



INTERNATIONAL CONFERENCE

The making of
a simple and effective
civil procedure
from obtaining
the enforceable title
to its **enforcement:**
legislative, doctrinal,
and case law solutions

5-6 October 2023
Amphitheater 2
Campus, Building B
Ovidius University of Constanta

PROGRAM

official partners



INTERNATIONAL CONFERENCE

The making of a simple and effective civil procedure from obtaining the enforceable title to its enforcement: legislative, doctrinal and case law solutions



Amphitheatre 2 • Campus, Building B
Ovidius University of Constanța
1 Aleea Universității, Constanța, Romania

PROGRAM

DAY 1 | 5 OCTOBER 2023



Welcome and registration at 8:30

9:00

Opening speeches delivered by:

- Prof. Dr. Habil. **Adrian Stoica**, Dean of the Faculty of Law and Administrative Sciences
- Assoc. Prof. Dr. **Dan Marcel Iliescu**, Rector of the Ovidius University of Constanța
- Mr. **Bogdan Ionică**, President of the Constanța Chamber of Judicial Officers
- Mr. **Marc Schmitz**, President of the International Union of Judicial Officers
- Judge **Alina Gabriela Jurubiță**, President, Constanța Court of Appeal
- Dr. **Gigi Valentin Ștefan**, Prosecutor General, Prosecutor's Office to the Constanța Court of Appeal
- Judge **Corina Alina Corbu**, President of the High Court of Cassation and Justice
- Mr. **Cristian Niculescu-Țăgârlaș**, Chairman, Senate Legal Committee
- Ms. **Alina Ștefania Gorghiu**, Minister of Justice

OPENING CEREMONY



Part I. How to obtain an enforceable title for uncontested claims

10:00

Honorary doctorate conferment ceremony

DOCTOR HONORIS CAUSA

11:00

European procedures: theory and practice

Prof. Dr. Frédérique Ferrand
Université Jean Moulin - Lyon 3

KEYNOTE ADDRESS



Coffee break at 11:15

11:30

1



Chair:
Jose Cardoso

PANEL 1



Lunch at 12:35

13:30

2



Chair:
Anthony M.D. Murphy

PANEL 2

National procedures: some examples

11:30 • Christine Valès, France

11:40 • Jos Uitdehaag, Western Balkans region

11:50 • Ioan Leș, Procedural approaches for speeding up enforcement

12:00 • Marin Voicu, Enforcement in ECHR case law and the effectiveness of its decisions in CoE member states

12:10 • Bogdan Dumitrache, Brief considerations on the non-public nature of the public auction held in the Romanian enforcement

Panel discussion • 12:20-12:35



Enforcement and enforceability in Romania

13:30 • Ioana Varga, Gheorghe Buta, The role of the decisions of the High Court of Cassation and Justice in unifying the practice in the field of enforcement proceedings

13:40 • Evelina Oprina, Provisional enforcement judgments – between benefit, risk and challenge

13:50 • Mădălina Botină, The effects of foreign judgments. French and Romanian case law

14:00 • Roxana Dan, A false enforcement in kind: enforcement by substitution at the debtor's expense

14:10 • Cristina Ramona Duță, The enforceability of lease agreements

Panel discussion • 14:20-14:40



14:40

3



Chair:
Claudia Ana Moarcăș

PANEL 3



Coffee break at 15:45



Enforceable titles: some examples

14:40 • Mircea Dan Bob-Bocșan, Anthony M.D. Murphy, Enforcing a judgment debt against property wrongly included in a certificate of succession

14:50 • Mihail Udriou, The authority of the final civil judgement in criminal proceedings

15:00 • Verginia Vedinas, Flavia Lucia Ghencea, Special features of the enforcement of decisions pronounced by administrative litigation courts

15:10 • Isabela Delia Popa, Weaponising justice: the struggle of enforcing labour court decisions in Romania

15:20 • Gabriel Marcel Mihai, The arbitral award as an enforceable title

Panel discussion • 15:30-15:45

16:00

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Chair:
Mădălina Botină

PANEL 4



Gala dinner at 20:00

Trials, enforcements and judicial officers: a triangle of interferences

16:00 • Mariana Mitra-Niță, Marilena Marin, Vasile Drăghici, The solemnity of the act of justice throughout history

16:10 • Mihail Udriou, Civil enforcement of the assets freed in the criminal process

16:20 • Gabriel Grigore, Enforcement of obligations to do or not to do. Special focus on enforceable titles concerning minors

16:30 • Mircea Ursuța, Evidence in civil appeals, a guarantee of a fast and fair trial. A comparison with administrative litigation

Panel discussion • 16:40-16:55





Part II. Communication and Transparency in Enforcement

10:30

Statement of fact: a key activity for the Judicial Officer

Prof. Robert Emerson, J.D.
University of Florida



KEYNOTE ADDRESS

Q&A at 10:50

ABOUT OUR KEYNOTE SPEAKER

Huber Hurst Professor of Business Law • Hough Graduate School of Business • Warrington College of Business, University of Florida
Affiliate Professor, Center for European Studies • College of Liberal Arts and Sciences, University of Florida
Vice-President, Interdisciplinary Section, Academy of Legal Studies in Business • Advisory Editor, American Business Law Journal

11:00

5



Chair:
Malone Cunha

PANEL 5

Use of debtor registers: theory and practice

11:00 • Patrick Gielen, Belgium

11:10 • Mathieu Chardon, France

11:20 • Luis Ortega, Spain

Panel discussion • 11:30-11:45



11:45

6



Chair:
Adrian Stoica

PANEL 6

Distribution of funds: theory and practice

11:45 • Jean-Didier Bidié, Congo

11:55 • Marc Schmitz, Belgium

12:05 • Dimitrios Tsirikas, Greece

Panel discussion • 12:15-12:30



Lunch at 12:30



Part III. Enforcement in the Digital Age: Effectiveness and Efficiency

13:30

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Chair:
Patrick Gielen

PANEL 7



Coffee break at 14:45

Effective enforcement

13:30 • **Guillaume Payan**, Review of European case law

13:40 • **Duarte Pinto**, GDPR and enforcement

13:50 • **Aida Kemelmajer de Carlucci**, Effective enforcement in the field of child support payments

14:00 • **Adrian Stoica, Anca Jeanina Niță**, Enforcement carried out against public authorities and institutions. European and Romanian practices

14:10 • **Nicolae-Horia Țiț**, The effectiveness of enforcing the obligations to perform that involve the personal action of the debtor

14:20 • **Nicolae Cristea**, Practical and jurisprudential aspects concerning the seizure of immovables entered into the land registry

Panel discussion • 14:30-14:45

15:00

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Chair:
Marc Schmitz

PANEL 8



Coffee break at 15:45

The future is efficiency

15:00 • **Françoise Andrieux**, The future of training: e-modules, e-learning, multi-disciplinary training

15:10 • **Natalie Fricero**, Between automatization and human needs

15:20 • **Claudia Ana Moarcăs**, The efficiency's future of the training relationship between Law faculties and training institutes for judges and lawyers: complementarity and overlapping?

Panel discussion • 15:30-15:45



16:00

9



Chair:

Małgorzata Pędziszczak

PANEL 9

E-auction: some examples

16:00 • **Dovile Satkauskienė**, An international example: the CEPEJ guidelines on e-auction

16:10 • **Oxana Novicov**, E-auctions in the Republic of Moldova – the story of an aspiration

16:20 • **Paulo Teixeira**, Portugal

Panel discussion • 16:30-16:45



16:45

Conclusive report

Patrick Gielen



Closing of the conference at 17:15

Organizing committee

International Union of Judicial Officers:

Marc Schmitz
Jos Uitdehaag
Patrick Gielen

Constanța Chamber of Judicial Officers:

Bogdan Ioniță
Nicolae Cristea
Dumitru Dușu

Ovidius University of Constanța:

Prof. Dr. Habil. Adrian Stoica
Prof. Dr. Habil. Mihaela Rus
Prof. Dr. Flori Brașoveanu
Dr. Mădălina Botină
Dr. Flavia Lucia Ghencea
Dr. Marilena Marin
Dr. Mariana Mitra-Niță
Dr. Anthony Matthew Dima Murphy
Dr. Anca Jeanina Niță

International peer-review committee

Prof. dr. Frédérique Ferrand (France)
Prof. Robert Emerson, J.D. (United States)
Prof. dr. h. c. Natalie Fricero (France)
Prof. dr. Aida Kemelmajer de Carlucci (Argentina)
Prof. dr. Paula Meira Lourenço (Portugal)
Prof. dr. h. c. Ioan Leș (Romania)
Prof. Dr. Dimitrios Tsikrikas (Greece)
Prof. dr. h. c. Marin Voicu (Romania)

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