



IMPROVING THE PROCEDURE FOR ASSESSING THE EFFECTIVENESS OF FAMILY JUDGES IN UZBEKISTAN.

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| Article history: | Abstract: |
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| Received: 30 th May 2025 Accepted: 26 th June 2025 | This article analyzes the current state of the procedure and criteria for assessing the effectiveness of family judges' activities by properly organizing the activities of family judges operating in the Republic of Uzbekistan, the relevance of their improvement, and the proposals for introducing new criteria for organizing the activities of family judges and assessing the effectiveness of their activities, based on the experience of organizing the activities of family judges in foreign countries, in particular Japan, and their relevance. |
| Keywords: Evaluation of the effectiveness of family judges, family judges, "ADOLAT" electronic information system, evaluation criteria, experience of Japan, conciliation, agreement, mediation, family disputes, preservation and strengthening of the family. | |

As a result of large-scale reforms and organizational and legal measures aimed at ensuring the independence of the judiciary in Uzbekistan, the judicial system is being shaped in people's minds not as a tool of repression and punishment, as it was in the previous regime, but as an independent state institution that serves to reliably protect and safeguard the rights and freedoms of man and citizen. As a result of large-scale reforms and organizational and legal measures aimed at ensuring the independence of the judiciary in our country, the judicial system is being shaped in people's minds not as a tool of repression and punishment, as it was in the previous regime, but as an independent state institution that serves to reliably protect and safeguard the rights and freedoms of man and citizen.

Currently, a number of measures have been implemented in the judicial system to preserve and strengthen the family, ensure the rights of the child, and realize the legitimate interests of women.

Including, In paragraph 9 of the Resolution "On Additional Measures to Strengthen Families and Increase the Activity of Women" adopted by the President of the Republic of Uzbekistan Sh. Mirziyoyev on December 21, 2023, the proposal of the Supreme Court and the Supreme Council of Judges to form a corps of judges specializing in considering family disputes in interdistrict courts for civil matters based on advanced foreign experience was approved, and from February 1, 2024, it was determined to establish "Family Judges" as an experiment within the existing staff units

in some interdistrict courts for civil matters, specializing in considering family disputes.

Also, on January 23, 2024, the Presidium of the Supreme Court of the Republic of Uzbekistan adopted a resolution "On the organization of "Family Judges" specializing in family disputes in the Samarkand city, Namangan and Mirzo Ulugbek interdistrict courts for civil cases."

The formation of "family judges", the formation of qualified specialists with rich practical experience in this area, the in-depth study of each family dispute, the full understanding of the reasons for its occurrence, taking measures to reconcile the parties as much as possible when considering cases of this category, the use of the institution of mediation, which, in turn, will lead to a positive resolution of family disputes, a decrease in family disputes serves to increase the number.

However, during the reforms being carried out in the Republic, one of the pressing issues is to improve the activities of "family judges", to revise the criteria for assessing the effectiveness of their activities, in particular, to analyze the existing regulatory and legal documents in this area, the importance of their improvement, the practice of foreign countries, in particular Japan, and which of them can be applied to Uzbekistan.

The Decree of the President of the Republic of Uzbekistan No. PF-6127 of December 7, 2020 "On measures to ensure the true independence of judges and increase the effectiveness of preventing corruption

in the judicial system" introduced an electronic procedure for assessing the effectiveness of judges.

By analyzing the Regulation "On the Procedure for Electronic Rating Assessment of the Efficiency of Judges" by the Resolution of the Supreme Judicial Council of the Republic of Uzbekistan dated December 6, 2021 No. 1646, we can see that the efficiency of judges' activities is assessed on the basis of main and additional criteria in a 100-point assessment system without human factors and intervention.

The main assessment criteria are the quality of judicial decisions, the responsibility and ethics of the judge, and the judge's knowledge of foreign languages. In addition, the large workload of judges, their activity in the online forum of the judges' club, their academic degree, and their participation in professional development of judges are additional assessment criteria.

Of course, the results of this rating are of great importance in the promotion of judges to the next term, promotion, transfer to another position, appointment to leadership positions, and motivation of judges.

According to statistics, in the first half of 2025, judges working at the Namangan Interdistrict Court for Civil Affairs considered a total of 665 divorce cases, of which 426, or 64.0%, were satisfied.

Also, during this reporting period, court documents issued by family judges on family disputes were not invalidated in higher courts.

In the first half of 2025, family judges considered a total of 1,373 cases related to family

disputes, of which only 3 cases or 0.2 percent were dismissed from proceedings due to the parties concluding an amicable agreement and its approval by the court, in accordance with Article 124, Part 1, Clause 4 of the Civil Procedure Code of the Republic of Uzbekistan (hereinafter referred to as the CPC), while 99 cases or 7.2 percent were dismissed due to the plaintiff filing an application to dismiss the application in accordance with Article 122, Part 1, Clause 9 of the CPC.

Today, family courts are successfully operating in a number of developed countries of the world, in particular, the United States of America, Germany, Japan, China, South Korea, India, and Australia.¹

In particular, in the experience of Japan, family dispute courts have been established to maintain peace in the family and ensure the healthy development of minors. These courts consider cases on internal family relations (divorce, property and non-property family disputes) and minor offenses. A distinctive feature of family courts is that before considering family disputes, that is, divorce cases, the state of this family is thoroughly analyzed and aimed at reconciliation, and in this category of cases, persons with extensive life experience and high reputation among the population, as well as psychologists, are involved in conciliation or reconciliation of the parties. In the following (Figure 1), we can see the location of the participants in the court session when considering family disputes (at the stage of preparing the case for the court session).

Figure 1. Location of the participants in the court hearing in family disputes.



In the picture above, 1 - a judge, 2 - a consultant, 3 - a plaintiff, 4 - a defendant, and 5 - an assistant judge.²

¹ U.Umurzakov. Family judges: examples of foreign experience and perspectives of national practice. www.sud.uz/news-2024-02-15-1

² Courts other than the Supreme Court (Lower Courts) (2) Family Courts http://www.courts.go.jp/english/judicial_sys/Court_System_of_Japan/index.html#03 From the official website of the Supreme Court of Japan



According to statistical data, the number of families divorced by court decisions across the republic in the first half of 2025 amounted to 17,925 (15,934), that is, this figure increased by 1,991 compared to the same period last year.³

A distinctive feature of family disputes is that the emergence of a dispute in this category can give rise to other disputes, in particular, divorce, alimony, maintenance until the child reaches the age of three, increasing or decreasing the amount of alimony, determining the procedure for visiting the child, recognizing property as common property and dividing it, and limiting or depriving parental rights.

For this reason, there is a strong need to include not only the number of cases and the stability of court decisions on these cases, but also the important criteria of the number of reconciled families in the consideration of family disputes when evaluating the effectiveness of family judges.

In addition, the Civil Procedure Code of the Republic of Uzbekistan should include strict norms regarding the location of the parties in cases related to family disputes.

This, in turn, leads to the implementation of the necessary procedural actions by family judges to reconcile and reconcile the family at the stage of preparing the claim for consideration in court and when considering cases in a peace hearing.

CONCLUSION

Analyzing this Japanese experience and the established procedure for assessing the effectiveness of judges' activities, it is important to introduce the following in the Republic of Uzbekistan:

Ensuring full integration of the system for evaluating the effectiveness of family judges with the "ADOLAT" electronic information system established in the courts;

In addition to the criteria introduced to evaluate the effectiveness of family judges, include important criteria for the number of reconciled families in family disputes;

The Civil Procedural Code of the Republic of Uzbekistan should include norms on the consideration of civil cases on family disputes in court, in particular, on the procedural actions that must be carried out at

the stage of preparing a civil case for the court session, starting from the location of the participants in the court session.

The practical implementation of these proposals in the system of organizing the activities of family judges in the Republic of Uzbekistan and assessing the effectiveness of their activities will allow family judges to deeply study each family dispute, fully determine the causes and essence of its occurrence, take measures to reconcile the parties as much as possible when considering cases in this category, effectively use the institution of the Mediation, establish strong cooperation with other responsible state bodies, and develop specific mechanisms for reconciling families.

As a result, through family reconciliation and reduction of family conflicts, families will be preserved and strengthened, children's rights will be ensured, and the legitimate interests of women will be realized.

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