

# Russian judicial



Once one of the world`s greatest imperial powers, Russia is now adopting a more contemporary form as a federal state. All individuals residing and/or working here have the same rights and obligations as Russian citizens, being allowed to sue or be sued under the same laws in the Russian courts. It is said that Russian courts are fairly efficient and delays are less important, comparing to American processes as an example.

The Russian judicial system comprises different types of Russian courts such as: the Constitutional Court, the Supreme Court, the Russian civil courts also known as courts of general jurisdiction, and the arbitration courts, justices of the peace and military tribunals.

Our attorneys in Russia can offer extensive information on the local judicial system.

# Business litigation

Each Russian court has its own use and serves different type of legal disputes. As a general example, most economic and business-related legal disputes in Russia are solved in arbitration tribunals, whereas military issues are resolved by military courts and non-economic general arguments are resolved by Russian civil courts. Our Russian litigation lawyers can assist foreign investors in business-related lawsuits.

# Types of Russian courts and tribunals

The Constitutional Court's main purpose is to ensure that Russian federal decrees are in harmony with the Russian Constitution; it is the uppermost legal body with the headquarters in St. Petersburg.

The Supreme Court of the Russian Federation, situated in Moscow, is the absolute legal form for all tribunals which deal with civil, criminal and administrative disputes and acts as a court of cassation.

District courts are the heart of the courts of general jurisdiction and they are the bodies which solve most parts of criminal and civil cases in Russia. They have more decision power than justices of peace who are basically local magistrates who rule over very small cases. Military Courts, as the name states, deal only with military cases, be they garrisons or fleets.

Russian Arbitration Courts - Arbitrazh - or else called Russian commercial tribunals generally have control and power of decision over litigations between legal entities. Based on the seriousness of the case, there are four types of arbitration bodies:

- the Supreme Arbitration Court of the Russian Federation,
- the Federal District Arbitration Courts,
- the Appellate Courts.

As a post-communist country, the Russian court system is still facing many changes and updates, one of the most important being the separation of power doctrine. In Russia the general prosecutor is the most authoritative element of the Russian legal structure but there are many other constables like the All-Russian Congress of judges, Judicial Qualification Collegia or even the Russian Ministry of Justice who manage the Russian judiciary system.

# The intellectual property court in Russia

At the end of 2013, Russia also enabled the intellectual property court in order to provide for the settlement of IP-related cases. The new court started functioning in 2014 as a first instance and appellate court within the Russian judicial system. The court was created because commercial litigation cases related to intellectual property rights are usually more complex and would take more time to be resolved by the Arbitrazh Court. The Russian intellectual property court will rule in case related to the IP legislation, patent and trademark disputes and even in decisions taken by the antimonopoly authority.

For legal representation before the Russian courts, please feel free to contact our law firm in Russia.