic form, in which the composition of the court and the main components of the legal document are indicated, which takes into account the compliance of the text of the document with generally accepted norms applicable to this type of document.

In scientific and practical comments on the criminal legal code, when analyzing a sentence from the point of view of language design, it appears that there are cases of "incorrect formulas, inappropriate abbreviations and the use of inappropriate words for official documents." In these cases, special legal terms and expressions should be explained if necessary. Many terms, of course, are defined using an abbreviation, for example "theft", that is, the secret plundering of another's property, "fraud", that is, the deception path to acquire another's property or the right to another's property through abuse of trust. Often such explanations weigh down the text, making it uncomfortable, which makes perception difficult. Therefore, it is good to keep these familiar characters in memory. When using complex sentences, punctuation rules are often violated (homogeneous terms are not distinguished in the sentence). Such errors lead to a violation of meaning, disrupt the agreement between the members of the sentence.

It is impossible to have the ability to prepare legal documents (including judgments) using only the Criminal Procedure Code. Therefore, in the resolution of the Plenum on the "judicial verdict" of the Supreme Court of the Republic of Uzbekistan, it will be advisable to add explanations to eliminate these shortcomings. The use of manuals dedicated to the specifics of certain legal actions will certainly help, but can not be limited to work that is not combined with existing, single educational materials.

In our opinion, to solve the problems covered, it is necessary to introduce an additional training course of professional communication, consisting of "Uzbek language and speech culture", "sentence writing skills" and other humanitarian disciplines.

When considering the elements, goals and objectives of legal techniques, we realize the activities of the subject of lawmaking to form a legal document.

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