

**Developments in the Civil Procedural Law in 2022:
Focusing on the Rulings of the Civil Grand Chamber in the
Supreme Court and Decisions of Research Importance**

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Abstract

From its establishment in the Supreme Court on July 4, 2019 until December 31, 2022, the Civil Grand Chamber has consistently delivered multiple rulings and has contributed significantly to the harmonization of legal opinions. One of its rulings in 2022 holds that, for the creditors of a line-of-credit mortgage, when they petition for a compulsory enforcement on the mortgaged property with an auction ruling, the executive court shall not overrule their petition if, after a procedural review based on the debt documents or relating evidences the creditor provided, the enforcement court finds other mature debts to be within the scope of secure under the alleged line-of-credit mortgage. The case is so even when the debtors object that the alleged debt is confirmed of its non-existence by a final and binding decision. This opinion facilitates the realization of line-of-credit mortgages. In terms of the declaration of the termination of an adoptive relation, the Civil Grand Chamber on the ground of the legislative intention rules that it falls in the category of non-litigation procedures and that the court should case by case adopt the principles of litigation procedures when adjudicating such matters. This opinion helps defining the boundary between the legislative and the judiciary power. In

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addition, the Supreme Court announced several decisions of research importance, including the definition of foreign arbitrations, the effect of the covenant not-to-sue, representative action, the jurisdiction of appeal concerning the counterclaims in the second instance of family proceedings, the assumption of litigation resulting from the other party's death in maintenance matters, and the right of child to be heard in the proceedings. This essay is also going to comment on and analyze these important decisions.

Keywords: Civil Grand Chamber in the Supreme Court, auction of mortgaged property, termination of an adoptive relation, the covenant not-to-sue, representative action, foreign arbitrations, the right of child to be heard