

Kalashnyk O.A.,

Ph.D. student,

*Department of judicial and law enforcement organization,
National University "Odessa Law Academy"*

FORMATION AND DEVELOPMENT OF LOCAL GENERAL COURTS IN UKRAINE: HISTORICAL ASPECTS

Establishment and development of local general courts in Ukraine: historical aspect.

Since its independence, Ukraine has set its sights on building the state, the content and focus of which define the rights and freedoms and their guarantees, which necessitated the creation of an effective mechanism to protect them. Special places in the specified mechanism have local general courts, which have deep historical roots.

There were no local general courts as the primary link judiciary in Kiev Rus and Galicia-Volyn principality, because existing when courts were not separated from the administration, among them is not the case distinction judicial competence. While staying Ukrainian lands ruled by Lithuania and Poland, there was extensive, but disordered network of local courts, which resulted in the interweaving of their competence and the possibility of an alternative choice of forum for the parties. As a result of a liberation war of 1648-1654 were created new courts: centesimal, magistrates, town hall, dig and village courts and courts domonialni. Later in Ukraine were set up and operated by local courts, but the principles of organization and operation differ, which is primarily due to political fragmentation and the inability to building their own judicial system. During the

national liberation struggle in Ukraine (1917 – 1920 years) a stable and efficient judiciary system was not created. In fact, the local general courts were successors to people's courts, which operate in the Ukrainian SSR.

Today local general courts are the basic unit of specialized courts for civil and criminal cases and cases on administrative offenses, are closest to the people, organized in their respective administrative-territorial units considered in the first instance (essentially) all civil, criminal proceedings, and within their administrative cases and cases of administrative jurisdiction. Further in terms of the ongoing judicial reform in Ukraine in order to reduce the burden on local general courts and strengthen their independence is acceptable borrowing experience of local courts in the Russian Empire on the results of judicial reform in 1864, namely the introduction of magistrates to consider simple cases collective and compulsory inclusion of judges of local general courts in the process of appointment to administrative positions and firing them. Also, the legislator should review existing in Ukraine subsystems specialized courts and further reform of the judicial system to take into account the historical experience of the existence of separate courts for civil and criminal cases.