

# **Procedural Science at the Crossroads of Different Generations: a New Book published in the MPI Luxembourg Book Series**

✘ Barely one month after the publication of the third volume of the MPI collection of Studies another volume has been released, edited by Prof. Loïc Cadiet (Université Paris I, IAPL), and Prof. Burkhard Hess and Marta Requejo Isidro (MPI).

The book is one of the outcomes of first Post-doctoral Summer School in procedural law, which was held in July 2014 at the Max Planck Institute Luxembourg under the auspices of the International Association of Procedural Law and the Max Planck Institute itself. It reflects both the philosophy of the School and the contents of its first edition. As stated in the Foreword, “modern procedural law is characterized by its opening to comparative and international perspectives”, and “the opening of procedural science also requires a new approach of research which has to be based on comparative methodology”. The common will of the IAPL and the Max Planck Institute for Procedural Law to support modern research in procedural law, backing particularly young researchers, led to the School one year ago, and achieves another goal with this volume.

The book collects most of the papers which were presented by the students in July 2014, after having been reworked in the light of the discussions of last summer and the advice of the attending professors. Many different areas of procedural law, ranging from regulatory approaches to procedural law, to comparative procedural law, arbitration and ADR, as well as the Europeanisation of civil procedure, are addressed. In this way the treatise demonstrates the current trends of scientific research in procedural law and the specific approach of an incoming generation of researchers.

The contributions of the professors to the School are also to be found in the book. They constitute a kind of homage to an academic work or an author considered as a milestone in the development of procedural and comparative procedural law. In this way also former generations of proceduralists joined the meeting of the different generations: thus the title of the book.

As one of the editors I would like to thank all the authors, and to encourage other young researchers to apply to the next edition of the IAPL-MPI Summer School, July next year.

### *Table of Contents*

PROF. DR. LOÏC CADIET, Inaugural Lecture: Towards a New Model of Judicial Cooperation in the European; Legislative Perspectives; ROBERT MAGNUS, Time for a Meeting of the Generations - Is there a Need for a Uniform Recognition and Enforcement Regulation?; ELS VANDENSANDE, Some Initial Steps towards a European Debate on Procedural Rulemaking; ALESSANDRO FABBI, New "Sources" of Civil Procedure Law: First Notes for a Study; MARCO GRADI, The Right of Access to Information and Evidence and the Duty of Truthful Disclosure of Parties in Comparative Perspective; PIETRO ORTOLANI, The Recast Brussels I Regulation and Arbitration; EWELINA KAJKOWSKA, Enforceability of Multi-Step Dispute Resolution Clauses. An Overview of Selected European Jurisdictions; NATALIA ALENKINA, Interaction Between Litigation Procedures of State and Non State Courts: the Case of Aksakal Courts in Kyrgyzstan; MARTA OTERO CRESPO, The Collective Redress Phenomenon in the European Context: the Spanish case; ZHIXUN CAO, On the Non-liquet Status of Factual Allegation in China; STEFANOS K. KARAMEROS, Legal Presumption as a Legislative Tool in National and European Legislation; BEATRICE ARMELI, The Service of Summons in Accordance with EU Law and the Case of the Defendant not Entering an Appearance in Light of the Fundamental Right to a Fair Hearing ; GIULIA VALLAR, Protocols as Means of Coordination of Insolvency Proceedings of Cross-Border Banking Groups; FRANÇOIS MAILHÉ, International Competence As a Cooperation Tool: Jurisdiction, Sovereignty and Justice within the European Union

PROF. DR. REMO CAPONI, A Masterpiece at a Glance. Piero Calamandrei, Introduzione allo Studio Sistematico dei Provvedimenti Cautelari; PROF. DR. DR. H.C. PETER GOTTWALD, Rolf Stürner, Die Aufklärungspflicht der Parteien des Zivilprozesses; PROF. DR. DR. H.C. BURKHARD HESS, Der Prozess als

Rechtslage - James Goldschmidt 1925 Proceedings As a Sequence of Judicial Situations - A Critique of the Procedural Doctrine; PROF. DR. EDUARDO OTEIZA, Linn Hamnergren. Envisioning Reform. Improving Judicial Performance in Latin America; PROF. DR. MARTA REQUEJO ISIDRO, Francisco Becena González; PROF. DR. DRES. H.C. ROLF STÜRNER, Einführung in die Rechtsvergleichung - Konrad Zweigert und Hein Kötz 3. Auflage 1996. Comparative Civil Procedure and Comparative Legal Thought .

For further information [click here](#).