

PPJ 2011 Course and Conference, IUC Dubrovnik

**TRUTH AND EFFICIENCY IN CIVIL PROCEEDINGS  
23-27 May 2011**

**Call for papers**

The 2011 Public and Private Justice Course and Conference at the IUC in Dubrovnik is devoted to the methods and practices of fact-finding in civil litigation and their impact on the efficiency of civil proceedings.

The taking of evidence in order to provide an accurate factual basis for decision-making is at the core of every process of adjudication. However, there are different approaches – even different procedural philosophies – to the ways of how evidence should be selected, presented and evaluated. These differences exist both between different legal traditions – e.g. between common law and civil law systems of civil justice – but also on regional, national and local levels.

The 2011 Public and Private Justice Course and Conference seeks to discuss the various concepts of evidence-taking and their role in civil proceedings, as well as the interplay between these concepts and the efficiency of civil proceedings. Starting at a very general level, we would like to evaluate to what extent the juxtaposition of adversarial and inquisitorial models of evidence taking still plays a role in distinguishing national systems of civil justice, in particular those of European countries, but also globally. The purpose of this distinction and current trends are also a matter of interest. It seems that the discussion about the role that should be played by the court and the parties in the evidentiary process is ongoing in many jurisdictions. Opposite trends may be noted in the North and South of Europe, but also in other regions of the world. In countries that have embraced judicial activism and inquisitorial practices of introducing and collecting evidence (e.g. post-Socialist and transition countries) there is a trend to limit the active role of the judge; on the other hand, in countries with adversarial traditions more inquisitorial methods are being introduced, *inter alia* the taking of evidence *ex officio*.

Other developments and trends are also of interest to our course and conference, e.g. the current judicial understanding of the ‘pursuit for truth’ in the context of civil litigation, a comparison with other types of proceedings (e.g. administrative and criminal), and the impact of a system of evidence on the effectiveness of legal protection. In addition, papers dealing with the following matters are welcome: judicial powers to control the fact-finding process, admissibility of evidence, procedural rules and practices regarding the use of different types of evidence (documents, witnesses, experts, etc.) and their impact on the overall efficiency of the judicial process, prospects for harmonization, etc.

Apart from the above topics, those who are interested in presenting a paper may propose any topic in the field of comparative civil procedure which may fall within the scope of the general topic of the 2011 conference and course.

Proposals may be submitted to the Organizing Course Directors until **28 February 2011**.

A selection of the papers will be published in the 2011 Dubrovnik volume.

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