

PAVLO V. VOVK

PhD in Law, the Head of the Court, Kyiv District Administrative Court, judge, Kyiv, Petra
Bolbochana St, 8,1, Ukraine ORCID ID: 0000-0002-8187-1849

pavlo.vovk11@gmail.com

AMENDMENTS TO THE MODERN PROCESSUAL FORM OF ADMINISTRATIVE PROCEEDINGS UNDER CONDITION OF QUARANTINE CAUSED BY COVID-19

ABSTRACT

In modern realities the study of the processual form of administrative proceedings under quarantine caused by COVID-19 is important due to the increased need to protect the rights, freedoms and legitimate interests of individuals.

The purpose of the study is to analyze the modern processual form of administrative proceedings and the compliance of law modifications with the quarantine conditions caused by COVID-19. The methodological basis of the study represents a set of updated methods of scientific research. The use of formal-logical and structural-functional methods allowed to highlight the elements of the processual form of administrative proceedings and to characterize the main aspects of their transformation, including processing in the quarantine period and restrictions caused by COVID-19. It is of interest to analyze the introduction of an electronic court, electronic exchange of processual documents, as well as participation in court sessions in the mode of the videoconference. With the help of the modeling method the disadvantages and risks of taking part in court sessions in the mode of the videoconference are highlighted. System analysis contributed to the consideration of the processual form as the most distinctive feature of administrative proceedings. The study revealed that the processual form of administrative proceedings had undergone particular fragmentary changes due to the test launch of individual subsystems of the Unified Judicial Information and Telecommunication System (UJITS) (as example: “E-Court”) and the introduction of taking part in

court sessions in the mode of the videoconference. It has been found that in the present realities, the processual form of administrative court proceedings needs further modifications aimed at ensuring the flexibility and a high degree of adaptability of legislative assistance to new conditions of implementation, allowing to guarantee the observance and protection of the rights, freedoms and interests of citizens whenever previously used methods and mechanisms appear to be ineffective. However, the digitalization of the processual form of administrative proceedings cannot be considered the only panacea eliminating all inherent problems. The highlighted points of the study might improve the processual form of administrative proceedings, especially in the quarantine caused by COVID-19.

KEYWORDS: Administrative proceedings, access to justice, COVID-19, quarantine, processual form, e-court.

SUMMARY: 1. Introduction – 2. Methodological Framework – 2.1. Contribution of the study to the Literature – 2.2. Previous Researches – 2.3. Methods – 3. Results – 4. Discussion – 5. Conclusion

1. Introduction

From the moment of introduction into the domestic legal system, the administrative legal proceedings have been clearly associated with the purpose of proper ensuring the implementation and protection of the fundamental rights and freedoms of individuals in legal relations with the public administration entities, resolving the arising disputes according to the law and to the principles of appropriate governance. There is no coincidence that in the specialized codified act the goal of administrative proceedings according to the law is defined as the protection of the rights, freedoms and interests of individuals and legal entities from violations by public authorities, local governments, officials and functionaries as well as other subjects performing their authoritative managerial functions based on legislation and delegated powers.¹ Moreover, the similar modification was later highlighted in the

¹Act of 2005. Code of Administrative Proceedings of Ukraine. Code of Administrative Proceedings of Ukraine dated 06.07.2005 № 2747-IV. Date of update: 15.08.2020. URL: <https://zakon.rada.gov.ua/laws/show/2747-15/ed20200815>.

Fundamental Law of the State, aimed to protect the rights, freedoms and interests of a person in the field of public law relations and administrative courts.² This seems to guarantee not only the actual existence of administrative courts in Ukraine, but also confirms their functional purpose.

It should be emphasized, that nowadays in the order of administrative proceedings the implementation of new goals is also ensured (for example, a temporary ban (suspension) of certain types or all activities of a public association; compulsory dissolution (liquidation) of a public association; establishment of restrictions on the exercise of the right to freedom of peaceful assembly, etc.), which has drawn the public attention in the scientific literature.³

At the same time the development of administrative jurisdiction seems to be extremely important for the formation of the democratic society and the protection of human rights, that acquires special meaning whenever they are aimed to assert the rule of the law to ensure the implementation and proper protection of rights and freedoms of citizens.^{4,5}

The pandemic caused by COVID-19 as well as the measures being taken are unprecedented in the world history, the rules of law and human rights have been actually opposed to the need to ensure the life and health of the population. It should be noted, that during the COVID-19 pandemic the national legal system faced with the task of ensuring the implementation and protection of the rights and freedoms of the citizens, being significantly restricted or even abolished, as well as with the establishment of judicial control over the subjects of public administration, their actions and decisions. Thus, the priority of ob-

²Act of 1996. Constitution of Ukraine. Constitution of 28.06.1996 № 254k / 96-VR. Kiev: Verkhovna Rada.

³Lahutina I., Osadchyi A., Zakalenko O., Kozachuk D., Bolshakova O., The modern concept of Ukrainian administrative justice. *Amazonia Investiga* 2019, No 8(23), 707-712.

⁴Smokovych M.I., Administrative Jurisdiction in Ukraine: Discourse Analysis. *International Journal of Criminology and Sociology* 2020, No 9, 2955-2963. DOI: <https://doi.org/10.6000/1929-4409.2020.09.360>.

⁵Smokovych M.I., Administrative justice and electronic justice in Ukraine. *Prykarpattya Legal Bulletin* 2020, No 4(33), 77-81.

servance of legal procedures and ability to guarantee the fundamental rights and freedoms of the citizens might be preserved even in the period of faced for the first time quarantine. In this regard the issues of access to justice, both the right to appeal to the court and the right to receive the corresponding decision of the court, appeared to be of the great value.

The Council of Europe draws the attention of States and points out, that the measures aimed at adapting the forms of access to the courts should be developed in the way compatible with the Article 6 – not least in cases when specific due diligence is required (vulnerable litigation, family and labour disputes, etc.). States are under the obligation to ensure trials compliance with the fundamental requirement of fairness (e.g. equality of arms) and the presumption of innocence, and no taken action could interfere with the independence of the judges or courts.⁶

It is noteworthy, that the practice of derogation from obligations under the Convention for the Protection of Human Rights and Fundamental Freedoms for the first time has become widespread among states.⁷ Thus, the relevant notifications under Article 15 of the Convention were submitted by 10 states (Ukraine is the exception).

Therefore, the study of the processual form of administrative proceedings, the degree of the transformation during the period the COVID-19 pandemic with the necessity to ensure appropriate protection of the rights and freedoms of the citizens from violations by public administration entities is of great importance. At the same time the study of the results of the response of the national legal institutions and the administrative justice to the ongoing events is extremely important, namely by assessing their readiness for the pandemic challenges and identifying directions for their further modifications.

⁶Act of 2020. Adherence to democracy, the rule of law and human rights during the sanitary crisis caused by COVID-19. Information documents. Council of Europe. URL: <https://www.coe.int/en/web/congress/covid-19-toolkits>.

⁷Act of 1950. Convention. European Convention on Human Rights. URL: <https://www.echr.coe.int/Pages/home.aspx?p=basictexts&c=>.

2. Methodological Framework

2.1. Contribution of the study to the Literature

The study is devoted to the transformation of the processual form of administrative proceedings and analyzes the impact of modern domestic and global challenges.

The necessity of full-fledged implementation of modern information and telecommunication technologies in the administration of justice has been argued and the features of the transformation of the processual form under their influence have been determined.

2.2. Previous Researches

The issue of administrative justice in general and in the activities of administrative courts remain in the constant focus of research by foreign scientists: M.Doyle and N. O'Brien (2020) (United Kingdom), H. Flavier, C. Froger(2016) (France), V. Kalts (2019), H. Pünder (2013) (Germany), M.S. Greve (2020) (USA) and others.^{8,9,10,11,12}

At the same time the processual form of administrative proceedings has been fairly studied in Ukraine, which is partly due to the relatively late appearance of administrative proceedings in Ukraine. O.I. Mykolenko points out, that the scientific works on the problems of administrative proceedings and high level of theoretical justification, as well as works explaining the use of

⁸Doyle M., O'Brien N., *Reimagining Administrative Justice: Human Rights in Small Places*. London: Palgrave Pivot 2020.

⁹Flavier H., Froger C., Administrative Justice in France. *Between Singularity and Classicism*. *BRICS Law Journal* 2016, No 3(2), 80-111.

¹⁰Kalts V., Administrative Justice in Germany and Its Functioning. *Administrative Law and Process* 2019, No 1(3), 160-165.

¹¹Pünder H., German administrative procedure in a comparative perspective: Observations on the path to a transnational ius commune proceduralis in administrative law. *International Journal of Constitutional Law* 2013, No 22(4), 940–961.

¹²Greve M., Why We Need Federal Administrative Courts (March 25, 2020). *George Mason Legal Studies Research Paper No. LS 20-05*, C. Boyden Gray Center for the Study of the Administrative State Research Paper 2020, No. 20-09. URL: <https://ssrn.com/abstract=3561135> or <http://dx.doi.org/10.2139/ssrn.3561135>.

term “processual form” with the specifics of administrative proceedings have appeared since 2011.¹³

The most studies of the processual form in administrative proceedings highlight their excessive differentiation and fragmentation with features of the consideration of particular case categories. However, nowadays the researches are drawn to the problems of changing the processual form of administrative proceedings according to the modern challenges and conditions, especially those caused by COVID-19.

The study investigates the transformation of the modern processual form of administrative proceedings with need to protect the rights, freedoms and interests of individuals in disputes with subjects of public administration as well as with the restrictions induced by COVID-19 pandemic and quarantine.

2.3. Methods

The general and special methods of scientific cognition: the system analysis method, the dialectical method, the formal-logical method, the structural-functional method and a set of empirical methods have been used.

The theory of the article is based on a set of doctrinal studies of the problems of administrative proceedings and the processual form of their implementation.

The data of official statistics on the activities of the administrative courts of Ukraine and the judicial practice of considering administrative cases serve as the practical basis of the study.

3. Results

The processual form has been known as the order of actions established by the norms of processual law for carrying out processual activities of the relevant subjects (performing processual actions and making processual deci-

¹³Mykolenko O.I., Processual form in administrative proceedings and problems of lawmaking in Ukraine. *Constitutional state* 2018, No 29, 50-57.

sions). Being the most important feature of the corresponding type of legal process, the processual form determines the internal structure of the law, namely the totality of proceedings, stages, steps and processual actions according to the proper order.

The processual form of activity of administrative courts, in turn, deals with the procedure, established by the norms of administrative processual legislation: consideration by an administrative court of relevant administrative suits (statements of suit), the commencement of proceedings, preparing a case for the trial, considering and resolving cases with the adoption of appropriate processual acts and appeals, as well as revision of administrative and judicial acts.

The relevant elements provide a clear idea of any type of the structure of the legal process being a set of constituent elements of the internal structure, which determines the scale of the administrative processual regulation of the activities of administrative courts considering and resolving cases of administrative jurisdiction. Thus, the study of the processual form of administrative proceedings is being relevant in the period of development of administrative proceedings in Ukraine.

The legislation deals with the processual form of activity of representatives of the judiciary, allows to reveal the presence or absence of rights, freedoms and interests of subjects of public law relations and provides careful protection them by issuing legal and justified processual acts of judicial and jurisdictional response. The processual form of the activity of administrative courts acts might be considered as a tool to ensure the rule of the law in administrative judicial activities.

Up to date, the processual form of administrative proceedings is being conditionally represented in several dimensions.

Thus, the processual legislation provides for the existence of a Unified Judicial Information and Telecommunication System (hereinafter – UJITS),

characterized as a set of functional information and telecommunication subsystems, that are interconnected and interact, as well as provide automation of the processes of activity, defined by legislation. The processual legislation regulates the UJITS activity, including general and processual document supply, consideration of court cases, preparation of operational and analytical reports, provision of information assistance to judges, processes providing financial property, organizational and personal information and telecommunications as well as other needs of UJITS users.¹⁴

The system has been supposed to combine the disparate databases, used by the judicial system. But despite the fact, that the processual rules providing for the UJITS were founded at the end of 2017, and the widespread introduction of e-justice tools was declared back in 2015, this system has never been started.¹⁵

On the other hand, in the absence of UJITS the processual form of administrative proceedings provided for the CAP of Ukraine and based on the functioning of UJITS, turned out to be deprived of a significant part of the methods, that is unacceptable and contradicts international European standards.¹⁶ The Committee of Ministers of the Council of Europe insisted on the issue, referring to the principles of judicial procedure: the judicial authorities should have at their disposal the most modern technical methods to administer effective justice, in particular by facilitating access to various sources of the law as well as by speeding up the administration of justice.¹⁷

¹⁴Brahar V.S., *Administrative and legal principles of functioning of the Unified judicial information and telecommunication system in Ukraine*: PhD Thesis. Dnipro: Dnipropetrovsk State University of Internal Affairs 2020.

¹⁵Act of 2015. On the Strategy for Reforming the Judiciary. Proceedings and Related Legal Institutions for 2015-2020: Decree of the President of Ukraine. Strategy from 20.05.2015 № 276/2015. URL: <https://zakon.rada.gov.ua/laws/show/276/2015>.

¹⁶Act of 2005. Code of Administrative Proceedings of Ukraine. Code of Administrative Proceedings of Ukraine dated 06.07.2005 № 2747-IV. Date of update: 15.08.2020. URL: <https://zakon.rada.gov.ua/laws/show/2747-15/ed20200815>.

¹⁷Act of 1984. Recommendation. Five of the Committee of Ministers to member states on the principles of civil procedure aimed at improving the judicial system №R(84). URL: https://zakon.rada.gov.ua/laws/show/994_126.

In turn, e-justice is being interpreted as the use of information and communication technologies in the administration of justice by all stakeholders of the judicial system for improving efficiency and quality of public services for individuals and businesses: electronic communication, the data exchange and access to forensic information.¹⁸

The COVID-19 pandemic, the introduced quarantine and other restrictive measures have made incompatible approach of administrative proceedings for most court cases. Not only the provision of the proper observance of the right to access to justice, but also the general ability of national courts, including administrative ones, was under threat.

In conditions of quarantine the only way to maintain the balance of the legal system lies in remote legal processing. The instruments of electronic court proceedings become useful. The problem with the emergence of various judicial practices during the quarantine period and the corresponding consequences of this phenomenon could have been solved if in Ukraine the UJITS had started to function since 03.01.2019.¹⁹

The inability to predict the further development of the situation at the very beginning of the pandemic was due to the short-term nature of the announced quarantine and led to the adoption of rather hasty ineffective measures. Thus, for instance, the Law of Ukraine dated March 30, 2020, № 540-IX providing the possibility of a citizen to participate in a court session in a video-conference mode outside the court building with use of the technical means during quarantine suspended almost all processual terms and justice.

As a result of the Law, the majority of the courts, where the case was being considered, the corresponding decision was being made and the expira-

¹⁸Act of 2009. Recommendation. One of the Committee of Ministers to member states on electronic democracy (e-democracy). URL:https://www.coe.int/t/dgap/goodgovernance/Activities/K-eyTexts/Recommendations/Recommendation_CM_Rec2009_1_en_PDF.pdf.

¹⁹Heorhiyevskyy Yu., Peculiarities of administrative proceedings in the conditions of quarantine established to prevent the spread of COVID-19 in Ukraine. *Public law* 2020, No 1(37), 21-33.

tion period for appeal was defined according to the relevant processual law, stopped issuing executive documents. The exception was made for rare cases of issuing orders of execution or orders during the period of validity of the introduced changes on the extension of time limits, that also blocked the access to the justice in terms of the enforcement of a court decision.

Participation in court sessions via videoconference brought a set of difficulties. For UJITS the issue required proper technical support.

The informatization of the court activities determines the possibility of a court and participants to perform particular processual actions with the help of information and telecommunication technologies. However, the nature of the processual actions has not modified. Therefore, electronic document flow in the judicial system, the organization of the implementation of legal proceedings by attracting information and telecommunication technologies, but not e-court proceedings as a special processual form, that unites and integrates individual elements of informatization and forms a qualitatively new type of administration of justice, need to be analyzed.²⁰

Nowadays following global trends and national peculiarities there is no need to discuss e-court proceedings as an independent processual form, including administrative court proceedings, since e-court proceedings are planned to be used to optimize the resources of the administrative court without changing the way of the relevant processual actions or the processual decisions taken by the administrative court.

At the same time some elements of e-proceedings have already been developed and are generally successfully used in practice, although not within the framework of a separate system, in particular, filing of lawsuits in electronic form (through the UJITS "E-court" subsystem); filing other statements on the merits of the case and processual statements in e-form (through the subsystem UJITS "E-court" or sending to the official on e-mail of the relevant court);

²⁰Zavalnyuk I.V., *Simplified proceedings in the administrative proceedings of Ukraine*: PhD Thesis. Odesa: National University "Odessa Law Academy" 2017.

participation in court hearings in the mode of videoconference, for this purpose the videoconferencing system “EasyCon” and other methods available to the court and participants in the trial (Skype, Zoom, Google Meet, etc.) are used; notification of the participants in the trial about the completed processual actions and the adopted processual decisions (through the UJITS “E-court” subsystem to the official e-mail of the participant in the trial); sending summons and notifying the participants in the trial about the dates of the court hearings (via the UJITS “E-court” subsystem by the official e-mail and SMS-message on the phone of the participant in the trial).

M. Smokovych has pointed out, that even though the crisis caused by the pandemic had revealed problems associated with imperfect legal regulation, the technical unwillingness of the courts to switch to electronic justice urgently needs the time. The state powerfully supports and develops this trend. In particular, the Ministry and the Committee for Digital Transformation have been created, as well as a working group on the digitalization of legal proceedings was created in the Committee of the Verkhovna Rada of Ukraine on Legal Policy for discussion of the issues of innovations for the launch of UJITS.^{21,22}

As result a draft law № 3985 developed on 13.08.2020, aimed at ensuring the implementation of the UJITS. The proposed postponement has been made due to the fact, that the launch of UJITS according to the current legislation was possible only in a full-fledged form, that turned out to have both technical (development, launch and configuration of stable interacting work of at least 8 subsystems of UJITS) and financial (one-stage financing of

²¹Smokovych M.I., Administrative Jurisdiction in Ukraine: Discourse Analysis. *International Journal of Criminology and Sociology* 2020, No 9, 2955-2963. DOI: <https://doi.org/10.6000/1929-4409.2020.09.360>.

²²Smokovych M.I., Administrative justice and electronic justice in Ukraine. *Prykarpattya Legal Bulletin* 2020, No 4(33), 77-81.

the development and launch of all subsystems of the UJITS requires significant resources, that the state budget cannot allocate) difficulties.²³

4. Discussion

The special significance of administrative proceedings and the role of administrative courts in the national legal system is difficult to overestimate. The statistical data indicate not only high rates of the number of administrative cases reviewing in administrative courts, but also their significant increase. The study covered the period of 2018-2020 years.

The number of administrative cases considered by local and appellate administrative courts has been increased, as well as a number of cases pending to Supreme Court, despite the decrease in absolute numbers.^{24,25,26}

Table 1. Number of cases considered by local, appeal and cassation administrative courts during 2018-2020 years.

№	Administrative court	2018	2019	first half of 2020
1.	Local administrative courts	244 972	272 098	159 016
2.	Administrative courts of appeal	95 431	100 624	48 830
3.	Administrative court of cassation	71 101	37 959	16 430

The ratio of cases considered in administrative proceedings with other types of legal proceedings, for example, on the 31 of December in 2019

²³Act of 2020. Draft Law. Draft Law on Amendments to Certain Legislative Acts to Ensure Phased Implementation of the Unified Judicial Information and Telecommunication System: Draft Law of Ukraine dated 13.08.2020 № 3985. Kiev: Verkhovna Rada.

²⁴Act of 2018. Analysis of the state of administration of justice. Analysis of the state of administration of justice by administrative courts in 2018. Official web portal of the Judiciary of Ukraine. URL: https://supreme.court.gov.ua/userfiles/media/Analiz_KAS_2018_1.pdf.

²⁵Act of 2019. Analysis of the state of administration of justice. Analysis of the state of administration of justice by administrative courts in 2019. Official web portal of the Judiciary of Ukraine.

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https://supreme.court.gov.ua/userfiles/media/Analiz_Admin_sudu_2019.pdf.

²⁶Act of 2020. Analysis of the state of administration of justice. Analysis of the state of administration of justice by administrative courts in the first half of 2020. Official web portal of the Judiciary of Ukraine.

URL: https://supreme.court.gov.ua/userfiles/media/new_folder_for_uploads/supreme/KAS_analiz_i_pivr_2020.pdf.

(during the period from December 15, 2017 to December 31, 2019) in the Supreme Court is indicative.²⁷

Figure 1. Ratio of the number of cases / materials considered by the Supreme Court

In this regard the indicators of cases considered by one judge of the corresponding administrative court are rather high. For instance, the number of administrative cases pending before one judge of the Administrative Court of Cassation as part of the Supreme Court in 2018 comprised 3,060 cases.^{28,29,30,31} The number of cases per one judge of this court has been decreased due to the streamlining of the work of the Supreme Court and the full staffing of the personell, as well as to the limitation of the legal grounds for cassation appeal of decisions of appellate and local courts.

In appellate and local administrative courts a completely opposite trend has been observed. Thus, the number of cases per judge has been increased. For example, the number of cases considered by one judge:

– The Third Administrative Court of Appeal (Dnipro) in 2018 amounted to 195 cases, in 2019 – 590, in 2020 – 626.^{32,33,34}

²⁷Act of 2019. The Supreme Court in figures and facts for 2019. Official web portal of the Judiciary of Ukraine.

URL: https://supreme.court.gov.ua/supreme/pokazniki-diyalnosti/zvit_vs/.

²⁸Act of 2018-2020. Basic performance indicators of the Kharkiv District Administrative Court. Official web portal of the Judiciary of Ukraine.

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https://adm.hr.court.gov.ua/sud2070/pokazniki-diyalnosti/piscumki_roboti/.

²⁹Act of 2018. Basic performance indicators of the Third Administrative Court of Appeal for 2018. Official web portal of the Judiciary of Ukraine.

URL: <https://3aa.court.gov.ua/sud4852/pokazniki-diyalnosti/1/>.

³⁰Act of 2019. Basic performance indicators of the Third Administrative Court of Appeal for 2019. Official web portal of the Judiciary of Ukraine.

URL: <https://3aa.court.gov.ua/sud4852/pokazniki-diyalnosti/1/>.

³¹Act of 2020. Basic performance indicators of the Third Administrative Court of Appeal for 2020. Official web portal of the Judiciary of Ukraine.

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³²Act of 2018. Basic performance indicators. Basic performance indicators of the Administrative Court of Cassation of the Supreme Court for 2018. Official web portal of the Judiciary of Ukraine.

URL: https://supreme.court.gov.ua/supreme/pro_sud/bazovi_pokazniki/.

– Fifth Administrative Court of Appeal (Odesa) in 2018 – 204 (Basic indicators of the court's work for 2018, 2018), in 2019 – 411, in 2020 – 502.^{35,36,37}

– Kharkiv Administrative Court in 2018 – 586 cases, in 2019 – 677, in 2020 – 877.³⁸

The available indicators adversely affect the implementation of administrative proceedings, limit the active role of the administrative court in the process of considering administrative cases, lead to a violation of processual deadlines for considering cases, the adoption of hasty processual decisions and miscalculations. Moreover, processing in a workload, administrative courts might not be able to pay proper attention to the specific cases, study the features of their set of facts, and therefore to ensure the effective implementation and protection of the rights, freedoms and interests of the citizens.

In addition, the effects of the COVID-19 pandemic, quarantine and restrictive measures have made the administration of justice rather difficult. The search and implementation of solutions aimed at the renewal of the justice, in particular administrative proceedings, has affected the processual form.

³³Act of 2019. Basic performance indicators. Basic performance indicators of the Administrative Court of Cassation of the Supreme Court for 2019. Official web portal of the Judiciary of Ukraine. Official web portal of the Judiciary of Ukraine.

URL: https://supreme.court.gov.ua/supreme/pro_sud/bazovi_pokazniki/.

³⁴Act of 2020. Basic performance indicators. Basic performance indicators of the Administrative Court of Cassation of the Supreme Court for 2020. Official web portal of the Judiciary of Ukraine.

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³⁵Act of 2018. Basic indicators of the court's work for 2018. Official web portal of the Judiciary of Ukraine.

URL: https://5aa.court.gov.ua/sud4854/pokazniki-diyalnosti/work_results/.

³⁶Act of 2019. Basic indicators of the court's work for 2019. Official web portal of the Judiciary of Ukraine.

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³⁷Act of 2020. Basic indicators of the court's work for 2020. Official web portal of the Judiciary of Ukraine.

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³⁸Act of 2018-2020. Basic performance indicators of the Kharkiv District Administrative Court. Official web portal of the Judiciary of Ukraine.

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Therefore, a full-fledged study of the processual form in administrative proceedings, focused primarily on improving the practical aspects of the implementation, can be performed analyzing the statistical indicators and the real conditions for the implementation of administrative proceedings.

5. Conclusion

The ability of any system to respond to internal and external challenges, revealing shortcomings and problems and determining the ways of further development are of need to discuss.

Amidst other deficiencies and problems of the national judicial system permanently solved by the state, the COVID-19 pandemic, the quarantine and arisen restrictions turned out to be a rather severe challenge.

Analyzing the state of the national judicial system before the initiation of the quarantine and restrictions the characteristic positive improvements that made it possible to continue the consideration of court cases might be noted.

The processual form of administrative proceedings has undergone some fragmentary changes due to the test launch of individual subsystems of the UJITS (for example, “E-court”) and the mode of videoconference with the help of proper technical means.

Presently, the processual form of national administrative court proceedings continues to need further development aimed at ensuring the flexibility and a high degree of adaptability to new conditions of implementation since this may guarantee the observance and protection of rights, freedoms and interests of the citizens whenever traditional methods and mechanisms show ineffectiveness.

However, the digitalization of the processual form of administrative proceedings cannot be considered the only panacea eliminating all the inherent problems. Therefore, the issues raised in the study remain relevant and in demand for the further theoretical and practical analysis of administrative proceedings.

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