The Republic of Kazakhstan in civil proceedings

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Justice in the Republic of Kazakhstan shall be exercised only by the court.

Civil Procedure can be divided into the following stages:

- Acceptance of the statement of claim or the stage of initiation of proceedings
- Preparation of a case for proceedings
- Court proceedings
- the stage of enforcement of court orders

•Acceptance of the statement of claim

The judge shall make a decision to accept the statement of claim to the court proceeding within five days from the date of its receipt.

By accepting the statement of claim the judge makes a decision to initiate a civil case

Preparation of a case for proceedings

After receiving an application and initiation of a civil case, the judge prepares the case for proceedings in order to provide its timely and proper consideration and settlement

The tasks for preparing the case for proceedings, mandatory for every case are:

- ***clarification of circumstances, important for proper settlement of the case;***
- ***determination of relationships of the parties and the law to be applied;***
- ***settlement of the issue concerning composition of persons, participating in the case and participants;***
- ***determination of evidence to be submitted by each party to justify their claims***

The judge makes a decision on preparation of the case for court proceedings and specifies actions to be taken

Assignment of the case for judicial proceedings

The judge, having found the case to be ready, issues a ruling on assignment of the case for judicial proceedings, notifies the parties and other participants of the time and place of the case consideration.

Court proceedings

Civil cases shall be considered and settled within two months from the final date of preparing the case for proceeding. The cases on reinstatement, alimony and contestation of decisions, actions (inaction) of state bodies, local authorities, officials, state servants shall be considered and settled within one month.

For certain categories of civil cases the law may establish other terms.

Court session

The court session of a civil case shall be conducted in a court with compulsory notification of persons, participating in the case

Chairperson of the court session

Obligations of the chairperson shall be performed by the judge.

At the appointed time for the hearing, the chairperson opens the hearing and announces the civil case to be considered

When using audio or video materials, the chairperson shall declare it.

Resolution of the first instance court settling the case on its merits shall be in the form of decision.

The decision shall be rendered in a deliberations room. Presence of other persons in this room shall not be allowed. In the end of working hours and during the day, the court (judge) shall have right to take a break by leaving the deliberations room.

Rendering a decision

Legality and reasonableness of the decision

The court's decision shall be legal and reasonable

The court justifies the decision only on evidence that had been studied at the court session

Enforcement of the decision

The decision, in the manner prescribed by the law, shall be enforced after its entry into legal force, except for the cases of immediate enforcement

After the court decision enters into legal force an enforcement order shall be issued, which is given to the claimant or at his/her written request is sent by the court to the territoriality relevant enforcement body.