

ALTERNATIVE JUDICIAL PROCEDURES FOR DISPUTE SETTLEMENT IN THE REGULATION OF THE NEW CODE OF CIVIL PROCEDURE

George MĂGUREANU*
Florea MĂGUREANU**

ABSTRACT: *The celerity and efficiency crisis has been visible particularly in commercial law. The negative effects of this poor condition of commercial law are more visible in countries of the Central and Eastern Europe, where the above-mentioned aspect and the inappropriate specialization of the judicial staff, the unsatisfactory condition of logistics and especially the judicial procedures with a high degree of formalism fully affect the inefficiency of justice and prevent the population from trusting it.*

The judicial procedure of common law is extremely difficult, takes much time and has become increasingly expensive due to numerous taxes and fees, although the law giver makes efforts to reduce such drawbacks by entry into force of the new Code of civil procedure.

Consequently, the settlement of disputes where the subjects of legal relations wish a simplified procedure and the recovery of certain, liquid and payable debts as soon as possible, through a much faster and less costly procedure, has become a must which is also acknowledged by the new regulation of the Code of civil procedure.

KEY WORDS: *Creditor, debtor, celerity, payment order procedure, certain, liquid and payable debt, low value requests.*

JEL CODE: *K 4*

* Lecturer, Ph.D, Romanian-American University, ROMANIA.

** Professor, PhD, Romanian-American University, ROMANIA.