

NJORD case law news: the Supreme Court's Jurisprudence and Scientific Analysis Division has published a summary of case law on the binding force of a judgment

In July 2023, the Jurisprudence and Scientific Analysis Division of the Supreme Court of the Republic of Latvia has published a new compilation of the case law of the Senate of Latvia "Binding force of a judgment (Res judicata) - practice and comments of the Senate of Latvia", which is publicly available on the website of the Supreme Court in the case law compilations section (link to the Supreme Court website: <https://www.at.gov.lv/lv/tiesu-prakse/tiesu-prakses-apkopojumi/civiltie...>).

The first part summarises extracts and conclusions of court decisions gathered by judges Konradi and Walters from the first period of independence, according to the order of provisions of the Civil Procedure Law. The second part contains the judgments commentaries by V. Markade, J. Baron, H. Dernburg, V. Isachenko, M. Planiola, T. Yablochkov, J. Vaskovsk, D. Grim, I. Tyutryumov, K. Čakste and other legal scholars and jurists on the legal force of judgments and their binding nature, as well as on the origin of the institution of res judicata, such as the right of the court to correct errors in a judgment, newly discovered circumstances, the entry into force and enforcement of a judgment and its binding effect on the parties, the court and third parties, the coincidence of the subject matter of a claim, the cause of action and the parties in order to dismiss a new claim as res judicata, the impact of criminal judgments on civil cases, as well as other related legal issues. The summary covers perspectives on res judicata from Roman and Pandect law, as well as from Russian and French civil law procedure perspective.