

Секция «Английский язык и право (на английском языке)»

The impact of the jury trial on the common law civil procedure

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The aim of the jury trial that has emerged at the times of simple and primitive forms of judicial procedure application was a resolution of the disputes on the basis of the information provided by the laymen. Later, the jury trial started to be perceived as a guarantee of independence from tyranny, as an institute securing vulnerable citizens (subjects) from the abuses of the state authorities. Thus, the institute of the jury has taken on special significance in the Anglo-American law systems. All of the most revolutionary comparative legal studies in the sphere of the procedural law are impossible to carry out without a clear understanding of the jury trial purport, including its importance in the common law civil procedure.

This research is dedicated to the characteristic features of the proceedings of civil causes in the Great Britain (even taking into account that an amount of cases that are dealt with by the jury was significantly reduced there) and in the USA as the brightest representatives of the common law system. An attempt to define the role of such an ancient legal institute in the formation of the structure of the Anglo-American judicial procedure and of the law of evidence on the basis of the historical analysis of the jury trial development and current procedural legislation of Great Britain and USA will be made.

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