

**LIABILITY IN CASES OF "UNREGULATED JUDICIAL
ERRORS"**

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ABSTRACT: *The Criminal Procedure Code expressly regulates the situations deemed to display a judicial error, opening the way to the person who suffered from it, to proceed against the State for compensation. But what happens in cases where a person, facing criminal charges, has suffered moral and material damage, but does not fit in the situations expressly provided by the law? Will it be possible for that person to appeal to the common procedure from the civil law? The article presents some cases of such "unregulated judicial errors" and the national courts case law in such situations, concurrently proposing possible solutions so that the access to justice would not be restricted.*

KEYWORDS: *judicial error, moral and material damage; compensation; criminal charges*

JEL Classification: *K14, K15*

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