

Civil Procedure Law

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Abstract

The amendatory civil procedure law has totally and thoroughly made a revolution in civil procedure system. There is not only a rearrangement of duties between parties and the court, but also the adoption of system of concentrated trial in civil procedure. It changes the ordinary structure of civil procedure and the traditional trial mode. The court practice should become conscious of the legislative objective of new law in order to renew the traditional trial activity and adjust the legal understandings of precedents. This article aims at analyzing precedents of the Supreme Court in 2009 and surveying parties' rights and duties in amendatory civil procedure that precedents indicate. By this analysis, we could verify that whether the amendatory law is carried out in court practice and fully displaying its meanings and functions in the revolution of civil judiciary.

Keywords: protection of civil procedure rights, duty of clarification, duty of promotion of trial, duty of statement

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