

**THE OBJECT OF THE FIRST APPEAL ACCORDING TO THE
NEW CIVIL PROCEDURE RULES**

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ABSTRACT: *According to the New Code of Civil Procedure, the first appeal represents the general common procedure for attacking a first instance judgment. The second appeal represent an extraordinary procedure for attacking a first appeal judgment but also, in some particular cases a first instance judgment. Considering the fact that according to the New Code of Civil Procedure the first appeal is an appeal on points of fact and law and the second appeal represents in all the cases an appeal on points of law only the present study represents an exhaustive enumeration of all the judgments that can be attacked by a first appeal, more precisely by an appeal on points of facts and law. Identifying these judgments represents the opportunity for an exhaustive enumeration of the first instance judgments that can be attacked only by a second appeal, meaning an appeal on points of law only. This last category is at the present only exemplified by the literature, but needs to be exhaustively revealed considering that in these cases the procedure before the first instance represents the unique opportunity to invoke at the same time factual and legal arguments. More precisely in this study the object of the first appealed, meaning the judgments that can be attacked by an appeal on points of fact and law, will be revealed considering the judgments that can be attacked by this procedure according to the New Code of Civil Procedure, the administrative rulings that can be attacked by a first appeal according to the special statutes, the judgments that cannot be attacked by a first appeal according to the New Code of Civil Procedure, the judgments that cannot be attacked by a first appeal according to the special statutes*

KEYWORDS: *New Code of Civil Procedure, firs appeal, second appeal, first instance judgment, special statutes*

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