



The Necessity of Learning Litigation Procedure in the High School

Ekaterina Petrovna Rusakova¹, Ocaqli Ulvi²

Peoples' Friendship University of Russia, Russian Federation^{1,2}

Abstract

The learning procedure keeps the graph with the developing line, starting with the evolution of the person from childhood to adolescence. Learning and development are different understandings in the English language; however, the aim of both word definitions takes us to the same result. Nevertheless, learning is an ability that comes from birth. However, development is a continuous step of the learning procedure and characterized as a skill. Taking into consideration that humankind adores developing under control of third parties, then analyses should take its root from the beginning of learning procedure and development, namely schools. Under most civil law countries legislation, the state has an essential duty to establish a healthy atmosphere for children to gain essential skills in various subjects at schools. Nevertheless, if we change the sphere from technical subjects to more classified one, moreover to load the legal skills to children on the frame of understanding general legal education, litigation procedure and representation, which outcomes will we meet? The authors intend to handle the first important parts of litigation procedure which can be taught at schools, to be more exact on the matter, the touched points are about finding proper definition and simplification of civil litigation procedure as training material for school listeners since basics of civil law are hidden at every subject that is taught at school. The abstract is based on research and in-depth analyses of overall school children's capacity of learning; however, bearing in mind that it could be tough for them to comprehend whole training at first glance.

Keywords: *litigation procedure, steps of litigation, civil law*

The moral of the definition of the phrase "teaching" contains such valuable and sacred labor in it since starting from the golden era of philosophy from Greece to the millennium century of technologies, educators play a huge role with their view of modernization of education sphere and the effect of that approach to the modernization process. While analyzing the times before common era (b.c.e), and the times of millennium which ended the robotization of daily life, it is a clear fact that everything takes the roots on the way of development from bright initiatives of educators that make sense on the procedure of changing the flow of time. It is evident from the statement; every crucial discovery includes the theory of aiming initiative (Dudin M.N., Shakhov O.F., Shakhova M.S., Rusakova E.P., Sizova Y.S. (2019)). As an example, it is enough to look at the lifetime of the great son of the Republic of Azerbaijan, namely Lutfi Alaskarzadeh (Zade), who invented the theory of fuzzy logic and today the most prominent companies (Toyota, Honda) use his theory while designing new mechanisms. Mr. Zade dedicated his whole lived and died as an educator, and it is not a surprising fact that he is the only person in the world that keeps his honorary status of a scientist at Honda University after his death. The above example is not coincidence or promotion of the famous scientist, yet the theory is like a foundation of construction, and it decides the future of the building, or otherwise, the construction will be finalized or demolished in the middle.

The theories that have been discovered by well-known educators have an exact impact on modern teaching and research activities, and authors handle the theoretical stance of modern jurisprudence. Taking into account that the balance of the world is not stopping to change in the face of legal instruments and international law methods, jurisprudence should demolish stereotypes and its serious cover as well. As everything has a logic start button, it has also to contain the steps of way within the appropriate learning plan. Planning is one of the impartiality in the first stage because the suggesting training course includes the 10-11 (12) grade students whom the authors believe that has a mental capacity for learning and comprehension. (Dudin M.N., Bezbakh V.V., Frolova E.E., Galkina M.V. (2018)).

They are starting with the necessity of suggesting a training plan for clarifying and opening the scene for understanding. First of all, it is an accepted fact that lawyers have been accounted as the most elite category of the society from the early shaping of humanity and humankind since every single document had to be written by professional lawyers to show the person's interest on the paper clearly and correctly. Today, nothing has changed, and today, being a lawyer is an excellent plus from the perspective of finding an important place in society. However, authors intend to discuss possibilities of



preparing future lawyers or enshrining the simplified legal education, besides the basics of civil litigation procedure. It can be seemed quite harsh for school learners, but what is the reason for educating the anatomy as a part of biology but putting aside the legal and litigation education. The authors discuss the fact that it is quite a discriminative factor for the students who are aiming to be future lawyers or enlighten the basic principles of litigation.

The second pivotal factor is dedicated to the people who are going to educate them. At first glance, the version of professional lawyers comes to mind. However, the authors suggest the main principles of TOT (training for trainers) programs since the addition or mixture of an education program can be ended with a fiasco. Here the suggested program does not require the inclusion of professional-level lawyers to education. Instead, educators (here school teachers), especially the teachers of history, should be trained by professional lawyers on the basic principles of civil litigation in order to add students to the stipulated program.

While going deeper to analyze the inclusion of the civil litigation procedure to the school syllabus, it is more important to discuss the main two questions: "Which" and "How." Initially, the first discussed and considered question is "which," that more involves the formation of training modules during the classes, and the second, the question "how" contains the follow-up answer of the first Q&A part, and finds the implementation ways.

For finding the answer to the question "which," we have to handle the basic principles of the civil litigation procedure because it will help the students on their path along with the litigation procedure before becoming a professional barrister. That is why the first element that should be clarified is the phrase "claim." The claim is easily simplified as following for clarifying the introduction and avoiding the massive legal dictionary: "To demand and assert as a right" or "something that one party owes to another." As continuous the first introductory definition, it is better to understand the legal nature of the claim. In general understanding and practice, the claim should be prepared in written form in order to start the litigation procedure.

Here, the question on the writing or preparation of the claim and content of the document can occur. Visual from the naming of a legal document, the claim should be submitted so far that the person who initiates the document is accounted as the claimant. It makes clear that two legal phrases automatically be named a claim and claimant. Students can prepare the content of the claim under the control of well-educated teachers since it is quite simple after in-depth analyzes, considering that the claim contains the request or restoration of violated civil rights by claiming the party from court excellencies. Depending on dispute, the content of the claim should be simplified for school students as following (Gene.R.Shreve, 1977):

- the court where litigation will be heard
- parties who are the litigation parties
- a full explanation of the reason for the litigation and claim, e.g., requests from the court
- the subject of the claim which the claimant requests from the respondent in the material form.
- factual reason- is the second part of the explanation, namely "reason," that the claimant explains the reason for suing the respondent. (Rusakova E.P., Frolova E.E., Kleandrov M.I., Kupchina E.V.,2019)

In the final part, it is mandatory to take legal consultation from an operational, professional barrister since the claim should refer to the articles of civil law which figure out the compliance of violation of rights regarding legislation.

Another eye-catching and jaw-dropping way of dispute resolution is making a pre-trial claim. Since more or less, either legal parties or physical parties are afraid of the defile of their reputation. That is the reason that pre-trial claims have more effect rather than claims on the way of resolution of civil litigations. The pre-trial claims contain the same content as claims except for the reference of litigation to the legislation part, so it can be good practice for students in order to comprehend the procedure. (Robert.M. Bastress (2003)).

The suggested module of training might be applied to the pilot groups in order to take the fruitful results, and the authors highly believe that it will have a significant impact on the students; the offered module will grab only the positive reactions. Moving to the conclusion of civil litigation in high schools the civil litigation highly depends on the procedural matters, yet they are playing huge roles in decision-making procedures by judges. Considering the fact of procedural matters, the authors suggest the moot civil litigation procedures after all finalized chapters, and it will affect students on the procedure of comprehension of the civil litigation procedure. At this stage, there is a factor that can be characterized as keyword: excursion. The excursions to the real open litigation procedures can be locomotive motivation for the students, and gained knowledge can be applied to the moot litigation procedures at school. Professional advocates of judges can design the operational part of moot civil



litigation. Here there is a social event that can appear: "relation between civil litigation courts and high schools."

From the first perspective, it can be comprehended a bit tough for school students, but we can not avoid the factor that every person has to know his or her right. Notably, the international arena is more alarmed in the rights of the child. Moreover, the United Nations organization gives more chances for children to voice their wishes and problems today compared with the times of the Cold War or the start of the millennium. The child advocates Malala Yousafzai and Greta Thunberg made great debuts under the UN's bright lamps while drawing attention to main classical topics: environmental change and ignorance.

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