

A Retrospective of the Development of the Civil Law in 2021

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Abstract

In 2020 and 2021, a major revision of the Civil Procedure Law was introduced, and the second wave of reform of the localized Civil Procedure Law in the 21st century has been carried out. The first thing is to protect the right of action. In order to protect the right of access to the courts and to ensure that people can receive judgement to finally resolve disputes, Civil Procedure Law requires the presiding judge to give a chance to amend in a period of time when lacking of quality of party or interests of litigation. The second thing is to ascertain the jurisdiction in order to quickly resolve the conflict of jurisdiction between different system of courts. In addition to allowing the parties to consensually choose to be adjudicated by the ordinary courts, the Court of Final Appeal of each jurisdiction should assign jurisdiction to confirm which court has jurisdiction instead of explaining by the Chancellor when the negative conflict of jurisdiction happens.

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