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What cases can be considered urgent in the context of a pandemic?

Viktor Momotov, Chairman of the Council of judges, explained which cases could be considered urgent in the context of restrictions related to the coronavirus pandemic (COVID-19).

The Supreme Court of the Russian Federation and the Council of judges of the Russian Federation have given the courts the opportunity to independently determine the possibility of considering a case that does not fall under the formal criteria of urgency. In this case, it is necessary to take into account the circumstances of a particular case, the conditions of the high-alert regime introduced in a particular region.

Viktor Momotov explained that it is not possible to make a complete and exhaustive list of categories of urgent cases. Urgent consideration of the case may be necessary in view of the specific circumstances of this particular dispute.

When deciding on the urgency of a case, the courts need to pay attention not only to obvious situations, such as the arrest of a person, but also to others. The courts must determine whether postponing the case will lead to irreversible consequences. Thus, family disputes, alimony cases, or certain labor disputes can be classified as urgent cases.

The second important criterion for courts in determining the urgency of a case is the significance of the outcome of the case. For example, among the cases for compensation for harm to health, there are disputes in which participants risk not waiting for the end of the proceedings because of their health. Also, according to this criterion, cases of deprivation of parental rights, removal of children, change in the status of legal capacity, and other similar cases can be considered urgent.

Also, if the parties have agreed to consider the case in their absence and their personal participation is not mandatory, the dispute can be considered without the participation of the parties, pre-trial preparation of cases can also continue.

Consideration of cases in the order of writ and simplified proceedings continues. This type of case review is also called "written proceedings", since it is carried out without conducting a face-to-face trial.

For all other categories of cases the courts defer consideration of the case as long as the restrictions are released.

If you have any questions or are not sure that all the above parameters are met, our specialists will be happy to help you.

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