

Principes de droit judiciaire privé

Le présent ouvrage tente de faire le tour de notre système judiciaire en matière civile, en faisant état de ses tendances actuelles, tant sur le plan légal que doctrinal ou jurisprudentiel. Il s'agit d'une synthèse, qui se veut claire et didactique. Ainsi, le traité est-il émaillé de nombreux exemples destinés à expliciter et rendre plus concrets les principes exposés.

L'ouvrage est divisé en trois parties.

La première partie du traité aborde les principes généraux et certains concepts de base du droit judiciaire. L'auteur y expose les fondements classiques de la procédure, tels que le procès équitable, le principe dispositif ou le principe du contradictoire, mais aussi certains autres principes d'émergence plus récente, tels la loyauté procédurale, l'économie de procédure ou la concentration. Les nullités et les délais sont aussi abordés. Enfin, cette partie donne un rapide aperçu des modes alternatifs de règlement des conflits, en évoquant les modifications importantes apportées à cette matière par le législateur en 2018.

La deuxième partie du traité envisage les règles de compétence. Outre une définition des concepts, elle aborde les critères et les mécanismes de règlement des conflits de compétence. Elle mentionne également quelques-unes des compétences les plus emblématiques des différentes juridictions, en ce compris les présidents des tribunaux. Cette partie tient compte de la modification du « paysage judiciaire », intervenue en 2014.

La troisième et dernière partie du traité examine les règles de procédure, en suivant l'ordre chronologique du déroulement d'un procès. Ici aussi, l'auteur est attentif aux questions les plus récentes qui agitent le monde judiciaire, telles que la lutte contre l'arniété judiciaire, le respect de l'impartialité du juge, la revalorisation du premier degré de juridiction ou la diminution du coût de la justice... La deuxième édition du traité intègre les nouveautés apportées par les différentes lois *pot-pouri*, promulguées entre 2015 et 2018.

Au terme de sa consultation, le lecteur devrait pouvoir mieux comprendre les arcanes du monde judiciaire, le déroulement d'une procédure et puiser dans cet ouvrage les références qui lui permettront de poursuivre des recherches plus approfondies sur un point précis.

L'auteur :

Dominique Mougenot

est Maître de conférences invité à l'UNamur et l'UCLouvain et Juge au tribunal de l'Entreprise du Hainaut.

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Dominique Mougenot



Principes De Droit Judiciaire Priv Principes De Droit Judiciaire Priv:

Principes de droit judiciaire privé Dominique Mougenot, 2009-02-03 Le présent ouvrage tente de faire le tour de notre système judiciaire en matière civile en faisant état de ses tendances actuelles tant sur le plan législatif que doctrinal ou jurisprudentiel. L'auteur a laborieusement commenté à partir du syllabus utilisé pour son cours aux Facultés Notre Dame de la Paix Namur. Il s'agit d'une synthèse qui se veut claire et didactique adressée avant tout des non praticiens de la procédure judiciaire ainsi le traité est-il rempli de nombreux exemples destinés à expliciter et rendre plus concrets les principes exposés. L'ouvrage est divisé en trois parties. La première partie du traité aborde les principes généraux et certains concepts de base du droit judiciaire. L'auteur y expose les fondements classiques de la procédure tels que le procès équitable, le principe dispositif ou le principe du contradictoire mais aussi certains autres principes d'urgence plus récents tels la loyauté procédurale, l'économie de procédure ou la concentration. Les nullités et les délais sont aussi abordés. Enfin cette partie donne un aperçu des différents métiers de la justice ainsi que des modes alternatifs de règlement des conflits. La deuxième partie du traité envisage les règles de compétence. Outre une définition des concepts elle aborde les critères et les mécanismes de règlement des conflits de compétence. Elle mentionne également quelques-unes des compétences les plus emblématiques des différentes juridictions en ce compris les présidents des tribunaux. La troisième et dernière partie du traité examine les règles de procédure en suivant l'ordre chronologique du déroulement d'un procès. Ici aussi l'auteur est attentif aux questions les plus récentes qui agitent le monde judiciaire telles que la lutte contre l'arriération judiciaire, le respect de l'impartialité du juge, la revalorisation du premier degré de juridiction ou la diminution du coût de la justice. Au terme de sa consultation le lecteur devrait pouvoir mieux comprendre les arcanes du monde judiciaire, le déroulement d'une procédure et puiser dans cet ouvrage les références qui lui permettront de poursuivre des recherches plus approfondies sur un point précis.

Sancties in het burgerlijk procesrecht
Kris Wagner, 2007 *Les procédures d'urgence : droit judiciaire privé, droit pénal, droit administratif* Colloque des instituts d'études judiciaires et de l'Association française de droit judiciaire, Département d'études

régionales, Collectif, 1981-01-01 T00:00:00+01:00 Cet ouvrage est une réédition numérisée d'un livre paru au XXe siècle désormais indisponible dans son format d'origine. **Burgerlijk procesrecht in hoofdlijnen** Mr. Kris Wagner, 2014-01-06 Selectie en verdieping. Dat is de kracht van het gloednieuwe handboek dat de belangrijkste leerstukken van het burgerlijk procesrecht behandelt. Door niet naar encyclopedische volledigheid te streven bereiken de behandelde leerstukken een diepgang die in de thans bestaande doctrine zeldzaam is geworden. Burgerlijk procesrecht in hoofdlijnen biedt bijgevolg geen oppervlakkig overzicht dat noodgedwongen vaak ophoudt wanneer het interessant wordt maar begint integendeel waar andere handboeken stoppen. Ruime aandacht gaat daarbij naar de sancties in het burgerlijk procesrecht hoe iets werkt is vaak niet de cruciale vraag in het procesrecht wel de vraag wat er gebeurt als iets mis loopt. De nadruk ligt daarbij op de praktische relevantie voor de advocaat of magistraat die geroepen wordt bijstand te verlenen en om recht te spreken in een

burgerlijk proces **Traité élémentaire de droit judiciaire privé** Pierre Rouard,1979 Een juridische analyse van de grondslagen, inhoud en draagwijdte van auteursrechtelijke exploitatiecontracten Hendrik Vanhees,1993 Literatuuropgave p 601 641 Met reg Onderzoek naar de zwakke contractuele positie van de auteur en de gevolgen van absolute contractsvrijheid De conclusie is dat wil men het auteursrecht niet tot een vrijwel inhoudloos recht zonder enige waarde later verworpen er behoefte is aan een wettelijke regeling voor auteursrechtelijke exploitatiecontracten **Les principes directeurs du droit judiciaire privé** Gilberte Closset-Marchal,2023 *Towards a Justice with a Human Face* Marcel Storme,2013-06-29 Je tiens également a remercier l editeur KLUWER que nous a garanti une pu blication aisee et attrayante Ce n est pas sans fierte que j ai l honneur d introduire la presente edition des actes du congres PREFACE In the text mentioned above it has been stated that the texts of the General Rap porteurs were published in their original language and the texts of the opening and closing speeches although they were made in the five Congress languages Dutch French English German and Spanish were published in English as the Belgian organisers deemed this to be the most rational solution even though the Con gress took place in a country where three different languages Dutch French and German are spoken there As regards the publication of this book I would like to thank Mrs CAS MAN who made the texts ready for printing Profe sor R DE CORTE who saw to the distribution of the texts during the Congress and the KLUWER publishing com pany for their excellent and faultless publication I cannot stifle a distinct feeling of pride at being privileged enough to introduce this publication of the Reports VORWORT Im vorstehenden Text is erortert worden aus welchen GrUnden die Gesamt berichte in ihren originellen Sprachen veroffentlicht wurden und die Texte der feierlichen Eroffnungssitzung und der Schluss sitzung im Englischen obwohl diese verfasst wurden in den fiinf Kongresssprachen Deutsch Englisch Fran zosisch NiederHindisch und Spanisch und obgleich der Kongress veranstaltet wurde in einem Land wo es drei Sprachen Niederliindisch Franzosich und Deutsch gibt **Handboek gerechtelijk recht** Jean Laenens,Karen Broeckx,Dirk Scheers,2004 *Gerechtiglijk privaatrecht. Algemene beginselen, bevoegdheid en burgerlijke rechtspleging* Marc Castermans,2004

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