Пивовар, Інна Василівна. Правовий статус суддів судів загальної юрисдикції України у 1991-2014 рр. (історико-правове дослідження) : автореферат дис. ... канд. юрид. наук : 12.00.01 / І. В. Пивовар ; наук. кер. Р. В. Губань ; М-во освіти і науки України, Нац. пед. ун-т ім. М. П. Драгоманова. - Київ, 2016. - 16 с.

Дисертація на здобуття наукового ступеня кандидата юридичних наук за спеціальністю 12.00.01 - теорія та історія держави і права; історія політичних і правових учень. - Національний педагогічний університет імені М. П. Драгоманова. - Київ, 2016. Дисертацію присвячено дослідженню правового статусу суддів судів загальної юрисдикції в Україні 1991-2014 рр., визначенню динаміки його формування. Відтворено ґенезу правового статусу суддів судів загальної юрисдикції в Україні на різних етапах її державотворення та показані історичні передумови становлення засад правового статусу суддів судів загальної юрисдикції 1991-2014 рр. Визначено, що ефективність реалізації правового статусу суддів судів загальної юрисдикції залежала від правового регулювання критеріїв та процедури добору кандидатів на посаду суддів; обсягу їх повноважень; правових можливостей притягнення до юридичної відповідальності та гарантій діяльності. Узагальнено та переосмислено як позитивний, так і негативний досвід правового регулювання правового статусу суддів судів загальної юрисдикції в Україні.
The thesis on competition of scientific degree of the candidate of jurisprudence in the specialty 12.00.01 - the theory and history of state and law; history of political and legal doctrines. - National pedagogical university of M.P. Dragomanov. - Kiev, 2016. The thesis study materials provide a solution to an actual problem and is a valuable contribution to the development of the domestic jurisprudence. Reproduced genesis model of the legal status of judges of courts of general jurisdiction in Ukraine in various stages of state. Analyzed the law of Ukraine on the status of judges of courts of general jurisdiction which has developed under the influence of international and European organizations constantly perfected to ensure the efficiency of justice. The analysis determined that the effectiveness of the model of the legal status of judges of courts of general jurisdiction dependent on criteria and procedures for selecting candidates for judges; scope of their authority; legal capacity to bring legal liability and guarantees. When covering the independence of the judiciary in Ukraine, which is provided by a special procedure for the formation of the body of judges of courts of law, guarantees of their legal status, and special procedures for bringing to legal liability and termination of powers. The history of the legal status of judges of courts of general jurisdiction of Ukraine. It analyzes the level of scientific development and summarized the views of the scientists on the problems of the legal status of judges. We characterize the importance of the legal status of judges in the present conditions in the exercise of justice. It is showing the historical background of the formation of the foundations of the legal status of general jurisdiction court judges 1991-2014 gg. Analyzed the Ukrainian legislation on the status of judges of courts of general jurisdiction that has developed under the influence of international and European organizations: the continuously improved to ensure the effectiveness of justice. It was determined the efficiency of the legal status of general jurisdiction court judges depended on the criteria and procedures for selecting candidates for the post of judges; the scope of their authority; legal possibilities of bringing to legal liability and guarantee activities. Obruntovano dynamics model of the legal status of general jurisdiction court judges during 1991-2014 gg. And its determining factors: the level of interference in the judiciary from the other branches of government, the implementation of international standards. Allocated, judgments about the model of the legal status of judges of courts of general jurisdiction in Ukraine as a dynamic historical and legal phenomenon. When covering an opinion on the enhanced role of the executive in the formation of the body of judges of courts of general jurisdiction and the implementation of their legal status. Abstract periodization of occurrence, formation and development of the model of the legal status of judges of courts of general jurisdiction in Ukraine. Provided service classification of rights and duties of judges of courts of general jurisdiction. The methodological framework defined thesis are of general scientific methods such as induction and deduction - in the definition of «legal status of judges», «service to the judge», «duties of a judge», «the authority of a judge», «safeguards judicial independence»; systemic and structural - the study of the nature of the content of professional judges; formal suit, which is widely used in studying the provisions of regulations; comparative-law that made it possible to compare the legal regulation of the status of judges of courts of general jurisdiction in various stages of judicial reform; c) Sociology, which allowed the analysis of the status of judges of courts of general jurisdiction in the context of social processes; d) legal hermeneutics method that is applied to the interpretation of the provisions of regulations governing the implementation of the legal status of judges of courts of general jurisdiction. Among the methods of historical and legal research used: a) concrete historical that helped analyze properly the legal regulation of the status of judges of courts of general jurisdiction on the basis of the then historical conditions; b) historical and comparative, which allowed the model to reproduce the genesis of the legal status of judges of courts of general jurisdiction; show implementing the legal status of judges in the legislation of Ukraine in various stages of state. included that in legal science is no comprehensive historical and legal study of the dynamics of becoming a model legal status of judges of courts of general jurisdiction; undefined patterns of its structural elements and factors that conditioned this process. In addition, there is no characteristic changes in the legal regulation 1991-2014 model years of the legal status of judges of courts of general jurisdiction in the context of the results of judicial reform. Study on judicial reform in Ukraine was the formation of model legal status of judges, based on democratic principles of justice to ensure fair and impartial administration of justice. Solvable one of the most important tasks of judicial reformers return to the court of public trust.
Диссертация на соискание научной степени кандидата юридических наук по специальности 12.00.01 - теория и история государства и права; история политических и правовых учений. - Национальный педагогический университет имени М. П. Драгоманова. - Киев, 2016. Диссертация посвящена исследованию правового статуса судей судов общей юрисдикции в Украине 1991-2014 гг., определению динамики его формирования. Воспроизведено генезис правового статуса судей в Украине на разных этапах ее государственного строительства и показаны исторические предпосылки становления основ правового статусу судей судов общей юрисдикции. Доказано, что эффективность реализации правового статуса судей судов общей юрисдикции зависела от полноты правового регулирования критериев и процедуры добора кандидатов на должность судьи; объема их полномочий; процедуры привлечения к дисциплинарной ответственности.