



ONLINE COURT PROCEEDINGS

H. Saidov

Judge of the Bukhara inter-district court on civil cases

Article history:	Abstract:
Received: September 10 th 2022 Accepted: October 10 th 2022 Published: November 14 th 2022	This article examines online litigation, from registration to execution of a civil suit, its current status and the transparency of litigation.
Keywords: Online Court, Offline Court, Platform, Online Court Rules, video conference.	

The word "online" in English means "online" - "electronic device", "time spent on a computer or Internet network". Participating in online court hearings means participating not directly in a regular courtroom, but on a special platform of the court or using a video conferencing system. Litigation includes all legal proceedings, from the registration of a civil court case to its execution.

However, not all court actions need to be conducted online. All civil court proceedings are completed online, or a part of the court proceedings is completed online, or one party participates in the proceedings online, and the other party offline ("offline" has many meanings in English, one of which is not connected to the Internet) possible

Online litigation is conducted through the online litigation platform of the Civil Court. Online litigation is conducted when the parties mutually agree to participate in such proceedings. Online court is based on the will or desire of the parties. If one of the parties does not agree to online litigation, the other party's right to sue online will not be violated, and civil cases can be considered "semi-online".

After the parties have agreed on an online trial, unless they have applied for an offline trial and there are no valid reasons, the court will consider the civil case in an offline offline trial on a case-by-case basis.

All proceedings in civil court cases related to state secrets or trade secrets are conducted offline.

Also, civil court cases that require lengthy examination of complex evidence should be conducted offline.

In online court proceedings, identification of the parties should be given importance. Currently, in our country, the identity of our citizens is being checked through the identification system of the Ministry of Internal Affairs.

Online court hearings must follow the procedures of regular court hearings.

According to the "Rules of the Online Court Session", if the parties do not enter the online court session due to technical or other reasons, or leave without permission, the civil courts may consider them to have "refused to appear". However, "in case of failure

to enter the court on time, failure to be on the online court session page, audio and video problems of the audience, the court may first issue a warning to the parties.

An example from practice. Citizen Yu.O. (names and surnames have been changed) applied to the court with a lawsuit and asked to collect 49,683,000 soums of principal debt, 5,246,524 soums of bank interest, 1,000,000 soums of material damage and initially paid court costs from the defendant N.R.

Initially, the plaintiff's representative F.M and the defendant N.R participated in the court.

During the hearing of the case, the defendant N.R. submitted a request to the court to ensure the personal participation of the plaintiff in the court session. The plaintiff's representative objected to this petition and stated that since the plaintiff lives in Tashkent, he cannot attend the court in person, but he can participate in the court session online.

By the relevant decision of the court, the plaintiff Yu.O. It is determined that he will be involved in the case in person and participate in the court session online.

Based on this, the court session was considered in the "semi-online" mode, the defendant personally participated in the court in the online mode using the electronic device installed in the administrative court of Tashkent city. According to the end of the case, by the decision of the Bukhara Interdistrict Court on civil cases dated January 22, 2021, the plaintiff Yu. O.'s respondent N. The debt recovery claim against R. was satisfied, and the plaintiff received a debt of 49,683,000 soums from the defendant, 5,246,524 soums of bank interest, 1,000,000 soums paid for lawyer's services, 2,237,181 soums of initially paid state duty and 15,700 soums of postage. Also, 55,750 soums were charged to the deposit account of the Supreme Court of the Republic of Uzbekistan for video conference expenses.

In traditional court hearings, witnesses must appear in court to testify. In online hearings, witnesses can use audiovisual transmission technology to testify in specific cases.

Online appearance of witnesses in an online trial is also a legal form of testifying in court. However, it will



be necessary to ensure that the witness does not observe the proceedings and that the parties are not disturbed.

Civil litigation documents and personal information generated in online court proceedings must be protected by the courts.

Public disclosure of information related to online court proceedings is done only with the permission of the court.

All parties involved in online litigation are obligated to protect information in online litigation.

On the court process service platform, parties can file a lawsuit, request information about civil court cases, get acquainted with case materials, receive documents in electronic form, make an appointment to meet with judges, and even participate in remote video court proceedings on the platform.

In conclusion, the online court platform has created a human resource management system and allows tracking the activities of all court personnel, particularly judges, across the country. It ensures that the court learns about the work of judges in the system, thereby evaluating the work of judges or ensuring that the procedural actions of judges are monitored by the public.

REFERENCES USED.

1. Мамасиддиқов М.М. Фуқаролик процессуал ҳуқуқи. Умумий қисм / Олий ўқув юрти талабалари учун дарслик. Масъул муҳаррир ю.ф.д., проф. О.Оқюлов. –Тошкент: ТДҮОИ нашриёти. 2010. – Б. 67-68.
2. Ўзбекистон Республикаси Президентининг 2017 йил 7 февралдаги “Ўзбекистон Республикасини янада ривожлантириш бўйича ҳаракатлар стратегияси тўғрисида”ги Ф-4947-сонли Фармони // Ўзбекистон Республикаси қонун ҳужжатлари тўплами, 2017. 13 февраль, 6-сон, 70-модда
3. Ўзбекистон Республикасининг янги таҳрирдаги “Фуқароларнинг ўзини ўзи бошқариш органлари тўғрисида”ги қонуни // Ўзбекистон Республикаси қонун ҳужжатлари тўплами, 2013, 17-сон, 219-модда.
4. Ўзбекистон Республикасининг Конституцияси. –Тошкент, Ўзбекистон. 2018. -60, 64, 65 бетлар.