

Description of Judgment from the Perspective of Reviewability (Appeal)

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Abstract

There are several peculiarities for judgment, four of which are more important. These characteristics are related to reviewability of the judgments. These characteristics are considered binding and are enforced by sanctions: the characteristic of appeal; the characteristic of the way of appeal; the characteristic of appeal court and appeal time. These four matters are considered to be the matters of fact, and not the matters of law. These matters should be described while applying the rules on the specific cases. For this reason, the judge may not dismiss these elements by resorting to general assumptions such as people's awareness of the law. Three of these matters are grounded in the duty of judges to issue suitable judgments and the fourth is based upon the right of notification. The notification of judgment logically reflects and contains the notification of time of proceedings, unless if after the notification no legal action can be taken. This article strives to justify the judge's duty of description of those four characteristics. Finally, this paper discusses the legal sanctions on this respect.

Keywords: Characteristics; Dispute resolution; Certain judgment; Notification; Matter of fact.

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