

RECOVERER-ORIENTED ENFORCEMENT PROCESS: USING TECHNOLOGY TO ITS FULLEST POTENTIAL

Svitlana V. Shcherbak

Department of Administrative and Information Law

Sumy National Agrarian University, Sumy, Ukraine

<https://orcid.org/0000-0002-9969-3817>

svetamargo31@ukr.net

Olena M. Ivani

Department of Law and Methodology of Teaching Jurisprudence

Sumy State Pedagogical University named after A.S. Makarenko, Sumy, Ukraine

<https://orcid.org/0000-0003-3967-7900>

ivani.elena@gmail.com

Denys M. Sibilyov

Department of Civil Justice and Advocacy

Yaroslav Mudryi National Law University, Kharkiv, Ukraine

<https://orcid.org/0000-0001-8441-0573>

densibilyov@gmail.com

Abstract. In-depth analysis of the role technology plays in establishing a recoverer-centric approach to the enforcement process is provided in this academic research study. This paper examines the potential for technological improvements to enable a more effective and efficient enforcement process while taking into account the necessity of prioritising the rights of recoverers and the developing nature of enforcement proceedings. The enforcement process can be brought closer to basic ideas of fairness and equity by adopting a recoverer-centric strategy that emphasises restoring the rights of recoverers rather than only focusing on the debtor. This study uses a thorough, multifaceted methodology that includes legal analysis, case studies, and comparisons of other jurisdictions' enforcement practises. It also examines the potential of technical advancements like automation, data analytics, and digital platforms to optimise and streamline the enforcement process. The study assesses how technology affects legal frameworks that control enforcement practises and its contribution to harmonising enforcement practises at the national and worldwide levels. This study provides important insights into the benefits and difficulties of incorporating technology into the recoverer-centric enforcement process through a thorough investigation of relevant literature and empirical evidence. It also looks into how technology might affect the standard, effectiveness, and efficiency of the enforcement process, paying special attention to how it might improve the enforceability of judgements made by courts and other competent bodies..

Keywords: enforcement process, enforcement procedure, enforcer, debtor.

INTRODUCTION

When compared to the Soviet period perspective, the impression of enforcement proceedings has undergone a significant change during the course of Ukraine's three decades of independence. It becomes increasingly clear that the phrase "enforcement proceedings,"

as used by the national legislator in the heading of the specialised law passed in 1999, has lost all of its former legal substance and is now out of date. This evolution is primarily attributed to the inaccuracies and incongruities inherent in the field of procedural law theory, a point highlighted by Shcherbak (2013), and it can be ascribed to the phenomenon commonly referred to as “terminological inertia”. Additionally, it underscores the reluctance of the legislator to embrace the advancements originating from the broader domain of legal theory (Verba-Sydor, 2020b).

Consequently, the contemporary interpretation of this term has given rise to incongruities and even divergence in perspectives regarding its classification within the legal sphere. These factors substantiate the necessity to supplant the academic designation “enforcement proceedings” with a more apropos term, namely, “enforcement process.” This terminology is gaining increasing prominence in both legal scholarship and law enforcement and represents a departure from the monolithic viewpoint that had hitherto characterized enforcement proceedings as merely the concluding phase of civil litigation. These considerations underscore the necessity to replace the term “enforcement proceedings” with a more pertinent one, namely, “enforcement process.” The latter phrase finds increasing prominence in legal scholarship and law enforcement practices (Fursa, 2010). This change marks a break from the widespread position that saw enforcement actions as merely the concluding phase of the civil process, a viewpoint founded in the socialist ideology of civil procedural legislation codification throughout the 1960s.

The primary parties in the enforcement process – the recoverer and the debtor – have their rights and interests protected as a priority. It lays a lot of emphasis on the enforcer’s job of carrying out court orders or orders from other pertinent authorities that are in the recoverer’s favour. Additionally, the underlying legal relationships, particularly those centred on rights and obligations, especially in matters pertaining to property, give rise to the structure of the civil process, which includes the enforcement process (Karmaza, 2017). Notably, the physical restoration of the recoverer’s rights takes place during the implementation of court orders and decisions made by other bodies (Kucher, 2017).

The distinct differences in methods used to describe the roles of various parties in the enforcement process regarding court decisions and determinations by other bodies are the result of the evolutionary modifications in the decision enforcement sector. In the modern enforcement procedure, shifting priorities in favour of the collector is completely consistent with the concepts of the rule of law as well as with European norms and standards for the execution of court orders. But given the status of the enforcement process, it is clear that new innovations are inadequate and that there is a pressing need to fundamentally alter both national scholarship and practise in this area. The importance and pertinence of this study are underscored by these reforms, which should be focused on defending the rights of the collector.

MATERIALS AND METHODS

The dialectical method was used to analyse the important issues and pinpoint crucial areas for improving procedural enforcement legislation in the assessment of the collector-oriented approach within the context of the evolution of the national enforcement process.

Additionally, the study makes use of the historical method to examine how techniques changed over time as decision enforcement developed, as well as how enforcement procedures as a whole evolved. This method enables the chronological tracking of the legislative evolution in enforcement proceedings with regard to the procedural roles of the debtor and the collector, their modifications, and the factors influencing this development. In essence, the historical method facilitates the examination of the evolution of legal regulations and the identification of reform phases within the enforcement process linked to the establishment of a collector-oriented approach.

The study also used the formal-legal approach and norm analysis, which included a thorough investigation of normative-legal acts within the context of national legislation relevant to the enforcement of recoverer's rights. These legal standards were interpreted using logical methods. The study materials and broad insights on the evolution of the enforcement process's orientation towards the recoverer were also summarised using the analytical approach. This evaluation took into account a look back at how decisions made by courts and other organisations were implemented. A comparative-legal approach was used to analyse the effectiveness of current enforcement practises before and after the passage of pertinent legislation. This analysis included property foreclosure, enforcement models, and protection mechanisms within the material sphere of the debtor and recoverer.

RESULTS

The slow but continuous modifications towards a strategy focused on the recoverer, which has achieved wide approval within society, have been a hallmark of the enforcement process' progress in Ukraine during its period of independence. Through various waves of reforms that have influenced the path of enforcement, this transformation may be seen. The initial reform wave focused on judicial and constitutional modifications. The original judicial reform and the reorganisation of judicial power both took place in 1992. The issuing of court judgements, followed by the transfer of duty for their implementation to state enforcement service agencies, became a new primary purpose created by the constitutional understanding of justice during this time.

Upon Ukraine's attainment of independence, the nation inherited a Soviet-style enforcement system characterized by enforcers integrated within the judicial structure. This system persisted from 1991 until 1999 when the Law of Ukraine titled "On Enforcement Proceedings" was established as the fundamental regulatory framework for enforcement procedures. Subsequently, the state enforcer, as a compulsory entity in this process, ceased to be under the jurisdiction of the courts and instead became part of the enforcement bodies, distinct from the judicial branch of government. The legislative provisions during this transitional phase, encapsulated in Chapter V of the 1963 Civil Procedural Code of Ukraine, did not accord preferential treatment to any party involved in the enforcement proceedings. It is worth noting that these issues may not have been a focal point at that time, especially considering the historical context. Additionally, it is essential to recognize that during the Soviet era, when social parasitism carried criminal penalties, nearly all debtors were gainfully employed individuals. Furthermore, private enterprises, apart from cooperatives, were virtually nonexistent.

The second wave of transformations (1998-1999) was characterized by the introduction of significant legislation, notably the Law of Ukraine “On Enforcement Proceedings” (On Enforcement Proceedings, 1999) and the “On State Enforcement Service” law (On the State Enforcement Service, 1998), alongside several supplementary legal acts. However, the enactment of post-Soviet legislation governing enforcement proceedings was noticeably delayed and failed to align with the evolving socioeconomic landscape and the burgeoning market relations. This legislative delay resulted in a substantial disparity in the standing of the involved parties within the enforcement proceedings, with a predominant emphasis placed on the debtor rather than the recoverer. During the enforcement process, the legal safeguards for the debtor were so extensive that they overshadowed the protection of the rights and interests of the recoverer, impeding the actual restitution of the recoverer’s rights. Consequently, the procedural assurances afforded to the debtor in the execution of court decisions and decisions from other authoritative bodies took precedence over safeguarding the rights and interests of the recoverer. This imbalance allowed debtors to evade compliance with court rulings for extended periods. Moreover, the legal framework governing the enforcement process lacked the necessary mechanisms to empower state enforcement agencies to execute their duties effectively and promptly, further exacerbating the enforcement inefficiencies.

As a result, an excessively lenient approach to the debtor’s status had negative consequences, including a significant backlog of unimplemented court decisions and decisions from other authoritative bodies, missed deadlines for enforcement proceedings, and an overwhelming caseload for enforcers – some of whom were handling up to 4,000 cases annually (Verba-Sydor, 2020b). The obvious flaw in this strategy sparked a later wave of changes and a search for methods to stop debtors from complying with the terms of enforcement documents.

With the implementation of new specialised laws controlling enforcement processes between 2016 and 2018, the third wave of transition became apparent. This legislative reform not only altered the enforcement process’s intellectual foundation but also sharply moved its emphasis from defending the interests of the debtor to those of the recoverer. The ongoing fourth wave represents the contemporary evolution of the enforcement process, which continues to advance the recoverer-centric agenda initiated by Draft Law 5660 “On Enforcement of Decisions” (Draft Law, 2021). This draft law, which garnered approval in the first reading in the autumn of 2021 by the Verkhovna Rada, underscores the enduring commitment to fortifying the rights and interests of recoverers.

The development of the national enforcement process within the framework of recoverer-oriented practices encompasses several pivotal dimensions, with the following key aspects emerging:

- 1. Reinforcing the debtor’s obligation to comply with judgments and decisions.* The legislative endorsement of the debtor’s responsibility to adhere to court judgments and decisions from other authoritative bodies is articulated in Article 15 of the Law of Ukraine “On Enforcement Proceedings” (On Enforcement Proceedings, 2016). This obligation assumes a central role within the enforcement process, entailing the debtor’s duty to fulfill the mandates outlined in the enforcement document, even when contrary to the debtor’s will. The entire enforcement process pivots on the fulfillment of this obligation, with all enforcement

procedural legislation provisions geared towards compelling the debtor's compliance. This transformation brings the enforcement process closer to the realization of the recoverer's subjective material rights, particularly those unresolved before the commencement of enforcement proceedings.

This change also strengthens the function of civil law institutions and their autonomous agents, puts the acts of the enforcer to the rules of civil law, and gives the legal relationship between the state and private enforcers aspects like a contract.

2. Broadening the Scope of Measures Targeting Debtors. The pursuit of a fair equilibrium between safeguarding the rights of recoverers and debtors, while concurrently furnishing enforcers with practical means to access debtors' assets and safeguards against potential misuse, marked a noteworthy juncture. This endeavor encompassed the introduction of potent incentives to encourage voluntary compliance with court decisions and the exploration of measures to exert influence on debtors. This comprehensive approach was initially broached in the "Strategy for Reforming the Judicial System, Legal Proceedings, and Related Legal Institutions for 2015-2020" (On the Strategy for Reforming the Judicial System..., 2015), emphasizing the need to strike a balance.

The pivotal components of an integrated system geared toward enforcing decisions encompass the establishment of a Unified Register of Debtors, the attachment of the debtor's assets as a simultaneous and non-alternative procedure at the commencement of enforcement proceedings, enforcer access to electronic databases and registries for pinpointing debtor assets, and the deployment of other procedural measures to exert influence over the debtor. The mechanism of coercion perpetually exists as a latent tool, only coming into play when voluntary compliance is unattainable. Sanctions, delineating state-coerced measures in response to legal norm violations, constitute an integral facet of any legal framework, albeit not occupying a predominant role within the system (Leist, 2002).

The significance of legal norms within this context operates as a form of guidance for state coercion within enforcement proceedings. This is achieved through the inclusion of sanctions (and in some cases, provisions) in legal norms that outline the means of exerting influence on subjects involved in enforcement proceedings. These measures are designed to ensure that the subject of enforcement proceedings fulfills their assigned obligations, irrespective of their willingness to do so, or to impede any actions that may obstruct the subject's rights, thereby ensuring the smooth progress of enforcement proceedings (Hetmantsev, 2018). Simultaneously, there is a fundamental shift towards viewing enforcement proceedings as part of private law, where mechanisms of state coercion coexist with civil law institutions. Risks arising during enforcement procedures are regarded as civil risks (Sibilyov, 2021).

In this context, the enforcement process can be seen as a legal discipline where coercion is sanctioned. Here, "sanction" should be interpreted as authorization or legitimization. The state has clearly defined the procedures and means for enforcing decisions, regulating when and why state coercion can be applied. Consequently, it has legitimized the potential use of coercion against the obligated party within the defined boundaries of the enforcement process. On the other hand, when a recoverer approaches an enforcer to initiate enforcement proceedings, they effectively authorize compulsory collection against a specific debtor. Consequently, if the debtor fails to fulfill their duty voluntarily, state coercion may be

employed (Hetmantsev, 2018).

Legal constraints imposed within the enforcement process may manifest as the imposition of additional obligations and a reduction in the extent of subjective rights. The term “reduction of the scope of subjective rights” can be interpreted in two ways: either as the deprivation of a specific right, thereby reducing the overall extent of subjective rights, or as a limitation on the scope of a particular subjective right. For instance, measures such as the seizure of a debtor’s movable and immovable assets or the freezing of a debtor’s bank accounts aim to ensure compliance with the obligations they held prior to the application of these measures. In essence, such measures represent constraints on the property rights of the debtor. This means that the debtor loses the ability to manage or, in some cases, utilize property that has been seized by a state or private enforcer.

Depending on the method of implementation, measures of influence can be categorized into two groups:

1. Measures that are contingent upon the obligated party fulfilling additional duties assigned to them. This entails either active behavior, such as making debt payments, or passive behavior, which involves refraining from specific actions outlined in the enforcement document.

2. Measures that do not hinge on the individual’s will, such as debiting funds from the debtor’s bank accounts or seizing the debtor’s assets.

In a practical context, the “explosion effect” in 2018 resulted from the initiative of the Volodymyr Groysman government titled “There Are No Other People’s Children,” enacted through relevant legislation (On making changes to some legislative acts of Ukraine..., 2018). This initiative pertained to enforcement documents related to the collection of child support as a state response to the widespread issue of unpaid child support. During the program’s implementation, which spanned approximately one and a half years, child support payments totaling 7.3 billion were collected, benefitting nearly one million children. State enforcers imposed temporary restrictions on 128,000 debtors (Petrenko, 2019). These restrictions affected various rights, including the right to leave Ukraine, the right to operate vehicles, the right to possess firearms, the right to hunt, as well as automated freezes on the debtor’s bank accounts, and more. Debtors who owed tens or even hundreds of thousands of hryvnias in unpaid child support, yet possessed substantial wealth and indulged in lavish lifestyles, were compelled to settle their existing child support debts to the recipients. For many of these debtors, this meant foregoing holidays abroad, the convenience of luxury cars, and even yachts.

3. The influence of the enforcement model on the role of the recoverer in the enforcement process and the elevation of the enforcer’s status, contributing to increased public trust in private enforcers.

This particular factor should be acknowledged as a fundamental one, emblematic of the enforcement process’s orientation towards the interests of the recoverer. The introduction of the private enforcer institution (Law, 2016) marked the abandonment of the state’s monopoly on enforcing court decisions and decisions from other bodies. This transition involved the transfer of relevant powers from state officials to private individuals and modernized the enforcement model in Ukraine. It shifted from a purely state-legal model to a mixed one,

characterized by a blend of state and non-state forms of enforcement organization. In this model, both state and private enforcers possess the authority to enforce decisions.

The impact of the new enforcement model on the recoverer within the enforcement process is evident through disciplinary proceedings initiated against private enforcers, particularly early in their professional careers. A notable case involved A. Avtorgov, a private enforcer in the enforcement district of Kyiv in 2018. Disciplinary proceedings were initiated against him after he successfully conducted enforcement proceedings involving several million hryvnias, which initially resulted in the termination of his activities (Decision of the District Administrative Court of Kyiv in case No. 826/8311/18, 2018). Subsequently, following the annulment of the Disciplinary Commission's decision in court proceedings, the private enforcer resumed his activities and continues to operate successfully.

Private enforcers have emerged as sources of innovative ideas aimed at enhancing the enforcement process. A few years ago, it would have been unimaginable that a private enforcer could employ a drone to locate a debtor's property, capture video footage of a debtor's residence and inaccessible land plot, execute foreclosures on funds stored in a bank vault, or foreclose on unharvested crops, among other creative approaches. These instances involving private enforcers not only underscore their commitment to executing decisions favoring the recoverer but also demonstrate a high level of professionalism. Regarding the advantages of private enforcement for the recoverer, the Supreme Court expressed its stance in the decision of the Grand Chamber dated 05.12.2018 in case No. 904/7326/17. It was emphasized that the systems of state and private enforcement of court decisions are not equivalent or interchangeable. Opting for a private enforcer provides several benefits and opportunities to the recoverer:

a) Mandatory civil liability insurance for the private enforcer. b) The option to finance enforcement expenses at the private enforcer's own discretion. In contrast, when utilizing the state enforcement service, any shortfall in advance payment invariably results in the recoverer being responsible for covering additional costs. c) The flexibility to negotiate different levels of additional compensation or advance payments in a contract with a private enforcer. This enables the timely allocation of funds for expenses related to enforcement actions. In essence, this grants the recoverer the ability, in accordance with legal provisions, to influence the effectiveness of decision enforcement that is important to them by motivating the private enforcer accordingly (Decision of the District Administrative Court..., 2018).

4. Expansion of the recoverer's access rights and digitalization of the enforcement process.

The initial steps toward enabling remote access to enforcement proceedings for recoverers began in 2003 with the establishment of the electronic register of enforcement proceedings. This register was administered by the state enterprise "Information Centre" of the Ministry of Justice of Ukraine (Regulations on the Unified State Register of Enforcement, 2003). However, direct access to the register was granted to recoverers only in 2008, upon provision of an access identifier specified in the resolution for opening enforcement proceedings. It's worth noting that initially, only information related to enforcement proceedings was recorded in the register. This led to practical inconveniences for both recoverers and state enforcers. For instance, recoverers, particularly in cases involving alimony collection, would create long queues at the state enforcer's office on designated appointment days. Consequently,

state enforcers had to prioritize receiving parties instead of focusing on their core task of enforcing court decisions and decisions of other bodies.

The introduction of the Automated System of Enforcement Proceedings in 2016 (On Enforcement Proceedings, 2016) significantly enhanced the recoverer's access to enforcement proceedings through electronic means. This system allows recoverers to track the progress of enforcement proceedings without the need for physical visits to the enforcer's office, which is particularly beneficial when the recoverer is located in a different region of Ukraine. Within the enforcement proceedings system, an access section is dedicated to parties involved in enforcement proceedings, offering access to detailed information about ongoing enforcement proceedings. This includes information about the entity that initiated the enforcement proceedings, the specific body of the State Enforcement Service (whether state enforcer or private enforcer) responsible for carrying out the enforcement proceedings, details about actions taken by the state (or private) enforcer, updates on the status of the enforcement proceedings, and records of resolutions issued by the enforcer.

The right granted to the recoverer to choose between submitting the enforcement document to the state enforcement service or a private enforcer represents a significant expansion of enforcement rights. Furthermore, the freedom to select a private enforcer from those listed in the Unified Register of Private Enforcers of Ukraine, and notably, the ability to transfer an enforcement document from a state enforcement service entity to a private enforcer, especially for enforcement proceedings that have remained unresolved within state enforcement service departments for an extended duration, must be acknowledged as an important development. This enables recoverers to attain satisfaction from the debtor's realized assets, even after many years, when all hope of enforcement under the enforcement document had appeared to be lost.

DISCUSSION

The analysis of legal literature reveals a notable absence of scholarly works dedicated to the evolution of the national enforcement process from a recoverer-oriented perspective. It is worth noting that the predominant focus of research on enforcement processes in Ukraine has revolved around retrospective analyses of the development of enforcement proceedings, alongside examinations of the statuses and interest protection of parties involved in decision enforcement. One notable study by O. Verba-Sydor (2020a) explored the evolution of the enforcement system for court decisions and decisions from other jurisdictional bodies in Ukraine. This historical investigation spanned from the 1930s to the present and was conducted based on various criteria such as the adoption dates of key legal acts, the reorganization of judicial bodies, significant socio-economic shifts in society, and changes in state policy within the realm of justice.

Another work by S. Rozumnyi and A. Kupriianova (2021) delves into the historical context surrounding the development of legislation related to enforcement proceedings in independent Ukraine. The authors critically analyzed the reformation of enforcement bodies during the post-Soviet period, along with the state's policies concerning enforcement proceedings. The examination of the recoverer as a participant in the enforcement process

was the subject of research conducted by M.V. Vintsyaslavska (2014) in her thesis, which was dedicated to the various participants within the enforcement process. L. Maliarchuk and O. Snidevych (2020) identified deficiencies in the regulation of participants in enforcement proceedings within the legislative framework, leading them to conclude that the insights from the field of enforcement process studies have not been adequately incorporated into subsequent legislative efforts.

Certain aspects related to the application of coercion in enforcement proceedings were explored by Yu.V. Bilousov (2014) and O.V. Hetmantsev (2018). The concept of finality of judgments, a critical factor influencing the initiation of the enforcement process, was investigated by K. Gusarov and V. Terekhov (2019). Therefore, the genesis of the enforcement process through a recoverer-centric approach within the context of the underlying ideological principles of enforcement remains an understudied area that warrants the attention of scholars and legal experts.

CONCLUSION

Based on the examination of the evolution of the enforcement process through the lens of a recoverer-oriented approach, the following conclusions can be drawn:

1. The establishment of a unified approach centered on the recoverer within the context of the evolution of the enforcement process during Ukraine's independence has been a pivotal development. The recoverer-oriented approach should continue to serve as a guiding principle for enhancing the enforcement of court decisions and rulings of other bodies, as it signifies a transformative shift in the enforcement process, where the protection of the recoverer's interests holds significant importance. In the current stage of the development of the enforcement process field, this approach remains relatively underdeveloped, and progress is still being made towards fully aligning the enforcement of decisions with the goal of safeguarding the recoverer's rights. To further advance this approach, it is imperative to minimize avenues that allow debtors to evade their primary obligation within the enforcement process, which is the duty to execute the decision, irrespective of the debtor's status, financial means, or other criteria.

To address this issue effectively, it is imperative to augment the quantity of private enforcers and align the extent of their authority with that of state enforcers. The Ukrainian reform initiative envisioned a roadmap that aimed to introduce a minimum of 1,000 private enforcers in the country by the conclusion of 2016, constituting at least 50% of the total enforcer population. In 2017, there were discussions about the necessity of reaching a minimum of 4,000 private enforcers for a fundamental transformation in our country's enforcement of decisions. However, it is evident that, after six years of implementation, the number of private enforcers remains around 300. This situation underscores insufficient efforts to bolster the institutional capacity of the profession of private enforcers, persistent barriers to entry into this profession, and an opaque examination system for individuals aspiring to become private enforcers.

2. A recoverer-oriented approach within the enforcement process necessitates a transformation in societal legal consciousness. This transformation involves altering the attitudes of those engaged in the enforcement process toward the prevailing branch legislation, reflecting not only the state of legal relations in enforcement proceedings but also the dynamics of their evolution. The primary objective of the enforcement process ideology lies in shaping and advancing the legal, political, and moral awareness of the participants in legal relationships within the enforcement process. It seeks to influence their worldviews and cultural values while elevating the stature of the institutions and individuals responsible for executing court decisions and rulings from other authorities. Moreover, it aims to foster respect for the profession of both public and private enforcers.

This movement in legal understanding ought to go beyond the viewpoint of the debtor, as it does in European nations. Additionally, it ought to highlight national customs, human psychology, and encourage a supportive social environment for the debtor. In difficult economic times, society should show sympathy for the debtor, with the majority of people more readily identifying with the debtor's role than the recoverer's. However, as the initiator aiming to restore their rights, the recoverer should gradually assume a major role within the enforcement process.

Future study should address a variety of concerns related to how the interests of the recoverer are prioritised during the enforcement process because the subject topic is very broad. One of these concerns is the enforcer's obligation to protect debtors' rights throughout the enforcement procedure because they are one of the key participants in it. Therefore, it becomes essential to close the legislative loopholes in the current enforcement procedural legal framework. The enforcement process also faces new difficulties in light of Ukraine's application for EU membership. Additionally, research into European enforcement procedures and collaboration with the International Union of Judicial Officers will have a direct impact on the methods used to carry out judgements.

REFERENCES

- Bilousov, Y. (2014). Principles of state policy in the sphere of enforcement of decisions of courts and other bodies. *Proceedings of the of the Fourth International Scientific and Practical Conference*. (pp. 31-46). Khmelnytskyi: Khmelnytskyi University of Management and Law.
- Civil Procedure Code of Ukraine (1963). Law of the Ukrainian SSR. Retrieved from: <https://ips.ligazakon.net/document/KD0009?an=1>
- Decision of the District Administrative Court of Kyiv No. 826/8311/18 (2018). Retrieved from: <https://zakononline.com.ua/court-decisions/show/80607294>
- Draft Law on Enforcement of Decisions (2021). No. 5660. Retrieved from: <https://itd.rada.gov.ua/billInfo/Bills/Card/27003>
- Fursa, S. (2010). Formation and development of new procedural branches of legal science in Ukraine. *Proceedings of the Second International Scientific and Practical Conference "Problems of Procedural Science: History and Modernity"* (pp. 11-15). Kyiv: Taras Shevchenko Kyiv University.
- Gusarov, K. & Terekhov, V. (2019). Finality of judgement in civil cases and related considerations: the experience of Ukraine and Lithuania. *Access to Justice in Eastern Europe*, 4(5), 6-30. Retrieved from: http://ajee-journal.com/upload/attaches/att_1577085580.pdf

Hetmantsev, O. (2018). Separate issues of improving the efficiency of enforcement of court decisions. Reform of enforcement proceedings: present and prospects: materials of the international scientific and practical conference (pp. 13–16). Kyiv: Taras Shevchenko Kyiv University.

Karmaza, O. (2017). Concept and content of civil legal process. *Scientific and information bulletin of Ivano-Frankivsk University of Law named after King Danylo Halytskyi. Magazine. Law Series*, 3(15), 146–152

Kucher, T. (2017). *Proof theory in the civil process*. Kyiv: Taras Shevchenko Kyiv University. 490 p

Maliarchuk, L., Snidevych, O. (2020). Subjects of enforcement proceedings: legislative novellas. *Entrepreneurship, Economy and Law*, 8, 42–47.

On bodies and people carrying out enforcement of court decisions and decisions of other bodies (2016). Law of Ukraine No. 1403-VIII. Retrieved from: <https://zakon.rada.gov.ua/laws/show/1403-19#Text>

On Enforcement Proceedings (1999). Law of Ukraine No. 606-XIV. Retrieved from: <https://zakon.rada.gov.ua/laws/show/606-14#Text>

On Enforcement Proceedings (2016). Law of Ukraine No. 1404-VIII. Retrieved from: <https://zakon.rada.gov.ua/laws/show/1404-19#Text>

On making changes to some legislative acts of Ukraine regarding the creation of economic prerequisites for strengthening the protection of the child's right to proper maintenance (2018). Law of Ukraine No. 2475-VIII. Retrieved from: <https://zakon.rada.gov.ua/laws/show/2475-19#Text>

On the State Enforcement Service (1998). Law of Ukraine No. 606-XIV. Retrieved from: <https://zakon.rada.gov.ua/laws/show/202/98-%D0%B2%D1%80#Text>

On the Strategy for Reforming the Judicial System, Legal Proceedings and Related Legal Institutions for 2015-2020 (2015). Decree of the President of Ukraine No. 276/2015. Retrieved from: <https://zakon.rada.gov.ua/laws/show/276/2015#Text>

Petrenko, P. (2019). There are no other people's children. Proved by the Ministry of Justice. Retrieved from: <https://blogs.pravda.com.ua/authors/ppetrenko/5d1ef89be28f5>

Regulations on the Unified State Register of Enforcement (2003). No. 43/5. Retrieved from: <https://zakon.rada.gov.ua/laws/show/z0388-03/ed20030520#Text>

Resolution of the Great Chamber of the Supreme Court in case No. 904/7326/17 (2018). Retrieved from: <https://verdictum.ligazakon.net/document/78534731>

Rozumnyi, S. Kupriianova, A. (2021). Development of enforcement proceedings in Ukraine. Retrieved from: https://pravo-izdat.com.ua/index.php?route=product/product/download&product_id=4410&download_id=1435

Shcherbak, S. (2013). Enforcement process in Ukraine: legal nature. *Legal Bulletin of the Ukrainian Academy of Banking*, 2(9), 30–34. Retrieved from: https://essuir.sumdu.edu.ua/bitstream-download/123456789/52309/2/Shcherbak_executive_process.pdf;jsessionid=7D9488042B3B56F551DFD8515D824C65

Sibilyov, D. (2021). The role of private enforcers in the context of the implementation of a mixed model of enforcement proceedings in Ukraine. Proceedings of the round table devoted to contemporary issues of the activities of private enforcers in Ukraine (pp. 58-62). Kharkiv: Yaroslav Mudryi National Law University.

Verba-Sydor, O. (2020a). Evolution of the system of enforcement of court decisions and decisions of other jurisdictional bodies in Ukraine. In *Aktualne problemy exekucji sądowej w Polsce i na Ukrainie* (pp. 189-213). Sopot: Currenda

Verba-Sydor, O. (2020b). *Enforcement proceedings: textbook (in diagrams and tables)* Lviv: Lviv State University of Internal Affairs. 600 p.

Vintsylavska, M. (2014). *Subjects of the enforcement process*. Kyiv: Taras Shevchenko National University of Kyiv, 200 p.