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#### Imposing interim measures in Russian civil procedure: protective orders and their prospects

**Keywords:** Protective orders; restraining order; interim measures; domestic violence; domestic abuse

The paper analyzes the problem of finding an effective procedure for the issuance of protective orders to protect the victims of domestic violence. Analysis of the legal nature, main characteristics and objectives of this institute shows that its implementation can take a lot from the procedure of imposition of interim measures in civil procedure. Comparative analysis of these institutes also shows that this approach is consistent with the nature of interim measures so it can effectively meet its objectives.

## ANTYUFEEV, Alexander Dmitrievich

Master of laws

#### Choice of correctional institution when imposing a sentence of imprisonment for criminal negligence

**Keywords:** Type of correctional institution; correctional facility-settlement; general correctional facility; serious crimes; negligent form of guilt

The paper analyzes the conflict of rules in the Russian Federation Criminal Code regulating sentence imposition in cases of criminal negligence. The author discusses possible ways of resolving such conflict of rules.

## CHISTYAKOV, Pavel Dmitrievich

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#### Legal nature of pre-contractual liability: unity or differentiation?

**Keywords:** Precontractual liability; tort liability; legal nature; contractual liability; general tort

Despite the fact that pre-contractual liability is recognized in many legal systems, it is hardly possible to envisage a single general theory that would proceed from the premise of general recognition of the holistic nature of liability at the stage of contract formation and (or) sui generis nature. The author believes that pre-contractual liability can be considered as tort liability or quasicontractual liability depending on whether a legal system recognizes the general tort rule. The key downside of tort interpretation of pre-contractual liability in Russian law is lack of unified regulation at the stage of contract formation.

## DEGTYAREVA, Victoria Sergeevna

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#### Procedure of mediation in civil procedure: issues of nature and terminology

**Keywords:** Conciliation procedures, mediation, judicial procedure of mediation

The paper examines the legal nature of judicial and extrajudicial procedure of mediation, drawing on the analysis of the French expertise. In this regard, the author discusses the problem of terminological and conceptual confusion which foils comprehension of the nature of mediation procedure and the judicial procedure of mediation.

## FILIPPOV, Vyacheslav Nikolaevich

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#### Role of Russian Federation Constitutional Court in regulation of labor relations in context of latest amendments to Russian Federation Constitution

**Keywords:** RF Constitutional Court; RF Supreme Court; sources of law; legal opinions; labour relations

The paper analyzes the new powers vested in the Russian Federation Constitutional Court. The author concludes the Court is acquiring new law enforcement functions.

## KUSKOV, Alexey Sergeevich

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## USTSOV, Danil Konstantinovich

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#### Reduction in amount of costs for forensic examination in civil procedure: criteria of acceptability

**Keywords:** Civil procedure; reasonableness; forensic examination; legal costs; court costs

The issue of reducing costs for forensic examination has no straightforward solutions at legislative and law enforcement levels. Civil procedure science provides no answer either due to the absence of clear criteria and rationale for such reduction. It is concluded that further development of applicable laws should help attain the alignment of court practice.

## MEDOEVA, Bela Kostantinovna

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#### Legal means of implementation of regulatory policy

**Keywords:** Regulatory impact assessment; 'regulatory quillotine'; legal justification of regulation; control and oversight

The paper analyzes the legal means and instruments for the implementation of regulatory policy in Russia including the procedures for assessment of regulatory impact and real effects as the main instruments of regulatory policy of the state. The paper outlines the main problems and discusses possible ways of further development of the legislation.

## OBOLONKOVA, Elena Viktorovna

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#### Legislative regulation of meetings and decision-making carried out in format of joint remote presence.

**Keywords:** Corporate governance; joint remote presence; absentee voting; in-person meeting; new communication technologies; in-person voting; meeting; absentee decision-making

The paper analyzes the changes to the Russian Federation Civil Code regarding remote participation in meetings and voting procedures of corporations, in particular, it focuses on the provisions of draft laws where the issue in question concerns various types of legal entities.

## OLENIN, Dmitry Alekseevich

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#### Should execution creditors take active position in enforcement proceedings?

**Keywords:** Civil procedure; enforcement proceedings; court bailiff; execution creditor; activity of execution creditor

According to the judicial approach to avoid legal action for damages inflicted by illegal actions (or omissions) of a court bailiff within enforcement proceedings execution creditors should take an active position in protecting their rights. The author outlines general theoretical, legal and historical rationales which justify this requirement and shares his understanding of the legal nature of the execution creditor's active position and corresponding requirements of its legal assessment.

## SEGALOVA, Elena Aleksandrovna

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#### Benefits and challenges of digitalization of English family law and proceedings: analysis of foreign practice (England and other jurisdictions)

**Keywords:** Digitalization; family law; family law proceedings; law of England and Wales; English law

The paper analyzes the process of digital transformation within the judicial sphere. The authors consider the following questions: How has digitalization affected the access to justice for the parties of family relations in England? What may prevent the parties from the effective use of digital technologies? What characteristics of English family law impede the digitalization of family law disputes? Analysis of these issues and processes will contribute to the Russian law enforcement practice.

## SHCHERBAK, Nataliya Valerievna

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#### Development of copyright and related rights in context of alignment and harmonization

**Keywords:** Copyright; related rights; intellectual property rights; harmonization; alignment; principle of minimum scope of protection; EU Directives

The paper discusses the main trends in the development of copyright and related rights in the context of the major trends of the UE law. According to the author it is likely that new conflict-of-law rules regarding exclusive rights to intellectual property will appear.

## TOMSINOV, Vladimir Alekseevich

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#### Andrey Yanuarievich Vyshinsky (1883—1954), statesman and legal scholar.

##### Article fifty-six

**Keywords:** USSR; soviet jurisprudence; A.Ya. Vyshinsky; N.V. Krylenko; P.I. Stuchka

The article continues the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. The author discusses the contribution the USSR Procurator made to the development of theory of Soviet jurisprudence.