АДМІНІСТРАТИВНЕ ТА ІНФОРМАЦІЙНЕ ПРАВО

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ADMINISTRATIVE AND LEGAL CHARACTERISTICS OF COURT DECISIONS

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The article proves the relevance of the study of the administrative and legal characteristics of court decisions in view of modern significance of the solution to this scientific problem, which is determined by the expression of legal reality within the scope of the administration of justice. This will provide an opportunity not only to substantiate the understanding of the phenomenon of justice as a way of exercising judicial power from the point of view of administrative law, but also to identify areas that need improvement. In this context, one of these areas is judicial decisions, because the modern interpretation of law as a system that regulates relations in the subsystems "man – man", "man – society" and "man – state" accumulates anthropological and humanistic dimensions. Therefore, the court, as an institution aimed at resolving disputes arising in these subsystems, is called upon to issue primarily legally based decisions. During the analysis of the declared issues, it was found that on the basis of the understanding of the administrative and legal principles of court decisions, the possibility of researching still unresolved legal problems of the judiciary, including the legality of such decisions as the concept of legal reality, raising the level of legal awareness, and forming law-abiding behavior, is actualized. Moreover, it makes it possible to assert that the higher the level of law and order in the state, the lower the level of crimes. Therefore, the article emphasizes the importance of recognizing that each of the participants in the legal process – the plaintiff and the defendant, has the right to submit data on the basis of which the court can draw conclusions about the presence or absence of signs of an offense in the actions (inaction) of the parties and force the participants in the legal process to perform certain actions. Under such conditions, the thesis is confirmed that the number of offenses is lower in those countries where the level of law and order is consistently high, and, therefore, the number of appeals to court to restore violated rights and freedoms is much lower than in those countries where the level of law and order is lower. Thus, the article makes it possible to state that in such states a significant percentage of the population consciously builds their behavior

in accordance with the requirements of the law, and relations in the subsystem "man - state" are based on the principles of legality, mutual respect, recognition of a man as the greatest value of the state, etc. The legal order, which directly affects the presentation of evidence in administrative proceedings, is also well-founded, since the number of people who are consciously guided in their behavior by the requirements of the law increases every time, and, accordingly, these people do not allow violations of the law or violations against themselves in their professional activities from the side of public administration; constant development of legislation, reforming of the domestic legal system contributes to the emergence of the need for a man to deepen his legal knowledge.

Key words: administrative proceedings, civil society, rule of law, law and order, evidence, court decision, court process, administrative law.

Formulation of the problem. Today, the judicial system is perceived in Ukraine exclusively as a punitive body, the activity of which is directed against a man, and the adopted decisions contribute to the confirmation of the positions of the powerful top of the state. However, judicial reform is designed to form the court as an institution that acts in the interests of justice to establish the rule of law and the effective functioning of civil society. That is why decisions made by courts of various instances must be made not only taking into account procedural requirements, but also logically proved and substantiated. Modern society cannot exist without a certain legal order that determines the rules of interaction between its social spheres, between people, between a man and the state. Law and order can be interpreted as a certain state of orderliness of social life, which is realized through the observance and implementation of legal norms by the majority of the population. Law and order, first of all, ensures the stability of the states existence and its ability to perform its main functions. “The lack of legal order has a devastating effect on society, makes it impossible to meet needs, ensure interests and goals. This can be manifested, first of all, in the lack of protection of the rights, freedoms and interests of citizens, threats to life, health and dignity of people, deprivation of guarantees of social protection and well-being, social stratification of society, arbitrariness on the part of authorities, imperfection of adopted laws and other normative legal acts, low-quality activity of law enforcement bodies and, finally, in the illegal behavior of other legal entities. That is, from the standpoint of a person, the legal order acts primarily as a means of protecting his rights, freedoms, and legitimate interests. It ensures the protection of a person both from the arbitrariness of the state itself and its bodies, and from the illegal actions of other subjects. From this point of view, the state acts as a specific entity, the purpose of which is to ensure the stability and sustainable development of society” [1, p. 232]. If the rights and freedoms protected by the law were violated, then the law and order was violated accordingly. In order to restore law and order, it is possible to go to court, even if the violator is the state through the system of public administration bodies and their officials, endowed with specific powers. “The bodies of public administration should be understood as the system of bodies of state executive power and executive bodies of local self-government, other subjects of power, enterprises, institutions, organizations that are endowed with administrative and management functions and act to ensure both the interests of the state and the interests of society as a whole, ensuring the rights and freedoms of citizens, as well as the totality of these administrative and management actions and measures established by law” [2, p. 6]. Due to this, a man receives protection from the arbitrariness of the state.

Analysis of the problem research. Achieving the chosen goal involves the analysis of the works of researchers who, to one degree or another, have studied the problems of administrative proceedings in general. References to their works and developments will be provided in the text of scientific research with justification of the foundations that became the theoretical and methodological basis of this article. In view of this, **the purpose** of the article is to study the administrative and legal characteristics of court decisions.

Presentation of the main material. The first duty of the court is a full, objective investigation of the evidence provided by the participants in a particular court proceeding. Each case in court is considered within the limits of the requirements stated by the parties. However, procedural legislation, in particular administrative legislation, allows the court to go beyond the requirements stated by the parties. This is done in order to protect the rights and legitimate interests of the participants in the case or third parties, if they request it. The task of the administrative proceedings is the fair, impartial and timely resolution of disputes by the court in the field of public-legal relations with the aim of effectively protecting the rights, freedoms and interests of individuals, the rights and interests of legal entities against violations by subjects of authority. Addressing the court obliges the parties to the legal process to prove their own position by submitting evidence. "Evidence in administrative proceedings is any data on the basis of which the court establishes the presence or absence of circumstances (facts) that substantiate the claims and objections of the participants in the case, and other circumstances that are important for the correct resolution of the case" [3]. Each of the parties has the right to submit evidence for the purpose of protecting or restoring their rights and freedoms on the one hand, and on the other hand, substantiating the legality of a certain position of the subject of power. This is the process of evidentiality. "The content of the subject of evidentiality should be considered a set of circumstances that justify the claims made on the subject of a public legal dispute by the plaintiff, a third party with independent claims; substantiate the defendant's response to the statement of claim against the circumstances and legal grounds of the claim cited by the plaintiff; substantiate the plaintiff's response against the explanations, considerations and arguments given by the defendant in the response to the statement of claim; justify the defendant's objection to the demands set forth by the plaintiff in the reaction to the response; have a different meaning for the consideration of the case and are subject to establishment when the court decision is adopted" [4, p. 74]. According to V. Hordieiev and N. Huralenko, "evidentiality in administrative proceedings is the order of collection and submission for court analysis of information about certain events, actions or state, regulated by the norms of the Code of Administrative Proceedings of Ukraine and conditioned by the principles of equality, competition, dispositiveness, official clarification of all the circumstances of the case, the presumption of guilt of the subject of power" [5, p. 116].

According to the Code of Administrative Procedure of Ukraine (hereinafter – the Code), each party must prove the circumstances on which its claims and objections are based. For example, in administrative cases about the illegality of decisions, actions or inaction of a subject of authority, the duty to prove the legality of one's decision, action or inaction rests with the defendant. The subject of authority must submit to the court all documents and materials in his possession that can be used as evidence in the case. According to the Code, the grounds for exemption from evidentiality are recognized as follows: the circumstances admitted by the parties to the case are not subject to evidentiality, if the court has no reasonable doubt as to the authenticity of these circumstances or the voluntariness of their recognition. Circumstances recognized by the parties to the case are indicated in statements on the merits of the case, explanations of the parties to the case, their representatives; refusal to recognize the circumstances shall be accepted by the court if the refusing party proves that it recognized these circumstances as a result of a mistake of significant importance, deception, violence, threat, grave circumstance or a circumstance recognized as a result of malicious agreement of its representative with another party. The court issues a decision on acceptance of the party's refusal to acknowledge the circumstances. If the court accepts a party's refusal to acknowledge the circumstances, they are proved in the general order; circumstances recognized by the court as common knowledge do not require evidentiality; circumstances established by a court decision in an economic, civil or administrative case that has entered into legal force shall not be proved during the consideration of another case involving the same persons or the person in respect of whom these circumstances were established, unless otherwise established by law; circumstances established in relation to a certain person by a court decision in an economic, civil or administrative case that has entered into legal force may be refuted in a general manner by a person who did not participate in the case in which such circumstances were established; a court verdict in a criminal proceeding, a decision

to close a criminal proceeding and release a person from criminal liability, or a court decision in a case of an administrative offense, which have entered into force, are binding for an administrative court considering a case on the legal consequences of a person's actions or inaction, in relation to which a verdict, decision or court order was passed, only in the question of whether these actions (inaction) took place and whether they were committed by this person; the legal assessment given by the court to a certain fact during the consideration of another case is not binding for the court. Circumstances established by a decision of an arbitration court or international commercial arbitration are subject to evidentiality in the general procedure when the case is considered by the court.

The Code [3] defines the requirements that the evidence must meet in order for the court to accept it for consideration and take it into account when making a decision. These include: 1. The availability of evidence. Evidence that contains information about the subject of evidentiality is relevant. The subject of evidentiality is the circumstances that confirm the stated claims or objections or have other significance for the consideration of the case and are subject to establishment when a court decision is passed. The parties have the right to substantiate the adequacy of specific evidence to support their claims or objections. The court does not consider evidence that does not relate to the subject of evidentiality. 2. Admissibility of evidence. The court does not take into account evidence obtained in violation of the procedure established by law. The circumstances of the case, which by law must be confirmed by certain means of evidentiality, cannot be confirmed by other means of proof. 3. Reliability of evidence. Evidence is reliable, on the basis of which it is possible to establish the actual circumstances of the case. 4. Sufficiency of evidence. Evidence is sufficient, which in its totality makes it possible to reach a conclusion about the presence or absence of the circumstances of the case, which are included in the subject of evidentiality. The court decides the question of the sufficiency of the evidence to establish the circumstances relevant to the case in accordance with its internal conviction. Article 79 of the Code defines the specifics of presenting evidence. Thus, the participants in the case submit evidence in the case directly to the court. The plaintiff, persons who are legally entitled to go to court on behalf of other persons, must submit evidence together with the statement of claim. The defendant, a third party who does not make independent claims regarding the subject of the dispute, must submit evidence to the court together with the third party’s response or written explanations.

If the evidence cannot be submitted within the period established by law for objective reasons, the party to the case must notify the court in writing and note: the evidence that cannot be submitted; the reasons for which the evidence cannot be submitted within the specified period. The participant in the case must also provide evidence that confirms that he has taken all actions dependent on him, aimed at obtaining the relevant evidence.

If the reasons for the failure of the party to the case to submit evidence within the period established by law are recognized as valid, the court may establish an additional period for the submission of the specified evidence. If the court accepts a party’s refusal to acknowledge the circumstances, the court may set a deadline for submitting evidence regarding such circumstances. If the circumstances subject to evidentiality have changed with a change in the subject matter or grounds of the claim or the filing of a counterclaim, the court, depending on such circumstances, sets the deadline for submitting additional evidence.

Evidence not submitted within the period established by law or by the court shall not be accepted for consideration by the court, except in the case when the person submitting it justified the impossibility of submitting it within the specified period for reasons that did not depend on him. Copies of evidence (except material evidence) submitted to the court shall be sent in advance or provided by the person who submits them to other participants in the case. The court does not take into account relevant evidence in the absence of confirmation of sending (providing) its copies to other parties to the case, unless such evidence is available to the relevant party to the case or the amount of evidence is excessive, or it is submitted to the court in electronic form, or is publicly available. Evidence that is not attached to the statement of claim or

to the response to it shall be submitted through the court office using the Unified Court Information and Telecommunication System or at a court hearing with a request to add it to the case file.

When making decisions, the court evaluates the evidence provided by the parties and makes a decision based on this. These decisions act as certain signs. A sign is a specific material carrier of information that has meaning (filling) and performs a certain social function. "A legal sign is a material object that is sensuously perceived and acts as a representative of another object, property or relationship and is used to receive, store, process and transmit legal information, and a legal sign construction is an integral combination of legal signs that has independent legal significance" [7, p. 5, 6]. A feature of signs is that legal signs differ within different legal traditions, that is, they are characteristic features of national legal systems and are perceived differently in different legal systems.

For example, O. I. Hvozdik singles out the criteria that can be used to evaluate logical evidentiality. "Evaluation of the logical evidentiality of judicial and procedural argumentation can be carried out according to the following methodological criteria:

1) if, on the basis of the available evidence base, it is impossible to obtain mutually exclusive logical consequences from the assumption of the truth of the intended conclusion of the court, and such consequences are possible from the assumption of its falsity, then the evidence base is sufficient to justify such a conclusion;

2) if the assumption of the truth of such a conclusion implies contradictory consequences based on the available evidence base, and the assumption of its falsity is not reduced to mutually exclusive consequences, then this conclusion, on the contrary, can be considered false and reasonably rejected as refuted. That is, it is possible to talk about the sufficiency of the evidence base for certain well-founded decisions regarding a potential judicial conclusion, if one and only one of the mutually exclusive assumptions about this conclusion (its truth or its falsity) leads the course of reasoning to a contradiction (is reduced to absurdity);

3) if neither the assumption about the truth of the intended verdict nor the assumption about its falsity is reduced to absurdity, then this is a logical indicator of the insufficiency of the available evidence base for solving the question of the validity of accepting or rejecting such a verdict on its basis;

4) when both the hypothetical statement and the hypothetical objection of the analyzed draft of the court decision involve obtaining mutually exclusive deductive conclusions on the basis of the available evidence base, then this proves the presence of logically incompatible data in its context, which makes it possible to reject such an evidence base as a potential basis for procedural argumentation" [8, p. 87].

Using the criteria identified by O. I. Hvozdik, it is possible to monitor whether the judge's conclusions in a specific case are logically correct or not. After all, if each of the criteria is a sign that belongs to a specific process or phenomenon of legal reality, then the sign becomes socially significant and begins to perform social functions. "The natural affiliation of signs and systems to processes, phenomena and situations is, in fact, socially significant, because it concerns social relations, and is also covered by the social content of the legal system, as a kind of symbolic system" [9, p. 95]. It follows from this that the sign acts as a kind of element to attract the attention of all participants in the legal process; with the help of signs, you can build a system of interaction with legal reality (court decisions are verbally expressed signs (attracting attention), which oblige legal subjects to certain behavior).

Actually, taking into account the above-mentioned aspects of proof and requirements for evidentiality, we can talk about cognitive dissonance, that is, the emergence of a certain discomfort due to the inconsistency between the behavior of the participants in the process, where everyone considers his position to be correct both from the point of view of morality and the law [10, 11, p. 132–143]. Evidence and proof in the administrative process have an impact on the legal order, just as the legal order affects the presentation of evidence. These interactions contribute to strengthening of law and order in the state; reduce the level of offenses in the field of public administration; through the identification of problematic issues accompanying the administrative process, prompt the legislator to improve the legislation in this

area; increase the level of legal knowledge, legal culture and legal awareness of process participants; help to identify and eliminate inefficient mechanisms in the activities of public administration [12, p. 37, 38].

Conclusions. Evidentiality of court decisions is manifested in four aspects: 1) a court decision generally acts as a sign or a system of signs. Since a sign is a material carrier of information, accumulated in a certain verbal image, specific to a certain legal culture, a court decision is also a sign. Such a sign first arises as a mental reaction to information received and processed with the help of logical methods; then it is expressed verbally in the form of a court decision (pronounced orally and recorded); after that it forces the participants in the legal process to certain actions, that is, a certain active interpretation of the verbal sign. Actually, the triad – thought, word, action, act as the means by which the social function of the legal sign is implemented (taking into account the subject and object of our research, the court decision) and influence on all participants in the legal process is realized;

2) a sign or a system of signs clearly indicates a certain aspect of legal reality (proves or disproves the presence of an offense in the actions of one of the parties).The subject of the trial is one or another aspect of legal reality, and the court decision aims, based on the analysis of the provided evidence, to confirm or deny the fact of the commission of an offense, to restore the violated rights or legitimate interests of the participants in the court process. That is, to explain whether the signs, which serve as expressions of processes and phenomena of legal reality, were misinterpreted, or whether their interpretation corresponded to the norms adopted in a certain legal system;

3) influence on a person who makes a court decision as a sign or a system of signs (lawfulness of his behavior). The sign first of all serves as an element of drawing attention to one or another phenomenon of legal reality. It is the same with lawful behavior. If a person believes that his legal rights and interests have been violated, he can apply to the court for their restoration. Only the court can determine the legality or illegality of the behavior of the parties in the case under consideration. The adopted court decision, as a sign, forces the parties to the process to pay attention to the legality of their actions, that is, to act within the limits established by law;

4) the content that each of the parties to the court process puts into the announced decision (influence on legal awareness). People often interpret the same signs in different ways. It depends on many factors, the main ones of which are probably the value system, positive or negative life experience, readiness to learn new things in connection with the development of society and the state. Legal awareness is formed on the basis of a person's perceived need to act in accordance with the norms and rules established by law. The court decision is binding, therefore it imposes certain obligations on the participants in the court process, that is, how a sign influences a person, forcing him to take certain actions. How a person will perceive it and whether it will have a certain influence on his further behavior depends solely on the person himself, his worldview and the adopted conscious value system.

REFERENCES

1. Podorozhna T., Ovcharenko O. (2019). ***Natsionalna bezpeka ta konstytutsiinyi pravoporiadok yak chynnyky zabezpechennia prav liudyny.*** [National security and constitutional law and order as factors of ensuring human rights]. *Prava liudyny i natsionalna bezpeka:* zbirn. materialiv Mizhnar. nauk. prakt. konf. (m. Kyiv, 27 chervnia 2019 r.). Kyiv : VAITE. P. 232–240 [in Ukrainian].

2. Bandurka O. M. (2019). ***Administratyvnyi protses Ukrainy.*** [Administrative process of Ukraine]: monohrafiia. Kharkiv : KhNUVS, Maidan [in Ukrainian].

3. ***Kodeks administratyvnoho sudochynstva Ukrainy.*** [Code of Administrative Procedure of Ukraine]. URL : https://zakon.rada.gov.ua/laws/show/2747-15#Text [in Ukrainian].

4. Dzhafarova M. V. (2020). ***Okremi pytannia dokazuvannia v administratyvnomu sudochynstvi v Ukraini./*** [Separate issues of eevidentiality in administrative proceedings in Ukraine]. *Pravo i suspilstvo.* No. 5. P. 69–75. URL : https://doi.org/10.32842/2078-3736/2020.5.10 [in Ukrainian].

5. Hordieiev V. V., Huralenko N. A. (2021). ***Osnovni osoblyvosti administratyvnoho sudochynstva.*** [Main features of administrative proceedings]. *Derzhava ta rehiony. Seriia: Pravo.* No. 4 (74). P. 112–117. URL : https://doi.org/10.32840/1813-338X-2021.4.17 [in Ukrainian].

6. Blikhar M. M. (2022). ***Vplyv pravoporiadku na podannia dokaziv: kohnityvnyi dysonans ta administratyvno-pravova kharakterystyka.*** [The influence of law and order on the presentation of evidence: cognitive dissonance and administrative-legal characteristics]. Naukovyi visnyk Uzhhorodskoho natsionalnoho universytetu. Seriia: Pravo. No. 73. T. 2. P. 206–210. URL : https://doi.org/10.24144/2307-3322.2022.73.61 [in Ukrainian].

7. Pavlyshyn O. V. (2019). ***Semiotyka prava yak metodolohichna paradyhma novitnoho filosofsko-pravovoho dyskursu.*** [Semiotics of law as a methodological paradigm of the latest philosophical and legal discourse] : Doctor's thesis. URL : http://elar.naiau.kiev.ua/jspui/handle/123456789/12957 [in Ukrainian].

8. Hvozdik O. I. (2019). ***Sudovo-protsesualne dokazuvannia v lohichnomu vymiri.*** [Judicial and procedural evidence in a logical dimension]. *Filosofski ta metodolohichni problemy prava.* No. 1 (17). P. 83–89. URL : https://doi.org/10.33270/01191702.83 [in Ukrainian].

9. Melnyk Ya. Ya. (2020). ***Kontseptsiia semiotyky u sotsialnomu pravi: problemy doktrynalnoi polityky.*** [The concept of semiotics in social law: problems of doctrinal policy]. *Aktualni problemy prava: teoriia i praktyka.* No. 1 (39). P. 91–97. URL : https://doi.org/10.33216/2218-5461-2020-39-1-91-97.

10. Alshawabkeh Faisal, Almajali Mohmmad Husien. (2021). The influence of the jurisprudence administrative on the Cancellation Case; "Analytical study". *Heliyon.* Vol. 7. Issye. 3. URL : https://doi.org/ 10.1016/j.heliyon.2021.e06471.

11. Frumarová K. (2020). Evidence in administrative proceedings - proof by audio-visual record, proof by the content of the website and other means of proof lacking an explicit regulation in the Code of Administrative Procedure. *Institutiones Administrationis Journal of Administrative Sciences.* Vol. 2. Issye. 1. P. 132–143. URL : https://doi.org/10.54201/iajas.v2i1.31.

12. Бліхар М. М. (2022). ***Семіотична перспектива доказовості судових рішень: адміністративно-правова характеристика.*** [Semiotic perspective of evidentiality of court decisions: administrative and legal characteristics]. *Naukovyi visnyk Uzhhorodskoho natsionalnoho universytetu. Seriia: Pravo*. No. 74. T. 2. P. 34–38. URL : https://doi.org/10.24144/2307-3322.2022.74.38 [in Ukrainian].

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АДМІНІСТРАТИВНО-ПРАВОВА ХАРАКТЕРИСТИКА СУДОВИХ РІШЕНЬ

Доведено актуальність дослідження адміністративно-правової характеристики судових рішень, з огляду на сучасне значення розв'язку цієї наукової проблеми, що обумовлюється вираженням правової реальності в межах здійснення правосуддя. Це дасть можливість не лише обґрунтувати розуміння феномену правосуддя як способу реалізації судової влади з боку адміністративного права, а й визначити ті напрями, які потребують удосконалення. У цьому контексті одним із таких напрямів є судові рішення, адже сучасне трактування права, як системи, що регулює відносини в підсистемах "людина – людина", "людина – суспільство" та "людина – держава", акумулює в собі антропологічний і гуманістичний виміри. Відтак, суд, як інститут, що спрямований на вирішення суперечок, які виникають у цих підсистемах, покликаний виносити передовсім законодавчо обґрунтовані рішення. Під час аналізу задекларованих питань з'ясовано, що на основі осмислення адміністративно-правових засад судових рішень актуалізується можливість дослідження ще досі невирішених правових проблем судочинства, зокрема й законності таких рішень, як концепту правової реальності, підвищення рівня правосвідомості, формування правослухняної поведінки. Це дає змогу стверджувати, що чим вищий рівень правопорядку в державі, тим нижчим є рівень правопорушень. Тому в статті акцентовано на важливості визнан-

ня того, що кожен з учасників судового процесу (позивач і відповідач) мають право подати дані, на підставі яких суд може зробити висновки про наявність чи відсутність у діях (бездіяльності) сторін ознак правопорушення та змусити учасників судового процесу до вчинення певних дій. За таких умов підтверджується теза, що кількість правопорушень нижча у тих країнах, де рівень правопорядку стабільно високий, а, відтак, і кількість звернень до суду для відновлення порушених прав і свобод значно нижчий, ніж у тих країнах, де рівень правопорядку нижчий. Отже, стаття дає можливість констатувати, що в таких державах значний відсоток населення усвідомлено будує свою поведінку відповідно до вимог закону, а відносини у підсистемі "людина – держава" ґрунтуються на принципах законності, взаємної поваги, визнанні людини найбільшою цінністю держави тощо. Також обґрунтований і правопорядок, що безпосередньо впливає на подання доказів в адміністративному судочинстві, оскільки: щоразу збільшується кількість людей, які усвідомлено керуються у своїй поведінці вимогами закону, а, відповідно, ці люди не допускають у своїй професійній діяльності порушень закону або порушень щодо себе з боку публічної адміністрації; постійний розвиток законодавства, реформування вітчизняної правової системи сприяє виникненню необхідності у людини до поглиблення її правових знань.

Ключові слова: адміністративне судочинство, громадянське суспільство, правова держава, правопорядок, доказ, судове рішення, судовий процес, адміністративне право.