

PROBLEMS AND PROSPECTS OF THE FORMATION AND REFORM OF THE JUDICIAL SYSTEM AND THE JUSTICE SYSTEM IN THE KAZAKHSTAN REPUBLIC

Shukenova Z, Slamhankyzy, International Kazakh Turkish University after H.A.Yessevi

Ibrayeva A, Salamatovna, Kazakh National University after Al-Farabi

Yelena V.Mitckaya, M.Auezov South Kazakhstan University

Bitemirov K. Turlybaevich, M.Auezov South Kazakhstan University

Gulzhan M. Turtaeva, M.Auezov South Kazakhstan University

ABSTRACT

Today, the problem of justice is quite relevant and key almost all over the world and in the Republic of Kazakhstan, respectively. This question is of an applied nature, as over time, there are more and more innovative issues that need to be resolved only from the perspective of competent flexible or principled justice. Since all disputes are resolved in accordance with the Constitution of the Republic of Kazakhstan only by judicial bodies, judicial bodies must also keep up with the times.

Keywords: Republic of Kazakhstan, constitution, judicial bodies, principled justice, innovative issues.

INTRODUCTION

As an appropriate introduction, it should be noted that at present the justice system in the Republic of Kazakhstan is a constantly developing and rapidly progressing area of state activity, which is based not only on the process of digitalization of data, informatization of services, but also on the precedence of similar cases (Imanbekova, 2014). Organizing such innovations judicial system simply cannot do without appropriate reforms at the legislative level (Kozhambekov et al., 2019).

The Question of the Study of Alternative Changes in Judicial Proceedings

Considering in general the issue of a gradual change in the elements of the functioning of the judicial system, it is necessary to note the necessity of regulatory regulation, which is a certain kind of order and sequence of actions performed by citizens when performing certain actions (Batyrbayev et al., 2017).

The System of Digitization of the Procedural System

At present, in the era of digital technologies, some processes are even silly to carry out on paper (Nartay et al., 2019). Consequently, the present also implies the improvement of the cyber reality system in court proceedings, which involves drawing up and giving claims, some elements of appeal, cassation, other petitions (Ordaeva et al., 2019). At the same time, most procedures even suggest that citizens can directly participate in procedural proceedings without leaving home (Ordaeva et al., 2019). Also, the present assumes complete monitoring of procedural matters by higher authorities at almost any planning stage (Shalkharov et al., 2016). Accordingly, it can be noted that the process of digitization of court proceedings is a rather important component of any branch of the procedural system, regardless of whether it is of an administrative, civil or criminal nature (Shalkharov et al., 2016). Since this is commensurate with the convenience of procedures, the present can be considered very necessary in judicial reform (Crowly et al., 2019). Thus, it should be noted that the digitization of the judicial process is an important component in the progressive development of the judicial system as a whole (Roice et al., 2017).

Informational Reforms in Judicial Proceedings

Designating a number of administrative measures, it should be noted that archival proceedings in judicial proceedings are also an equally important factor in the rationalization of civil law, administrative law and criminal law cases (Weight et al., 2018). The present implies a quick, instant search and systematization of the entire required base, which will allow you to more efficiently allocate time when considering a particular case (Wayne et al., 2018). In addition, the present is also a key factor in the precedentization of a lawsuit (Lang, 2018).

LITERATURE REVIEW

Fundamental Consideration of the Problem from the Standpoint of the Classical View of Legal Research

To date, fundamental knowledge has a certain lack of development, due to the fact that the improvement of the cells of the judicial system is developing rapidly (Clark, 2012).

Relevance

The relevance of this study is expressed in the fact that the judiciary is a key element of the functioning of any state territorial unit, since it is the courts that should administer justice (Posłuszna, 2018; Show & Remark, 2012; Suarte & Lu, 2018). Consequently, taking into account the fact that there is a development of previously unseen new types of crimes, as well as completely new types of cases that do not fit into the framework of classical jurisprudence, as well as innovative resolution of cases commensurate with foreign partnership, we can designate that reforming the judicial system is one of the most important steps for the development of the state as a whole (Bitemirov et al., 2019).

Theoretical Significance

Theoretically, it can be singled out that the study of the system of reforming the judicial system from the standpoint of the classical fundamental view will provide theoretically a large number of textbooks and teaching aids, which then can even be systematized into a separate academic discipline (Kairat et al., 2017).

Practical Significance

From the position of the applied point of view, it should be noted that this study allows state bodies in the field of human rights functions, as well as judicial bodies, to create alternative legal mechanisms for monitoring and defining innovative court cases in general (Bitemirov et al., 2018).

Novelty

Previously, an interdisciplinary study of issues of improving the judicial system has not been studied, from the perspective of an interdisciplinary look with consideration of the use of administrative and political measures.

Specification of the Problem

Analyzing all the alternate points as the goal of this article, it was the study of the attitude towards reforms in the judicial system from the position of the modern viewpoint that was set.

Introduction to Detailed Specification

Thus, by defining the research question whether it is possible to designate the legal status of measures to modernize the justice system in the Republic of Kazakhstan as lawful in the regulatory space of criminal law, administrative legal and political mechanisms, a positive answer can be designated.

The question of the importance of research for modern jurisprudence and humanity as a whole.

Today, the judicial system of the Republic of Kazakhstan is a fairly rapidly developing sector of public administration of justice, which makes the development of such a key priority.

How the present study is related to previously conducted by analogy. In the study of this topic it is necessary to note two areas: modern national security and international security. However, with regard to the unexplored issues in the present note that other authors have not given the prerogative of foresight and analysis from the standpoint of the current hypothesis. In this article, three hypotheses are considered, around which the entire research base unfolds (Bitemirov et al., 2019; Shalkharov et al., 2016).

Theoretical and Practical Significance of Research

The theoretical significance of this research involves not only the enrichment of fundamental knowledge in the field of legal research in the field of civil law, criminal law, but

also the degree of development of the interdisciplinary approach of internally legal areas. Practical significance will allow identifying the main changes in the modernization of the justice system in accordance with its type, actions, level of impact, as well as the predicted outcome, which will certainly contribute to the development of the applied direction of both civil and criminal legislation.

RESEARCH METHODOLOGY

The methodology of research on the identification of the official legal status of theories of bioterrorism in the system of modern legal science, taking into account alternatives to harm to health by traditional and shadow types of biospheres from the standpoint of modern jurisprudence, ethical and moral standards involves the use of not only legal methods expressed in deduction, induction, abstraction, but also other methods related to the interdisciplinary approach, which suggest regression, inverse correlation, and some types of author's methods, worked by the authors themselves.

The Main Description of the Techniques

The materials and data of this article were analyzed using a number of techniques that help identify interdisciplinary research to achieve the goal of this article.

Legal Methods

As legal methods, deduction, induction and abstraction were used as a basis, which help to analyze the theoretical material and the interconnectedness of previous research in this field among themselves and in relation to this article.

Deduction

The systematic transition from the larger to the lesser allows analyzing a certain hierarchy of legal acts starting from the constitution, continuing with codes and laws, as well as narrowing to the orders of the executive bodies in this field.

Induction

Induction allows you to undergo a specific periodical from the smallest to the greatest. In this analysis, having examined one work, many other studies can be derived from it.

Abstraction

This method involves detailed and selective manipulations of legal acts regarding the status of theories of bioterrorism in the system of modern legal science, taking into account alternatives to harm to health by traditional and shadow types of biospheres in the system of modern Kazakhstan legislation.

Statistical Analyzes

The determination of the official legal status of the theories of bioterrorism in the system of modern legal science, taking into account the alternative to harming the health of traditional and shadow types of biospheres, involves a number of statistical studies regarding the public opinion regarding the threats of religious extremism.

Sample

As a sample, you can designate a random sample, in which an equal population from individual territorial units of the state participates.

Base Encoding

The encoding is supposed to be planned in a dichotomous form with two answer choices that are separated as 0-no and 1-yes.

Hypotheses: Primary Hypothesis, Secondary Hypothesis and Tertiary Hypothesis

Assuming certain results in the legal direction, hypotheses were proposed that allow analyzing and predicting the outcome.

Primary Hypothesis

When considering the alternative development of the judicial system in line with the innovative digitization, the present will give a positive result by significantly reducing the time and increasing the efficiency of the judicial system due to the appearance of the transparency factor of the judicial system.

Secondary Hypothesis

When considering alternatives for the development of the judicial system in the field of information data of business production, the present will give a smaller result than digitalization, but will bring more clarity in terms of recruiting and systematizing the judicial workflow.

The Degree of Interconnectedness of Hypotheses with Research Design

When conducting research data for each part of the research a separate type of research design was selected. When reviewing statistical data in a single-cross-sectional design with elements of cohort studies with randomized sampling and dichotomous coding, it turned out to be the most acceptable due to the large number of confounder factors that, as it turned out, perfectly correlated in linear progression with standardized indicators of general public awareness regarding the development of the judicial system whole.

The results are achieved with the help of a certain manipulation with a base of 2500 respondents and are processed using the software SPSS, R-STAT. After the results are systematized using a specific encoding.

RESULTS & DISCUSSION

Currently, the judicial system is a fairly key sector for the functioning of the state territorial unit system, which implies its innovative development in the field of digitalization and informatization of personal data is quite an important factor in the development of not only the judicial system, but also the functioning system and other components of state power. Thus, in this direction two positions were advanced. The first position supports the previously mentioned reforms, the evidence of which is given above. The second position suggests the rejection of such innovations towards conservatism, which in principle cannot be considered because they do not correspond to the realities of the present. As a result of these studies, a number of variables should be noted, which were found and systematized in a particular algorithm.

The process of reforming judicial justice and the judicial system as a whole in the field of digitalization and informatization will affect the transparency of court cases.

As mentioned earlier, digitalization and informatization of the judicial system will allow online to consider all stages of the trial, which is important from the standpoint democratization process, which in turn is an important component of state development.

The process of reformation of the judicial justice and the judicial system as a whole in the field of digitization and informatization will affect the identity of the judiciary.

Therefore, the transparency of the judicial process at each stage of the proceedings will positively affect the attitude of the judges and their mentality, which will radically change the judges' self-awareness, due to the fact that the judges will pay more attention to the needs of the parties to the legal relationship and will remove unnecessary restrictions.

CONCLUSION & RECOMMENDATIONS

In a particular way, the courts are a most important part of state governmental system. That is why the status of the courts must be illuminated in a high form. But how to do it in a best way is a question of jurisprudence from year to year. As a result of this article authors prefer modern author tools to evaluate the work of the judges. According to a conclusion it is actual that in practical area special legislative author tools and its entering into a professional courts area is a most effective way to improve court system of Kazakhstan Republic.

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