„LUCIAN BLAGA" UNIVERSITY OF SIBIU
THE FACULTY OF LAW
DOCTORAL PROGRAMME
DOCTORAL FIELD: LAW

THE APPEAL AGAINST ENFORCEMENT IN CIVIL PROCEDURE

Doctoral advisor: PhD Candidate:

Professor Ioan LEŞ PhD Maria-Iuliana CIOCAN

Sibiu, 2017

ABSTRACT

Key words: appeal against enforcement, suspension, enforcement, enforceable title, appellant

One of the key levers in ensuring the rule of law is to offer solid guarantees in the performance of justice and in observance of the right to a fair trial. These goals would not be possible without the creation of legislative norms to give effect to the principle of legality, the right to a fair trial, impartiality, and celerity in the judgment of the case.

The course of the civil trial has two segments: *the judgment* and *the enforcement*.

The essence of the enforcement is the existence of an enforceable title; no enforcement can begin without it. Once the enforcement procedure has been initiated, the main procedural means through which those interested or injured by it can obtain the abolition of illegal acts or measures of this stage is the appeal against enforcement.

The scientific approach aims to make an incursion in the sphere of civil appeal against enforcement, with emphasis on the new regulations stipulated in the current Civil Procedure Code and on judicial practice.

In relation to the motivation for the choice of the subject, we appreciate that the analysis of the appeal against enforcement is of interest and constantly develops problems in the practice of the courts, due in particular to the many reasons that can be invoked, but also to the legislative instability in the field of enforcement and to mismatches of legal texts.

As a consequence, the civil appeal against enforcement is a permanent source of research for both doctrinaires and practitioners. At the same time, the appeal against enforcement is of particular practical significance in relation to the stages of the civil trial. If the court phase offers a lot of leverage in support of the participants in the activity carried out before the judicial bodies, during the enforcement stage, the appeal against enforcement is the way of verifying the legality and the groundness of the enforceable title. We can say that it is a supervision of the lawful and founded realization of the enforcement activity, which results in the effective birth of a subjective right.

This study seeks to give a broader picture of the research topic, viewed both from the theoretical perspective and also under the spectrum of practice, exemplifying with cases encountered in the courts of law.

In order to elaborate the study, we have aimed at: defining the essential concepts, identifying and analyzing the practical problems generated by the appeal against the enforcement, performing a comparative analysis of certain institutions within the appeal procedure, both temporarily (the comparison between present and prior provisions) and by reference to different branches of law or other foreign legislation.

The specific way of investigating the topic is achieved through a complex of research methods. With respect to the methodology of scientific research, in order to achieve the proposed objectives, we approached general and specific methods of the research in legal sciences:

- - *transversal methods* - some sections and even chapters of the research are exclusively concerned with the issues related to the current regulations, namely the approach of the legal provisions regarding the appeal against enforcement in the current Civil Procedure Code,
- - *longitudinal methods:* which include the comparative and diachronic presentation of the succession of regulations regarding the theme approached in relation to the social-historical context,
- - *observation methods:* the documentary study and the direct observation in courts of the cases concerning the appeal against enforcement,
- - *case study methods:* by means of the case study the research analyzes some particular aspects regarding the reasons for the appeal against enforcement, especially for the judicial practice,
- - *gathering information methods,*
- - *methods of interpretation:* these appear under two pillars, namely the *exegetical* method and the *analytical-synthetic* method. As far as the exegetical method is concerned, it is the use of the logical and grammatical interpretation of the legal text - this way, criticisms of the current legal regulations can be brought, the provisions regarding the appeal against enforcement in relation to other auxiliary legal texts can be interpreted. The analytical - synthetic method starts from the analysis of the legal norms in force, aiming at discovering the legal principle underlying them. Through the comparative research of the principles and the establishment of their specific characters on the path of synthesis, essential principles emerge.
- - *methods of processing information (both qualitative and quantitative),*

- - *the comparative method* occupies an important place in the research of the analyzed topic. The method involves highlighting the similarities and differences related to the essence of the analyzed institution,

- *quantitative methods* used in research to analyze some legal phenomena that are commensurable (e.g. the frequency of certain grounds for appealing the enforcement), allowing observations and conclusions to be drawn on causes and incidence of a type or other of appeals in relation to current legislation and social reality.

All these methods have been used in close interdependence, completing one other in this research.

The strong practical nature of this study is to help clarify and understand legal provisions, to find possible solutions to situations where regulations do not address these issues.

The actuality of the research derives from the fact that the provisions of the current Civil Procedure Code have been and are in constant change (we mention that the enforcement is the part that has undergone the most changes in a short period of time), and the legislative influx and socio-economic issues constantly give rise to new causes that the person injured in an illegal enforcement may submit to the court filter.

However, all solutions given in appeals against enforcement must respect the „right to a fair trial", as developed in the case law of the „European Court of Human Rights".

In relation to the content of the study, it is devoted to the appeal against enforcement - the second phase of the Romanian civil trial, one of the few levers (sui generis appeals - as we have appreciated) at the disposal of the injured and interested persons in this procedural stage, designed to verify the lawfulness and groundness of the enforcement itself/of the individual acts of enforcement.

The architectural construction of the thesis is carried out on nine levels (9 chapters divided into sections and subsections) which closely follow the analysis of the institution of the appeal against enforcement under the spectrum of the provisions of the current civil procedural regulations, and having as a comparison the previous regulations of the Civil Procedure Code from 1865. In addition to the theoretical aspects, the study contains numerous case-law examples to clarify certain concepts or to clarify some issues arising from insufficient regulation or legislative mismatches.

The beginning of the scientific study has the role to constitute a general incursion in the sphere of enforcement, viewed from an historical perspective and then pointing to the "key elements" of this stage of the Romanian civil trial: *the enforceable title* (highlighting the main categories of documents having the attribute of enforceability), *the bailiff* (whose duties have increased substantially in the phase of enforcement in the light of the new civil procedural law), the enforcement court (which also maintains a significant role in the regulation of the present Code, especially as regards the verification of the legality and the groundness of the enforcement acts, certain measures, the solution of some procedural incidents; worthy to be emphasized is that the intervention of the court does not occur *ex officio*, but only upon the notification of the bailiff or the interested party). Within **Chapter I** is presented the legal nature of the appeal against enforcement, with different conceptions, both monistic and mixed. Starting from the subject matter, the thesis embraced in relation to the legal nature of the appeal against the enforcement is that of a sui generis appeal, an appeal specific to the enforcement stage and inadmissible during the trial stage. It is not forgotten the issue of enforcement, pointed out by the jurisprudence of the European Court of Human Rights in the cases against Romania.

Chapter II of the thesis follows the forms and object of the appeal against enforcement. We note, as a novelty, that the legislator has consecrated an article with the marginal name of "the object of the appeal against enforcement". Similar to the old procedure, the current regulation does not contain a division/legal classification of the types of appeals against enforcement. The analysis of the appeal against enforcement and of the appeal against the enforceable title was made in the light of the causal reason-object report, of the competent court for ruling over the case, the term of exercise, as well as the problems that can be brought into light by these forms. The questionable issues dealt with in this regard were: the admissibility of the appeal against the enforceable title in the event of using the procedure provided for in art. 443 civil procedure code (we agreed that there are situations in which both remedies could be used, provided the subject of the clarification is a distinct one); the not-correlation of the legal provisions of art. 712 par. 2 civil procedure code (which constitutes the general framework of the appeal against the enforceable title) with art. 714 par. 3 civil procedure code (regarding the competent court in the matter of the appeal against the enforceable title) and 718 par. 2 civil procedure code (which concerns the appeal within the same form of appeal against enforcement) in respect with the enforceable titles which may be the subject of this form of appeal (please note

that by reading *stricto sensu* the first article indicated and without being corroborated with the other two legal texts, it is concluded that the object would be made exclusively by court rulings). One of the sections concerned the appeal "against the bailiff's refusal to carry on the enforcement or to execute an act of enforcement under the law". The essential difference from the old procedure is the legitimacy given by the legislator to appeal "against the bailiff's refusal to carry on" and not to "start an enforcement procedure." The change is welcome, as the new aspects perfectly fit the elements of admissibility of the appeal against enforcement, namely that enforcement is begun. Moreover, the current Civil Procedure Code provides, at art. 665 par. 2, a special way of challenging the refusal of the bailiff to start the enforcement, that is, the complaint. We also appreciate the changes brought by art. 37 point 11 of "Law no. 76/2012 "to art. 56 of the "Law no. 188/2000 "on restricting the scope of the acts that may be challenged by a complaint in the situations indicated by art. 7 par. 1 lit b-i of the special law, changes occurred after the de *lege ferenda* proposal made by the renowned civil procedure specialist Prof. Ioan Leş PhD. This has suppressed the overlapping of the two means of challenging the bailiff's acts of refusal. As regards the object of the appeal against enforcement, elements with an innovative aspect are highlighted in the current civil procedure: the possibility of contesting "the reports of the bailiff" and the "reports allowing the enforcement". At the same time, due to the change of optics in the matter of enforcing a title, the possibility of attacking the report by which "the enforcement was allowed", as provided by the old art. 399 par. 2 ind. 1 C. pr. It should be noted that the provisions regarding the enforceability procedure, as well as those regarding the report of allowing the enforcement, have undergone most changes after the appearance of the new Civil Procedure Code, a matter widely dealt with in the research.

Chapter III is dedicated to the subjects and parties in the appeal against enforcement. Both persons / bodies with active legal quality as well as those having passive quality in an appeal are dealt with. The analysis primarily concerns the debtors (most interested, as a rule, in promoting the appeal against enforcement); then creditors (their incidence in the presence of active procedural legitimacy being rare but not non-existent); third parties who, although foreign to the binding legal relationship, may in certain circumstances justify an interest in the promotion of the claim (discussions arise in the case of an appeal against the enforceable title, hypothesis where the request made by a third party is inadmissible); the prosecutor (to whom the legitimacy is granted *ex lege* in the cases expressly provided by the provisions of art. 92 of the Civil

Procedure Code). The role played by the bailiff on the scene of the appeal against enforcement can only be one of passive legal legitimacy in certain circumstances determined in a limitative manner. However, his position in the case of the appeal against the enforceable title is debatable, although we do not exclude, *de plano*, the possibility of promoting a request for clarification, we emphasize that it can be successfully opposed the lack of interest and the lack of affirmation of personal rights. A problem that should be reported is that of the admissibility of the appeal if the appellant does not promote the request in contradiction with all parties of the enforcement. In this case, the question that arises is that of the court ruling: will the court have to overrule the appeal as inadmissible or, by virtue of its active role, will have the duty to bring all parties of the enforcement into question? However, we appreciate that the court, will not be able, ex officio, to order the completion of the trial with all parties of the enforcement. By virtue of their active role as well as the provisions of art. 78 Civil procedure code, will be able to rise to the parties' debate summoning all parties, and in the case of opposition from the appellant, to reject the petition as inadmissible.

Filing the appeal against enforcement could not be justified without the existence of reasons that would lead to the necessity of challenging the enforcement or enforcement acts. A wide range of reasons have been highlighted in the case-law, such as: matters relating to the existence and validity of the enforceable title, grounds relating to the order of seizing the goods or persons, the meaning, scope and enforcement of the enforceable title, determination of the sizeable goods, breaking the rules of enforcement, etc., reasons closely interrelated with other branches of law etc. An important role in the analysis of the reasons lies with those related to the enforcement (viewed from the historical perspective, with the many changes that have resulted in extensive discussions in the specialized literature and the invocation of unconstitutionality pleas; the shared view is that it is not necessarily wrong to carry out a preliminary verification by the court of the enforceable title, before actual enforcement acts are carried out, but our proposal is to establish a filter complete, having powers to verify formal aspects in relation to the approval). The emphasis is not only on the issues related to allowing the Romanian enforceable titles, but also on allowing enforceable titles made under the "EC Regulation no. 44/2001 ", and the question of the appeal against the report allowing the enforcement is discussed (see Chapter 5, we consider that this is a special, sui generis, remedy). The chapter also contains a case study on

the enforceability of bank credit contracts assigned to another person who does not have banking duties, which are currently subject to numerous appeals against enforcement.

Another aspect developed within the thesis is that of the delay in which the appeal against enforcement may be filed. The legal basis is found in art. 715 Civil procedure code, entitled "delays". A first issue addressed is that of the legal nature of the delay, which is a revocation one, susceptible to interruption and suspension, as well as to re-establishment. Subsequently, it is intended to highlight the types of delays within the analyzed institution: the general delay of 15 days (valid both in the case of the appeal against enforcement itself and in the case of the appel against the bailiff's refusal to carry on the enforcement or enforcement act") and the moment when it begins to run, as well as special delays present both in the Civil Procedure Code and in some special laws. Of note is the return of the legislator to the 15-day delay and the appeal against the bailiff's reports - which are not, according to law, final. We consider it beneficial the legislator having renounced at the previous 5-day delay, and there is no indication of the parallel flow of two delays for appealing two or more enforcement actions. At the same time, it cannot be argued that a 5-day delay would have implied a very high degree of celerity, as the written procedure, prior to the trial, is sufficiently long. In relation to the appeal against the enforceable the title, we have considered that the legal provisions also refer to a general delay (as long as we recognize the existence of the appeal against the enforceable title as a form of the appeal against enforcement and not as an exception to the rule of appeal, it is natural to give the delay the same nature), valid for this form of appeal against enforcement, and not a special delay, as was appreciated by most of the doctrine. However, the issues related to the sanctions in case of non-observance of the legal delay have not been forgotten.

The next chapter sets out the conditions for the admissibility of the appeal against enforcement, as well as the limits established in this regard. The legal provisions of the matter can be found in art. 713 (in relation to the appeal against enforcement itself and the one against the enforceable title), to which are added the provisions of art. 712 par. 2 applicable exclusively to the appeal against the enforceable title. It should be noted that if any of the cases expressly determined by the above mentioned articles is found, the appeal against enforcement will be overruled as inadmissible. An element of novelty brought by the current Civil Procedure Code is the inadmissibility of invoking factual or legal grounds that could have been challenged during trial, and in the case of an arbitration judgment (joining the inadmissibility of invoking factual

and legal grounds in the appeal against enforcement of judgments). However, the legislator's inconsistency in formulating legal texts is notable: par.1 of art. 713 C. pr. civil is not correlated to par. 2, omitting to indicate the arbitral judgment in par. 2 of art. 713 C. pr. As a *de lege ferenda* proposal, we consider that the deletion of the word "debtor" from par. 1 of art. 713 C. pr., would be needed, whereas the current legislation limits the prohibition of invoking factual or legal grounds to only one participant in the enforcement, excluding others (e.g. a creditor or a third party); by interpreting the legal text *per a contrario* as it appears in the present form, the appellant or defendant creditor may bring in the appeal, factual or legal grounds, even breaching the principle of the *res judicata*. Other elements of novelty appear in the inadmissibility of filing a new appeal against enforcement of the same party "for reasons that existed at the date of the first appeal" (to note in this regard the analysis of the moment until which the appeal against enforcement can be completed, adding " new reasons "), regulations regarding the limits of filing the appeal against enforcement in relation to third parties claiming a real right and to creditors who do not enforce their claims.

The issue of the competence to rule over the appeal against enforcement is treated in Chapter VII of the thesis. The analysis looks at aspects related to the enforcement court (with all the legislative and jurisprudential problems resulting from the declaration of the unconstitutionality of the old article 650 par. 1 of the Civil Procedure Code and of the "normative vacuum" appeared), the jurisdiction to rule over the appeals against enforcement itself and the appeals against the enforceable title. The questionable issues arise as to the absolute or relative nature of the rules in the matter, the possibility for a court to be an enforcement court, the jurisdiction in the case of foreign enforceable titles, including the admissibility of the appeal against the title if it was issued by to a foreign court. Moreover, we also believe that there are still some issues that should be clarified, including through legislative intervention: the need to set up specialized panels on enforcement (to deal with claims and incidents arising during this phase of the civil trial and, implicitly and specifically, we could say, the appeal against enforcement); the establishment of specialized panels of judges in the branch of law in which the appeal against enforcement is filed (especially in the appeal stage) - it would be necessary to expressly state the functional jurisdiction of the tribunals in solving the appeal against the judgment issued in the appeal against enforcement, (especially with regard to the increased

complexity of appeals in certain branches of the law such as the tax law)[1]. At the same time, we consider that the determination of substantive jurisdiction only by reference to the subject-matter of the dispute - that of appeal against enforcement - in this matter and establishing it in favour of the enforcement court (except in the case of disputes concerning an appeal against the enforceable title where the enforceable title is represented by a court decision), it is not enough. It might have been worth mentioning the maintenance of a value criterion that would lead to the determination of material jurisdiction. This is due to the fact that, in most cases, the complexity of appeals against enforcement exceeds the complexity of the other litigations attributed to the jurisdiction of the courts. *De lege ferenda*, we do not exclude the possibility of establishing at the level of the enforcement courts, certain filter panels of judges that analyze form matters and obvious irregularities in the appeal against enforcement, in order to allow or overrule, in principle, the appeal against enforcement, especially since this type of request is not subject to the regularization procedure. At the same time, these filter panels of judges could also rule over requests for enforcement, which, unfortunately, are currently subjected to a more formal analysis and are never real and effective.

An extensive area of this study is the last two chapters on the trial procedure for the appeal against enforcement and the suspension of enforcement.

The scientific approach sets the general and special procedural elements, surprising the new issues brought by the current regulation in the field. The analysis focuses on the form and content of the claim, the related stamp duty, the obligation to lodge the contestation (with the express reference in the legal text of the matter), the admissibility of the counter-claim, the urgency and celerity of the case, and the exemption from the applicability of the regularization procedure provided by art. 200 Civil procedure code, summoning parties, admissibility of evidence. One aspect of specificity is "the need for the bailiff to transmit certified copies of the contested acts", which generated the analysis of the time and the delay for the transmission, the explanation of the words "execution acts" and "the interested party" who will pay the costs of copying, how to determine the costs of transmission and the court's amendment of the amount, as well as the sanction applied in case of the refusal to send or to pay the expenses. Last but not least, the possible decision in the appeal against enforcement are highlighted in detail. Regarding appeals against the judgment, they will depend on the form of the appeal against enforcement as

[1]See intra. Chapter. VII for details

they have been developed. A contributing aspect of the study relates to the determination of the form given to the decision issued in the appeal against enforcement: enforceable judgment or report? Although the practice of courts is inclined to issue judgments, we appreciate that by law the solutions can only take the form of enforceable reports, by reference to the provisions of art. 651 par. 3 and 4 civil procedure code. *De lege ferenda*, a legislative intervention would be required to establish firmly what type of decision should be given in the case of the appeal against enforcement itself and which leaves no room for interpretation since, according to present legal provisions, the decisions issued might be annulled.

An aspect of interest both in theoretical and practical terms is that of suspending enforcement. Chapter IX follows this issue, starting from the definition of the concept, followed by the classification of the suspension of enforcement, the pointing out the features of judicial suspension (with discussion of its incidental character - valid from our point of view only in the case of the suspension formulated within the appeal against enforcement), as well as the analysis in all aspects of the two types of judicial suspension related to the appeal against enforcement: suspension of the enforcement filed within the appeal against enforcement (we mention that we do not agree with the name "suspension on the merits" - that was embraced in doctrine) and temporary suspension. In relation to the first type of suspension, the conditions for the admissibility of the request are highlighted: a written request, provision of a security at the court's disposal (amply treated and raising questions about the method of setting the amount, the remedy against the amount of the security and the lawful legal process in its promotion, the incidence of public legal aid in the matter of the security - including in relation to ECHR rulings in the matter, the person who must pay the security, the time at which it can be paid, the cases in which the compulsory suspension with no security - novelty of the Civil Procedure Code, place of security payment and its destination, breach of the principles of fairness and equality of rights of parties by exempting institutions and public authorities from the provision of security in order to suspend the enforcement), the payment of the stamp duty. Then, the substantive conditions to determine suspension are developed, as well as the legal assumptions under which suspension is mandatory - an innovative aspect of the current civil procedural regulations. The competency aspects are then fixed, also insisting on the moment at which such a request can be promoted. In relation to this latter aspect, the scientific approach seeks to answer the following questions: what is the time up until which a request for suspension of enforcement can be filed? Is the

request for suspension of enforcement a modification/completion of action within the meaning of art. 204 C. pr. civ? It is the mention in art. 719 par. 1 civil procedure code concerining the separate request, an exception to the general provisions established by art. 204 par. 1 C. pr. civ.? Will such a request be admissible? Or will the court overrule it on account of the tardiness in its promotion? Is it necessary/mandatory to file a contestation against the suspension request? The proposed responses arise from the analysis of the legal nature of the suspension, that of a procedural incident, a measure designed to temporarily suspend enforcement. Referring to the trial procedure of the request for suspension within the appeal against enforcement, we mention the contentious aspect, the obligation to summons the parties as well as its urgent character. The issued decision is the report, some aspects regarding the effects, the duration and the termination of the suspension being also looked upon. The case study inserted in the chapter has in the foreground the suspension of enforcement in the special eviction procedure. The second form of judicial suspension in connection to the appeal against enforcement is the temporary suspension. Starting from the changes that have taken place over time, the institution's analysis is then followed by the competent court to rule over the request (with particular interest in the panel in which the temporary suspension is to be dealt with; we take the view that the trial of the temporary suspension should be attributed to the same panel which will also rule over the appeal against enforcement), the conditions for the admissibility of the temporary suspension, issues related to the decision issued, the appeals and the duration of the measure. A section is also devoted to the comparative aspects of the two types of suspension.

All the chapters contain comparative law elements, as well as extensive jurisprudence, which give the study a strong practical character.

SELECTIVE BIBLIOGRAPHY

TRATATE ŞI MONOGRAFII:

Băldean, Denisa Livia; Frenţiu, Gabriela Cristina, „Ajutorul public judiciar în materie civilă”, Editura Universul Juridic, Bucureşti, 2010.

Băldean, Denisa Livia; Frenţiu, Gabriela Cristina, „Noul Cod de procedură comentat”, Editura Hamangiu, Bucureşti, 2013.

Bârsan, Corneliu, „Convenţia Europeană a Drepturilor Omului. Comentariu pe articole, Drepturi şi libertăţi”, Editura C.H. Beck, Bucureşti, 2010.

Boroi, Gabriel, „Drept procesual civil. Note de curs”, vol. I şi II, Editura Romfel, Bucureşti, 1993.

Boroi, Gabriel; Rădescu, Dumitru, „Codul de procedură civilă comentat şi adnotat”, Editura All, Bucureşti, 1994.

Boroi, Gabriel; Spineanu-Matei, Octavia; Constanda, A.; Negrilă, A., Dănilă, V., Theohari, D.N., Răducan G., Păncescu F.G.; Eftimie, M., „Noul Cod de procedură civilă. Comentariu pe articole”, vol. II, art. 527 – 1133, Editura Hamangiu, Bucureşti, 2013.

Boroi, Gabriel; Spineanu-Matei, Octavia, „Codul de procedură civilă adnotat”, Ediţia a 3-a revăzută şi adăugită, Editura Hamangiu, Bucureşti, 2011.

Boroi, Gabriel; Stancu, Mirela, „Drept procesual civil”, Editura Hamangiu, Bucureşti, 2015.

Bozeşan, Vasile (coord.), „Executarea silită. Hotărâri ale Curţii Europene a Drepturilor Omului pronunţate în cauzele împotriva României”, Editura Universitară, Bucureşti, 2015.

Budușan, Luiza Iuliana; Barbur, Diana Flavia, „Recuperarea creanţelor. Ghid practic”, Editura Universul Juridic, Bucureşti, 2012.

Burján H., Cătuna L., Géczine Bárdosi E., Józon M., Kapa M., Mangu F., Motica A., Motica R.I.,Osztheimer K., Popa C., Roşu C.,Veress E., “Executarea silită transfrontalieră a hotărârilor judecătoreşti pronunţate în materie civilă şi comercială în Uniunea Europeană”, publicată şi editată în cadrul programului Uniunii Europene nr. JLS/CJ/2007-1/10, 2007.

Cădere, Victor G., „Tratat de procedură civilă”, Tipografiile Unite SA, Bucureşti, 1935.

Ciobanu, Viorel Mihai, Boroi, Gabriel, „Drept procesual civil. Curs selectiv. Teste grilă”, Editura C.H. Beck, Bucureşti, 2007.

Ciobanu, V.M., Nicolae, M. (coord.), Baias, Fl., Belelgante, V., Briciu, T.C.V., Dinu, C.C., Dumitrache, B., Florea, Gh., Fodor, M., Gîlcă, I., Ghinoiu, D., Irimia, C., Nicolae, A., Rădoi, A., Stancu, M., Ștefănescu, A., Tăbârcă, M., Turcu, N., Ursuța, M., Zidaru, L., „Noul Cod de procedură civilă, comentat și adnotat”, Editura Universul Juridic, București, 2013.

Ciobanu, Viorel Mihai; Marian Nicolae coord., „Noul Cod de procedură civilă. Comentat și adnotat”, vol. II, Editura Universul Juridic, București, 2016

Costin, N. M.; Leş, I.; Minea, M. Şt.; Costin, C.M.; Spinei, S., „Dicţionar de procedură civilă”, Ediţia a 2-a, Editura Hamangiu, Bucureşti, 2007.

Dănăilă, Ileana Ruxandra, „Executarea silită. Titluri executorii. Creanțe fiscale. Practică judiciară adnotată”, Ed. Hamangiu, 2010.

Deleanu, Ion, „Tratat de procedură civilă”, Editura Servo-Sat, Arad, 2001.

Deleanu, Ion, „Tratat de procedură civilă”, vol. I şi II, ed. a II-a, Editura C. H. Beck, Bucureşti, 2007.

Deleanu, Ion; Mitea, Valentin; Deleanu, Sergiu, „Tratat de procedură civilă. Noul cod de procedură civilă”, vol. III, Editura Universul Juridic, Bucureşti, 2013.

Deak, Francisc, „Tratat de drept succesoral”, Editura Hamangiu, Bucureşti, 2002.

Dinu, Mădălina; Stanciu, Roxana, „Executarea silită în Codul de procedură civilă. Comentariu pe articole”, Editura Hamangiu, București, 2017

Florescu, Dumitru Andreiu Petre; Coman, Paul; Mrejeru, Theodor; Safta, Marieta; Bălaşa Gabriel, „Executarea silită. Reglementare. Doctrină. Jurisprudenţă”, ed. a III-a, Editura C. H. Beck, Bucureşti, 2009.

Fodor, Maria, „Probele în procesul civil”, Editura Universul Juridic, Bucureşti, 2006.

Fodor, Maria, „Drept procesual civil. Proceduri speciale. Procedura necontencioasă. Arbitrajul. Executarea silită. Proceduri speciale”, Editura Universul Juridic, București, 2010.

Frențiu, Gabriela Cristina; Băldean, Denisa Livia, „Codul de procedură civilă comentat și adnotat”, Editura Hamangiu, București, 2008.

Fricero, Natalie, „Procédures civiles d’exécution. Voies d’exécution. Procédures de distribution”, 3-e éd., Ed. Gualino, Paris, 2013.

Gârbuleţ, Ioan, „Organizarea şi exercitarea profesiei de executor judecătoresc”, Editura Hamangiu, Bucureşti, 2007.

Gârbuleţ, Ioan; Stoica, Adrian, „Ghid practic de executare silită”, Editura Hamangiu, București, 2010.

Ghiţă, Daniel, „Executarea obligaţiilor prin mijloace indirecte”, Ed.C.H. Beck, Bucureşti, 2016.

Habscheid, W.J., „Droit judiciaire privé suisse”, 2é édition, Libraire de l’Université, Genĕve, 1981.

Hanga, Vladimir, „Iustinianii Instituționes- Instituțiile lui Iustinian”, Editura Lumina Lex, București, 2005.

Hilsenrad, Arthur; Stoenescu, Ilie, „Procesul civil în R.P.R”, Editura Științifică, București, 1957.

Hurubă, Eugen, „Noţiuni de executare silită”, Editura Universul Juridic, Bucureşti, 2010.

Hurubă, Eugen, „Contestaţia la executare silită în materie civilă”, Editura Universul Juridic, Bucureşti, 2011.

Ionescu, Bogdan, „Studiu teoretic și de practică judiciară privind contestația în anulare și contestația la executare”, Editura Continent XXI, București, 2005.

Lesviodax, Alexandru, „Contestaţia la executare în materie civilă”, Editura Ştiinţifică, Bucureşti, 1967.

Leș, Ioan, „Tratat de drept procesual civil”, Ediția a 4-a, Ed. CH. Beck, București, 2008.

Leş, Ioan, „Tratat de drept procesual civil”, Ediţia a V-a, Editura C. H. Beck, Bucureşti, 2010.

Leş, Ioan, „Codul de procedură civilă. Comentarii pe articole”, Ediţia 3, Editura C.H. Beck, Bucureşti, 2007.

Leş, Ioan, „Tratat de drept procesual civil. Vol I: Principii şi instituţii generale, Judecata în faţa primei instanţe”, Editura Universul Juridic, Bucureşti, 2014.

Leş, Ioan, „Legislaţia executării silite. Comentarii şi explicaţii”, Editura C.H. Beck, Bucureşti, 2007.

Leş, Ioan, „Noul Cod de procedură civilă. Comentarii pe articole (art. 1-1133)”, Editura C.H. Beck, Bucureşti, 2013.

Leş, Ioan, „Principii şi instituţii de drept procesual civil”, Editura Lumina Lex, Bucureşti, vol. III, 1999.

Leş, Ioan, Jugastru, Călina; Lozneanu, Verginel; Circa, Adrian; Hurubă, Eugen; Spinei, Sebastian, „Tratat de drept procesual civil”. Vol II: „Căile de atac, Procedurile speciale, Executarea silită, Procesul civil internaţional”, Editura Universul Juridic, Bucureşti, 2015.

Leş, Ioan, „Noul Cod de procedură civilă. Comentariu pe articole”, Ediția 2, Editura C.H. Beck, Bucureşti, 2015.

Lucaciuc, Ştefan Ioan, „Contestaţia la executare în reglementarea noului Cod de procedură civilă”, Editura Hamangiu, Bucureşti, 2014.

Măgureanu Florea, „Drept procesual civil”, ediţia a X-a, Ed. Universul Juridic, București, 2008

Negulescu, Demetrescu, „Execuțiunea silită. Principiile generale”, vol. I, Tipografia Gutenberg, București, 1910.

Negru, Vasile, Radu, Dumitru, „Drept procesual civil”, Editura Didactică şi Pedagogică, Bucureşti, 1987.

Nica, Cristina, „Executarea silită. Practică judiciară”, Editura Hamangiu, Bucureşti, 2008.

Nicolae, Marian, „Tratat de prescripție extinctivă”, Editura Universul Juridic, București, 2010.

Oprina, Evelina, „Executarea silită în procesul civil”, Editura Universul Juridic, Bucureşti, 2007.

Oprina, Evelina, „Executarea silită în procesul civil”, ediția a IV-a revăzută și adăugită, Editura Universul Juridic, București, 2010.

Oprina, Evelina, „Executarea silită în procesul civil”, ed. a V-a revăzută și adăugită, Editura Universul Juridic, Bucureşti, 2011.

Oprina, Evelina, Gârbuleț, Ioan, „Tratat teoretic şi practic de executare silită, vol. I. Teoria generală şi procedurile execuţionale conform noului Cod de procedură civilă şi noului Cod civil”, Editura Universul Juridic, Bucureşti, 2013.

Pietreanu, Simona Gina; Gavriş, Marcel Dumitru, „Executarea silită, Culegere de practică judiciară”, Editura Wolters Kluwer, Bucureşti, 2009.

Piperea, Gheorghe ş.a., „Noul Cod de procedură civilă. Note. Corelaţii. Explicaţii”, Editura C.H. Beck, Bucureşti, 2012.

Popescu, Tudor R.; Anca, Petre; „Teoria generală a obligaţiilor”, Bucureşti, Editura Ştiinţifică, 1968.

Porumb, Grațian, „Codul de procedură civilă comentat şi adnotat”, vol. II, Ed. Ştiinţifică, Bucureşti, 1960.

Porumb, Graţian, „Teoria generală a executării silite şi unele proceduri speciale”, vol II, Editura Ştiinţifică, Bucureşti, 1964.

Răducan, Gabriela, „Dreptul executării silite. Titlul executoriu european”, Editura Hamangiu, București, 2009.

Răducan, Gabriela, „Dreptul executării silite. Titlul executoriu european”, Ediţia a 2-a revăzută şi adăugită, Editura Hamangiu, București, 2010.

Rebeca, Ion, „Executarea silită prin poprire”, Editura Hamangiu, București, 2007.

Selegean, M., „Dreptul la un proces echitabil. Articolul 6 din Convenția Europeană a Drepturilor Omului”, I.N.M., 2005.

Sion, Constantin, „Căile de execuţie”, Tipografia Alexandru Terek, Iaşi, 1943.

Spineanu Matei, Octavia; Boroi, Gabriel, „Codul de procedură civilă comentat şi admotat”, Editura Hamangiu, Bucureşti, 2007.

Stanciu, Roxana, „Contestaţia la executare în noul Cod de procedură civilă: Practică judiciară”, Editura Hamangiu, Bucureşti, 2015.

Stanciu, Roxana, „Contestaţia la executare”, Ed. Hamangiu, Bucureşti, 2010.

Stătescu, Corneliu; Bârsan, Constantin, „Drept civil. Teoria generală a obligaţiilor”, ed. a III-a, Editura All Beck, Bucureşti, 2000.

Stoenescu, Ilie, Hilsenrad, Arthur, Zilberstein, Savelly, „Tratat teoretic şi practic de procedură a executării silite”, Editura Academiei Republicii Socialiste România, Bucureşti, 1966.

Suciu, Alexandru, „Excepţiile procesuale în Noul Cod de procedură civilă”, Editura Universul Juridic, Bucureşti, 2012.

Tăbârcă, Mihaela, „Drept procesual civil”, vol. I şi II, Editura Universul Juridic, Bucureşti, 2005.

Tăbârcă, Mihaela; Buta, Gheorghe, „Codul de procedură civilă comentat și admotat, cu legislație, jurisprudență și doctrină”, ed. a II-a revăzută și adăugită, Editura Universul Juridic, București, 2008.

Tudurache, Dan Constantin, „Contestaţia la executare”, Ediția a 2-a, Editura Hamangiu, Bucureşti, 2009.

Țambulea, Alina Gabriela, „Executarea silită. Practică judiciară”, Editura Hamangiu, București, 2008.

Vidu, Stelian Ioan, „Dreptul de retenție în raporturile juridice civile”, Editura Universul Juridic, București, 2010.

Zamfir, Cătălin; Vlăsceanu, Lazăr (coord.), „Dicţionar de sociologie”, Bucureşti, Editura Babel, 1993.

Zilberstein, Savelly; Ciobanu, Viorel Mihai, „Drept procesual civil. Executarea silită”, vol I, Ed. Lumina Lex, București, 1996.

Zilberstein, Savelly; Ciobanu, Viorel Mihai, „Tratat de executare silită”, vol. II, ed. a 2-a revăzută, Ed. Lumina Lex, București, 1998

Zilberstein, Savelly; Ciobanu Viorel Mihai, „Tratat de executare silită”, Editura Lumina Lex, București, 2001.

Zilberstein, Savelly; Ciobanu, Viorel Mihai, Băcanu, Ion, „Drept procesual civil. Executarea silită”, vol. II, Editura Lumina Lex, Bucureşti, 1998.

Zotta, Const. Gr. C., „Cod de procedură civilă adnotat”, vol II, art. 257-466., Tipografia Națională Șt. Macovei &N. Ionescu, Râmnicu Sărat, 1932.

STUDII ŞI ARTICOLE:

Albulescu, Emilia Claudia, „Implicațiile hotărârilor pronunțate de Curtea Europeană a Drepturilor Omului asupra dreptului intern privind executarea obligațiilor de plată ale statului, autorităților şi instituțiilor publice stabilite prin titluri executorii”, în „Dreptul” nr. 11/2005.

Bîrsan, G. Victoria; Georgescu, Bogdan, „Suspendarea provizorie a executării hotărârilor judecătorești definitive și irevocabile pronunțate de instanțele de contencios administrativ”, în „Buletinul Casației”, nr. 1/2007.

Bistriceanu, Traian D., „Contestaţie la executare. Terţ vătămat prin executarea silită. Limitele apărării sale", notă critică la decizia civilă nr. 575/17.09.1971 a Tribunalului Jud. Neamţ, în „Revista Română Dreptul" nr. 5/1973.

Ciobanu, Viorel Mihai, „Curtea Constituțională – garant al supremației Constituției, putere legiuitoare sau expert parlamentar", în „R.R.D.P.", nr. 3/2009.

Ciobanu, Viorel Mihai; Boroi, Gabriel; Nicolae, Marian, „Modificările aduse Codului de procedură civilă prin Ordonanţa de urgenţa a Guvernului nr. 138/2000 (III)", în „Dreptul", nr. 4/2001.

Ciobanu, Viorel Mihai; Briciu, Traian Cornel; Zidaru, Liviu Gheorghe; „Consecințele declarării neconstituționalității art. 650 alin. 1 C. proc. civ.", în http://www.juridice.ro/331838/consecintele-declararii-neconstitutionalitatii-art-650-alin-1-din-ncpc.html.

Cotoi, Emilia, „Executarea silită a instituţiilor publice", în „Revista Română de Executare silită", nr.2/2009.

Cotoi, Emilia, „Facilități acordate instituțiilor publice prin recentele modificări legislative în materia executării obligațiilor de plată ale acestora, stabilite prin titluri executorii", în „Revista Română de Executare silită", nr. 2/2011.

Cristea, Bogdan, „Jurisprudența CEDO. Cauza Panaitescu c. României", în „Revista Română de Executare silită", nr. 2/2013.

Cristea, Bogdan, „Jurisprudența CEDO, Cauza Dumitru Daniel Dumitru și alții c. României", în „Revista Română de Executare silită", 4/2012.

Diamant, Betinio, Luncean, Vasile, „Executarea silită. Contestație la executare. Suspendarea provizorie a executării. Condiții. Limite, Nota I la Sentința nr. 289 din 04 Februarie 2004 a Judecătoriei Mediaș", în „Dreptul", nr. 7/2004.

Dinu, C.C., „Implicații practice ca urmare a admiterii de către Curtea Constituțională a excepției de neconstituționalitate a dispozițiilor art. 373 ind. 1 alin. 1 Cod procedură civilă, astfel cum a fost modificat prin art. 1 pct. 13 din Legea nr. 459/2006", în „R.R.P.D." nr. 3/2009.

Fanu-Moca, Adrian; Roșu, Claudia, „Contestația la executare în noul Cod de procedură civilă", în „Revista de Științe Juridice" nr. 1/2013, Conferința Internațională Bienală: Sistemul Juridic între stabilitate și reformă, Craiova, 26-27 aprilie 2013 (I), Ed. Universul Juridic, București, 2013.

Frențiu, Cristina Gabriela, „Unele aspecte din practica judiciară privind contestația la executare promovată de un terț”, în „Dreptul” nr. 6/2008.

Gârbuleț, Ioan, „Efectele suspendării executării silite prin poprire”, în „Revista Română de Executare silită”, nr.1/2009.

Gârbuleț, Ioan, „Perimarea executării silite”, în „Revista de executare silită” nr. 1/2007.

Gârbuleț, Ioan, „Principiile fundamentale ale executării silite”, în „Revista română de executare silită”, nr. 3/2010.

Ghiţă, Daniel; Ghiţă, Oana Cătălina, „Consideraţii privind contestaţia la executare”, în „Revista de Ştiinţe Juridice”, 2008.

Hilsenrad, Arthur, „Din problemele contestaţiei la executare”, în „Justiţia Nouă” nr. 1/1961.

Hurubă, Eugen, „Considerații în legătură cu necesitatea încuviințării începerii executării silite”, în „R.R.E.S. ”, nr. 4/2005.

Hurubă, Eugen, „Considerații privitoare la necesitatea încuviințării de către instanță a începerii executării silite și unele note critice la Decizia Curții Constituționale nr. 458 din 31 martie 2009”, în „R.R.E.S.”, nr. 1/2009.

Ionescu, Bogdan, „Studiu tematic, teoretic şi de practică judiciară referitor la instituţia procesual-procedurală a contestaţiei la executare” (II), în „Dreptul” nr. 10/2004.

Ionescu, Bogdan, „Examen tematic, teoretic şi de practică judiciară referitor la instituţia procesual-procedurală a contestaţiei la executare(II)”, în „Dreptul” nr. 11/2004.

Isnard, J.; Stoica, A., „Executorul judecătoresc – elementul esenţial în statul de drept. Viziunea CEDO asupra rolului acestuia în cadrul executărilor în natură”, în „R.R.E.S.”, nr.1/2011.

Lazăr, Al., „Contestaţia la executarea hotărârii de validare a popririi. Invocarea compensaţiei legale. Notă la decizia nr. 245 din 30 ianuarie 1965, pronunţată de Tribunalul Capitalei, col. III civ.”, în „Justiţia Nouă” nr. 2/1966.

Leş, Ioan, „Rolul executorului judecătoresc în viziunea Proiectului Codului de procedură civilă şi a dreptului comunitar”, în „R.R.E.S.”, nr.1-2/2008.

Leș, Ioan, „Interferențe procedurale între contestația la executare și calea procedurală a plângerii reglementate de art. 53 alin 2 din Legea nr. 188/2000”, în „Pandectele Române”, nr. 1/2008.

Leş, Ioan, Contestaţia la executare în reglementarea noului Cod de procedură civilă, în „Revista Română de Executare Silită" nr. 1/2013.

Leș, Ioan, „Pe marginea unei decizii de neconstituționalitate", în „R.R.E.S." nr. 2/2009.

Leș, Ioan; Stoica, Adrian, Statutul profesiei de executor judecătoresc în lumea contemporană: realități și perspective, în „Revista română de executare silită" nr. 3/2011.

Lucaciuc, Șt. I., „Consideraţii pe marginea instanţei de executare şi a atribuţiilor sale în lumina noului Cod de procedură civilă", în volumul Conferinţei Internaţionale a Doctoranzilor în Drept, ed. a V-a, Timişoara, 2013, Studii şi Cercetări Juridice Europene, universul Juridic, Bucureşti, 2013.

Lucaciuc, Șt. I.; Fildan, S., „Des aspects concernant la suspension de l'exécution forcée par rapport à la réglementation proposée par la Loi nr. 134/2010 concernant le Code de procédure civile", în volumul „Conferinței Internaționale a Doctoranzilor în Drept", ed. a 3-a, Universitatea de Vest Timișoara, Ed. Universul Juridic, București, 2011.

Măgureanu, Fl., „Organizarea şi exercitarea profesiei de executor judecătoresc", în „R.D.C". nr. 10/2001, p.29-33.

Mitrache, A. C., "Comentariu la încheierea din data de 2 martie 2009 pronunțată de Judecătoria Slatina", în „R.R.J." nr. 6/2009, p. 130-131

Oprina, Evelina, „Principalele categorii de titluri executorii", în „Revista română de executare silită", nr. 3-4/2008.

Oprina, Evelina, „Studiu asupra diferitelor categorii de titluri executorii", în „Revista română de executare silită", nr. 1/2010.

Oprina, Evelina; Bozeșan, Vasile, „Analiza ultimelor modificări aduse în materia procedurii civile și a executării silite, în special, prin Legea nr. 17/2017", articol accesibil la https://www.juridice.ro/500604/analiza-ultimelor-modificari-aduse-materia-procedurii-civile-si-executarii-silite-special-prin-legea-nr-172017.html.

Oproiu, Al. I., „Invocarea compensaţiei legale pe calea contestaţiei la executare în cazul prescripţiei dreptului de a cere executarea silită", în „Justiția Nouă" nr. 1/1966.

Pătulea, Vasile, „Studiu în legătură cu categoriile de titluri executorii", în Dreptul nr. 7/2005.

Pătulea, Vasile, „Determinarea naturii juridice a contestaţiei la executare în procesul civil şi implicaţiile rezultând din această operaţie pe plan procesual şi procedural”, în Dreptul nr. 6/2004.

Pînzari, Veaceslav; Demciuc, Eduard, „Opinii asupra reglementării legale a activităţii executorilor judecătoreşti în Republica Moldova”, volumul Conferinţei Internaţionale „Executorul judecătoresc între rol activ şi organ de jurisdicţie”, Bucureşti, Ed. Universul Juridic, 2011.

Popescu, C.L., „Notă la Decizia Curţii Constituționale nr. 458 din 31 martie 2009”, în „Curierul Judiciar”, nr. 5/2009.

Popescu, E.; Bradin, Fl., „Suspendarea provizorie a executării în cadrul contestației la executare”, în „Dreptul” nr. 3/2003.

Popescu, Octavian; Teoc, Ana-Maria, „Considerații privind posibilitatea de a porni executarea silită în temeiul unui certificat de grefă”, în „R.R.E.S.”, nr. 3/2014.

Radu, Florin, „Despre reducerea sau scutirea de la plata cauțiunii în materia suspendării executării silite”, în „R.R.E.S” nr. 4/2010.

Rizeanu, A., „Contestaţia la executare în materie civilă în lumina practicii judiciare”, în „Legalitatea Populară” nr. 3/1960.

Sărăcuţiu, E., „Urmărirea silită mobiliară”, în Dura Lex, Sed Lex, nr. 1/2008.

Sitaru, Alexandru, „Unele aspecte ale contestaţiei la executare în civil”, în „Legalitatea Populară” nr. 3/1957.

Sîngeorzan, Diana Persida, Popa, Cristin Nicolae, „Discuţii în legătură cu suspendarea executării silite”, în Dreptul, nr. 4/2002.

Spinei, Sebastian, „Considerații în legătură cu natura juridică a încheierii de încuviințare a executării silite”, în „Curierul Judiciar” nr. 1/2004.

Spinei, Sebastian, „Căi de atac împotriva hotărârii instanței de recurs în procesul civil. Îndreptarea erorii materiale. Lămurirea şi completarea hotărârii. Contestație la titlu”, în „R.R.E.S. ” nr.1/2009.

Stancu, Gheorghe, „Dreptul de retenție-garanție de executare a obligațiilor comerciale”, în „R.D.C.” nr. 5/2008.

Stanciu, Roxana, „De ce (nu) este necesară procedura încuviințării executării silite”, în „R.R.E.S.”, nr. 1/2014.

Stoenescu, Ilie, „Unele aspecte ale contestaţiei la executare”, în „Justiţia Nouă” nr. 7/1963.

Tabacu, Andreea, „Contestaţia la executare împotriva titlului executoriu care nu provine de la o instanţă judecătorească”, în „R.R.D.P” nr. 1/2006.

Tabacu, Andreea; Ioana, C., „Notă la Decizia Curții Constituționale nr. 458 din 31 martie 2009”, în „Pandectele Române” nr. 5/2009.

Ungur, Dănuţ Cornel, „Suspendarea provizorie a executării silite, în lumina noilor reglementări prevăzute de legea nr. 219/2005”, în „Dreptul” nr. 3/2006.

Ungur, Liviu, „Implicaţii practice ale recentelor modificări ale Codului de procedură civilă”, în „Pandectele Române” nr. 3/2007.

Ungureanu, Alina, „Limitele în care poate fi exercitată contestaţia la executare”, în „R.R.E.S” nr. 1/2013.

Ungureanu, Alina Mihaela, „Consideraţii asupra unor modificări legislative prevăzute de noul Cod de procedură civilă în materia executării silite”, în „R.R.E.S” nr.1/2011.

Vidu, Stelian Ioan, „Stingerea dreptului de retenție”, în „Dreptul nr. 5/2007”

Viorel, Liviu Alexandru, „Anularea încheierii prin care se încuviinţează executarea silită- o creație a jurisprudenței”, în „R.R.E.S.” nr. 1/2012.

PRACTICĂ JUDICIARĂ:

Ionescu, Bogdan, „Studiu teoretic și de practică judiciară privind contestația în anulare și contestația la executare”, Editura Continent XXI, București, 2005.

Nica, Cristina, Executarea silită: Practică judiciară, Editura Hamangiu, Bucureşti, 2008.

Pietreanu, Simona Gina; Gavriș, Dumitru Marcel, „Executarea silită. Culegere de practică judiciară”, Editura Wolter Kluwer, București, 2009.

Schmutzer, Rudolf, Moroşanu, Nicoleta, „Contestația la executare. Jurisprudență 2009-2010. Recursuri în interesul legii. Hotărâri CEDO în cauze referitoare la executare. Practică judiciară”, Editura Moroșan, București, 2010.

Stanciu, Roxana, „Contestaţia la executare în noul Cod de procedură civilă: Practică judiciară”, Editura Hamangiu, Bucureşti, 2015.

Tăbăraş, Manuela, „Contestaţia la executare: Culegere de practică judiciară, Editura All Beck”, Bucureşti, 2005.

Tăbâraș, Manuela, „Contestația la executare. Culegere de practică judiciară”, Ediția 2, Editura C.H. Beck, București, 2006.

Ungur, L., „Implicaţii practice ale recentelelor modificări ale Codului de procedură civilă”, în „Pandectele Române”, nr. 3/2007.

Zilberstein, S.; Deak, Fr.; Petrescu, A.; Bîrsan, C.; Ciobanu, V. M.; Mihai, L., „Îndreptar inter-disciplinar de practică judiciară”, Bucureşti, 1983.

Culegere de decizii ale Tribunalului Suprem. 1961.

Culegere de decizii ale Tribunalului Suprem 1962.

Culegere de decizii ale Tribunalului Suprem 1964.

Culegere de decizii ale Tribunalului Suprem 1952-1954, vol 1.

Culegere de practică judiciară civilă pe anul 1991, cu note de Dr. Ioan Mihuţă, Casa de editură şi presă Şansa SRL, Bucureşti, 1992.

Surse Internet :

- http://www.just.ro
- http://www.juridice.ro
- http://www.legalis.ro
- http://www.portal.ro
- http://e-justice.europa.eu
- http://www.jurisprudenta.org
- http://www.jurisprudenta.com
- http://www.jurisprudenta.info
- http://www.scj.ro/jurisprudenta.asp
- http://portal.just.ro/Jurisprudenta.aspx
- http://www.euroavocatura.ro/jurisprudenta

- http://legislatie.just.ro
- http://www.echr.coe.int

TABLE OF CONTENTS