

REVIEW

by Prof. Dr. Ekaterina Ivanova Mihaylova, lecturer in History of State and Law in the "Law" department at New Bulgarian University,

professional direction 3.6 Law, in my capacity of a member of the scientific jury as of Order No. 3-PK-83 of 09.01.2023 of the Rector of New Bulgarian University

according to the procedure for the defense of a **dissertation** on subject:

" Structure, Organization and Procedural Foundations of First-instance Civil Justice in Bulgaria from 1878 to 1948 and Comparison with the Current Regulations"

for the acquisition of an educational and scientific degree "Doctor" by a candidate:

Aleksandar Velinov Angelov,

doctoral student of independent form of training, dismissed with the right of defense in the doctoral program "History of State and Law",

professional direction 3.6 Law, scientific specialty History of State and Law, New Bulgarian University

**General characteristics of the dissertation work and the presented materials.
Significance of the researched problem in scientific and scientific-applied terms.**

The dissertation entitled "Structure, Organization and Procedural Foundations of First-instance Civil Justice in Bulgaria from 1878 to 1948 and Comparison with the Current Regulations", prepared by the doctoral student Aleksandar Angelov, is an extensive study that is focused on the main moments of the development of justice administration on civil cases in our country - in particular on the development of first-instance civil justice. The research has gone beyond the task of collecting, systematizing and analyzing the first-instance civil justice in Bulgaria in the period from 1878 to 1948 and has also focused on a comparison with the legal framework in force at the moment, and on this basis the doctoral student has drawn conclusions

as to whether some legislative decision appears to be more successful than another, and based on positive examples from history, proposals are made to upgrade and improve the current law.

On the basis of the complex scientific research, the interrelationship between the development of the judicial institutions and the procedural foundations of their activity is presented on one hand, and on the other - a number of answers are sought that could not be found if only the structure or only the procedural regulation, or if the topics are considered only from the historical or only from the legal side.

The goals and tasks set in the dissertation work are clearly and precisely formulated. The main task is to present positive and negative examples of legislative decisions, respectively to draw conclusions about a possible upgrade of our current law, as well as to clarify the actual meaning of some legal norms through the authentic ideas that are invested in them.

Doctoral student Aleksandar Angelov, proceeding from the complex nature of the research, has used various methods - historical, logical (induction, deduction, analysis, synthesis, analogy), systematic method and modeling, comparative-historical, comparative-legal and others. This makes the study unique, since the matter covered has not been studied in this way so far in the Bulgarian legal-historical science. It can be seen that the dissertation was developed independently and does not repeat other scientific studies with a similar theme.

The doctoral student shows with his work that he knows the topics set and developed. He himself is a practicing judge and the matter he researches reveals his scientific and scientific-applied interest in it. The research is not content with providing us with knowledge of the past, but this knowledge is analyzed with a view to applying it to the present as well as the future. The developed dissertation shows a high degree of knowledge of the problems of first-instance civil justice administration in Bulgaria, enriching them with examples from the past and the present.

The dissertation has a volume of 340 pages and is structured as follows: an introduction, three chapters and a conclusion. The first chapter examines the structure and organization of first-instance civil justice in Bulgaria in the period 1878-1948. The second chapter is devoted to the procedural foundations of first-instance civil justice in Bulgaria and the order in which the

proceedings were conducted. In the third chapter, the structure, organization and procedural foundations of the first-instance civil justice administration in Bulgaria at the present moment are examined and compared with the system in the period 1878-1948.

37 authors and 14 normative acts are cited in the dissertation. The citation is done correctly, and the large number of authors and normative acts indicated by the doctoral student Aleksandar Angelov speak of a thorough study of the matter, the subject of the dissertation work. The authors and legal acts are from different time periods - from the present to the last century and beyond, which in itself shows an extensive and in-depth study of the topics of the dissertation work.

The scientific and scientific-applied achievements of the candidate, contained in the presented dissertation work and the publications to it, included in the procedure

I fully accept the findings of the doctoral student Aleksandar Angelov for the scientific and scientific-applied contributions of his research. I would like to highlight them, namely:

1. Clarification of basic questions falling within the subject of the research, as well as in the preparation of proposals for upgrading our current legislation, namely - the development of first-instance civil justice in Bulgaria in the period from 1878 to 1948 and the comparison with the current year regulation, including the temporally and substantively affected understandings regarding judicial practice on basic issues relating to the consideration of civil proceedings. Also a study of the development of judicial institutions and their internal organization, as well as the way in which their staffing is ensured.
2. Tracing the development of warrant proceedings and the essence of this institute by illustrating the various forms in which it manifested itself. The analysis of this matter has led to proposals by the doctoral student for legislative decisions, which are based on the study of the repealed normative acts.
3. The proposals made to improve the current legislation, which is based on the researched historical-legal matter:

- Granting authority to judicial assistants to independently rule on issues related to the administration of cases;
- Imperative regulation of local jurisdiction for claims against a borrower (who is a consumer), by virtue of which the same must be brought before the court at the defendant's current address, respectively in the absence of one at the permanent address, regardless of whether the claim is also directed against other persons and at the same time, the presence of the court's authority to monitor ex officio this jurisdiction, in order to prevent abuse of the plaintiff's right to choose a competent court;
- Introduction of an obligation for the civil court to always prepare a draft report on the case and familiarize the parties with it before the first open court session, except in cases where this preparation is impossible due to the need to clarify and specify the factual statements of the parties, which to be carried out in court;
- Regulation in the Civil Procedure Code of assigning the costs related to the proceedings for disputing the authenticity of a document to the party that lost the dispute. This creates a guarantee that this right is used in good faith and avoids unwarranted delays in the process;
- Introduction of an exception with regard to the required assessment of the evidence when rendering the court decision in cases where there are no contradictions between the collected evidence, by analogy with the existing option in the Criminal Code;
- Regulation of the possibility of issuing a court decision in civil cases in certain cases, without previously having held an open court session;
- Introduction of the authority of the court in the injunction proceedings to assess whether the statute of limitations has expired in relation to the claimed claim, including the allegations in the application for its suspension and interruption.

The contributions requested by the doctoral student Aleksandar Angelov in the dissertation work show that the candidate has in-depth knowledge in the matter he has researched both theoretically and practically. It can also be safely concluded that the candidate is a specialist in the researched subject and can do independent scientific research. The dissertation work presented to us contains both theoretical summaries and solutions to scientific or scientific-applied problems.

Doctoral student Aleksandar Angelov applied to this competition with his dissertation work and the following publications:

- "The History of Sofia District Court through the Prism of the System of the Main Court of First Instance in Bulgaria" - published in Aleksandar "Society and Law" magazine, Issue 8/2021.
- "Development of Legislation Regarding the Invitation of the Parties to an Agreement in Court Proceedings" - published in "Society and Law" magazine, Issue 10/2021.
- Report on subject "Development of Warrant Proceedings in Bulgaria", presented at the 11th National Conference of Doctoral Students, Postdoctoral Students and Young Scientists in the Field of Legal Sciences, organized by the Institute of State and Law at the Bulgarian Academy of Sciences, July 2 - 4, 2021, Kazanlak, which has been accepted for publication in "Collection of Reports from the 11th National Conference of Doctoral Students, Postdoctoral Students and Young Scientists in the Field of Legal Sciences ", Institute of State and Law at the Bulgarian Academy of Sciences, 2021.

All three publications are related to the topic of the dissertation work and show the candidate's lasting interest in the developed topics and his systematic approach in researching the matter.

Personal qualities of the author

Candidate Aleksandar Angelov holds a Master degree of Law and a Master degree of Finance. He worked as an inspector in the Ministry of Internal Affairs, and since 2007 as a judge. In 2016, he was seconded as a national expert in the EU Mission in Kosovo. From 2017 to the present, he is the chairman of Sofia District Court.

A partnership agreement has been concluded between the Law Department of New Bulgarian University and Sofia District Court, and a large number of students from the Law program at New Bulgarian University do their internships in this court. Doctoral student Aleksandar Angelov participated in the graduation ceremony of our students with a welcome. He was also involved in New Bulgarian University initiatives, which is why I also have observations about the candidate's personal qualities. He is distinguished not only by interests in court proceedings, but also by motivation to expand his knowledge in the field of legal science. In addition, Judge Alexander Angelov is part of the team that created the documentary "140 Years of Sofia District Court" <https://www.youtube.com/watch?v=m0Npd8aLaBQ>, a fact that confirms

the candidate's interest in studying the past in the field of administration of justice and the creation of memory for our ancestors.

The dissertation work of the doctoral student Aleksandar Angelov, in my opinion, would be of interest both to legal practitioners and to persons interested in the development of legal science and law enforcement, therefore I recommend the candidate to publish his work, the subject of the current procedure: "Structure, Organization and Procedural Foundations of the First-instance Civil Justice Administration in Bulgaria from 1878 to 1948 and a Comparison with the Current Regulation".

Conclusion

Having familiarized myself with the dissertation work presented in the procedure and the scientific works accompanying it and based on the analysis of their significance and the scientific and scientific-applied contributions contained in them, I confirm that the presented dissertation work and the scientific publications to it, as well as the quality and originality of the results and achievements presented in them meet the requirements of the Act on the Development of Academic Staff in Republic of Bulgaria, the Regulations for its application and the Ordinance on the development of the academic staff of New Bulgarian University for the acquisition by the candidate Aleksandar Velinov Angelov of the educational and scientific degree "Doctor" in the scientific field of higher education education: professional direction 3.6 Law, scientific specialty History of State and Law.

The candidate meets the minimum national requirements in the professional direction and no plagiarism has been found in the scientific works submitted for the competition.

Based on the above, I recommend to the Scientific Jury to award Aleksandar Velinov Angelov, a doctoral student of independent training, awarded with the right to defend in the doctoral program "History of State and Law", according to the procedure for the defense of a dissertation work on the topic: "Structure, Organization and Procedural Foundations of First-

instance Civil Justice Administration in Bulgaria from 1878 to 1948 and Comparison with the Current Regulation" the acquisition of the educational and scientific degree "Doctor" in the scientific field of higher education: professional direction 3.6 Law, scientific specialty History of State and Law.

Date: 08.02.2022

Signature:

Prof. Dr. Ekaterina Mihaylova