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Nota di contenuto	Preface -- About the Authors.- Part I The Context.- Chapter 1 Comparative Civil Procedure; by Guy Seidman.- Chapter 2 The New Comparative Civil Procedure; Guy Seidman -- Chapter 3 Comparative Law as an Engine of Change for Civil Procedure; Colin B. Picker -- Part II Dynamism of Specific Countries & Regions -- Chapter 4 Sources and Destiny of French Civil Procedure in a Globalized World; Loïc Cadiet. - Chapter 5 The U.S. Federal Rules at 75: Dispute Resolution, Private Enforcement or Decisions According to Law?; James R. Maxeiner -- Chapter 6 Dynamism in China's Civil Procedure Law: Civil Justice with Chinese Characteristics; Kristie Thomas -- Chapter 7 Justice under China's Civil Litigation System; Margaret Woo.- Part III Dynamism of Civil Procedure Devices & Instruments -- Chapter 8 Responding to Cost

and Delay Through Overriding Objectives – Successful Innovation?; Michael Legg -- Chapter 9 Towards Proportionality – the “Quick, Cheap and Just” Balance in Civil Litigation; Brenda Tronson -- Chapter 10 Group Actions à la Mode Européenne: A Kinder, Gentler Class Action for Europe?; Elisabetta Silvestri -- Chapter 11 Class Action Procedure in Australia – Issues and Challenges; Lang Thai.- Chapter 12 Australian Statutory Derivative Action – Defects, Alternative Approaches and Potential for Law Reform; Lang Thai.- Chapter 13 Dynamism in U.S. Pleading Standards: Rules, Interpretation, & Implementation; Jeffrey Thomas.- Chapter 14 What is “Covered” by Res Judicata in Brazilian Civil Procedural Law: the current law & Perspectives of Change; Teresa Arruda Alvim Wambier -- Index.

Sommario/riassunto

This book shows the surprising dynamism of the field of civil procedure through its examination of a cross section of recent developments within civil procedure from around the world. It explores the field through specific approaches to its study, within specific legal systems, and within discrete sub-fields of civil procedure. The book reflects the latest research and conveys the dynamism and innovations of modern civil procedure - by field, method and system. The book's introductory chapters lay the groundwork for researchers to appreciate the flux and change within the field. The concluding chapters bring the many different identified innovations and developments together to show the field's ability to adapt to modern circumstances, while retaining its coherence even across different legal systems, traditions, fields and analytic approaches. Specifically, in this book the presence of dynamism is explored in the legal systems of the EU, France, the US, Brazil, Australia, the UK and China. So too that dynamism is explored in the contributions' analyses and discussions of the changes or need for change of specific aspects of civil procedure including litigation costs, class actions, derivative actions, pleadings, and res judicata. Furthermore, most of the individual contributions may be considered to be comparative analyses of their respective subjects and, when considered as a whole, the book presents the dynamism of civil procedure in comparative perspective. Those discrete and aggregated comparative analyses permit us to better understand the dynamism in civil procedure – for change in the abstract can be less visible and its significance and impact less evident. While similar conclusions may have been drawn through examinations in isolation, employing comparative analytic methods provided a richer analysis and any identified need for change is correspondingly advanced through comparative analysis. Furthermore, if that analysis leads to a conclusion that change is necessary then comparative law may provide pertinent examples for such change - as well as methodologies for successfully transplanting any such changes. In other words, as this book so well reflects, comparative law may itself usefully contribute to dynamism in civil procedure. This has long been a *raison d'être* of comparative law and, as clear from this book's contributions, in this particular time and field of study we find that it is very likely to achieve its lofty promise.
