CHAPTER 2
LEGAL RELATIONS: FROM THEORY TO PRACTICE

Impact of Legal Convergence Processes on the Innovation of Procedural Law of Ukraine

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Abstract. *Legal convergence has become one of the most influential instruments of legal globalization, especially in the sphere of procedural law, which directly determines the quality of judicial protection and the practical implementation of the right to a fair trial. For Ukraine, the modernization of procedural law is closely linked to European integration, the reception of supranational justice standards, and the adaptation of national judicial mechanisms to contemporary social, technological, and institutional challenges. Against this background, the article examines procedural law not as a static body of rules, but as a dynamic legal system shaped by the interaction of national traditions and transnational legal influences. The study aims to identify the main vector of improvement of procedural law in Ukraine under the influence of legal convergence as a method of legal globalization. The research is based on a combination of dialectical, historical-legal, systemic, comparative-legal, hermeneutic, critical-legal, modeling, forecasting, and synergistic methods. This methodological framework made it possible to examine the evolution of procedural law, compare national and supranational regulators, interpret doctrinal and normative sources, and formulate proposals for further innovation in procedural legislation. The study demonstrates that the development of procedural law in Ukraine is increasingly determined by Article 6 of the European Convention on Human Rights, the case law of the ECtHR, and the rule of law as a mega-principle. The key areas of innovation include expanded access to justice, recognition of legal doctrine and case law as influential sources of procedural law, contractualization of procedural legal relations, differentiation of judicial procedures, digitalization of court proceedings through e-justice, optimization of procedural forms, and broader use of alternative dispute resolution mechanisms. Together, these trends reflect the transition of Ukrainian procedural law toward a more flexible, human-centered, and functionally efficient model of justice. Legal convergence acts as a transformative factor in the innovation of Ukrainian procedural law. It promotes harmonization with European legal standards while preserving the national doctrinal and institutional foundations of the legal system. Further studies should focus on the limits of judicial lawmaking, the practical implementation of digital justice, the effectiveness of procedural agreements, and the balance between procedural pluralism and legal certainty in the context of continued judicial reform in Ukraine.*

Keywords: *legal convergence, procedural law, administration of justice, access to justice, rule of law, fair trial, case law, legal doctrine, contractualization, differentiation of judicial procedures, e-justice, procedural pluralism.*
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Introduction. The formation of the modern state of Ukraine means, on the one hand, a decrease in the share of old norms and traditions in its functioning and, on the other hand, an increase in the share of the latest legislation and new standards based on the best international practices, which lay down basic guidelines for intensive international cooperation, removal of barriers, integration, and openness of the national legal system.

One of the ways of this orientation is the legal convergence of procedural law, which aims at forming a "global procedural law" through the integration of generally recognized and time-tested procedural rules and internationally recognized institutions into the national legal field of a particular state, which leads to the convergence of different legal systems and models of legal regulation of social relations and is characterized by cross-border ties (Vasyliev, 2024).

The processes of convergence in the field of procedural law of Ukraine contribute to the creation of a homogeneous legal environment that does not require the state to completely mirror all existing rules and regulations in the relevant field in other legal systems but allows for the use of high-profile approaches based on the combination of rules of several legal systems, the use of rules of a separate legal system, as well as the introduction of rules that are new to our country.

Against this background, it is worth noting the peculiarity of promoting integration processes in national law. Thus, if initially in the first years of independence, the integration of national legislation was more like a mechanism of "individual adjustment" of the national legal system, current legislation and law enforcement to the general requirements of convergence and transnational cooperation, since 1995, when Ukraine joined the Council of Europe, supranational institutions have become the driving force of integration. The Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter - the Convention), developed by the Council of Europe, which became the basis of the European system of rapprochement of states through the protection of human rights, can be considered a model of a mechanism for harmonizing modern legal systems.

A special place in the process of legal convergence is occupied by the issues of improving the national judiciary, among which the problems of its procedural component should be highlighted, namely, the innovation of procedural law in terms of procedural guarantees, expansion of the scope of legal regulation, contractualization of procedural legal relations, differentiation of judicial procedures, optimization and digitalization of justice, which have become the quintessence of a new modern level of judicial proceedings in Ukraine, which continues to intensify.

Literature Review. The theory of convergence is of interest to researchers in various fields of science. Traditionally, convergence issues have been the subject of research by scholars specializing in politics, economics, and sociology. In contemporary legal science, convergence

issues at the level of general theoretical research are considered fragmentarily, only in connection with the study of related legal phenomena.

For example, N. M. Onishchenko (2009), without using the term "convergence," writes about the "mechanism of interaction between national legal systems," which is a new category in scientific discourse, unexplored in the field of domestic legal science and not covered in legal literature, and therefore requires further study of its many components and elements. The scholar discusses such methods and ways of interaction between national legal systems as the implementation of measures to resolve legal differences, the formation of uniform legal rules in those areas that differ the most, etc.

M. I. Kozubra (2016) notes that convergence theory is a useful tool for analyzing the process by which two different countries adopt similar positions on strategic principles and goals.

In procedural law, convergence issues have also been studied, but only sporadically and, as a rule, only in relation to specific legal institutions: judicial precedent, principles of judicial proceedings, reconciliation of disputing parties, and types of procedural proceedings. No comprehensive studies have been conducted on this topic.

A separate area of research into convergence processes was the scientific analysis of both the formation of EU law in general and specific areas of law in particular. For example, in the field of civil procedure, the works of Fiorini A. (2008) and Nekrosius V. (2021) deserve attention. Thus, Fiorini A., having studied the history of the development of EU civil proceedings, justifies its development based on a consistent change in two phases: international and community cooperation in civil matters. The author sees the main difference between them in the procedure for adopting new procedural rules, i.e., in the convergence mechanism used.

As we can see, convergence theories have been known for a long period and are one of the ways to solve the problems of globalization on a global scale. The theory of legal convergence, which has significant positive potential in the process of globalization of the modern world, requires further scientific research to highlight all the necessary theoretical and practical aspects of this theory. Legal convergence in the field of procedural law should become a special subject of research, given the particular importance of this area of law, which ensures the realization of the human right to judicial protection.

Aims. The aim of the study is to examine the vector of improvement of procedural law in Ukraine under the influence of legal convergence as a method of legal globalization.

Methodology. In order to obtain the most reliable scientific results, the author used a system of principles and approaches based on philosophical, worldview, general scientific, and special methods selected with regard to the purpose and objectives of the study. The dialectical method was used at all stages of the research to reveal the essence of the phenomenon of

globalization and identify the directions of development of types of judicial proceedings and sources of procedural law in the context of globalization. The application of the historical and legal method made it possible to study the formation and development of theoretical and legal approaches to the legal convergence of procedural law. The method of systematic analysis was used to study judicial proceedings as an independent system. The comparative legal (comparative) method made it possible to identify trends in the formation of modern types of judicial proceedings, analyze the diversity of sources (forms) of procedural law in different legal systems, and characterize the features of the application of national and supranational legal regulators in the context of globalization. The study of individual norms and institutions of procedural law, both in theory and in practice, was carried out using the critical legal method. The hermeneutic method was used to study and interpret normative and scientific material of a judicial and procedural nature related to the subject of the study. Using modeling and forecasting methods, proposals were developed for introducing innovations into procedural law theory and amending national procedural legislation, as well as recommendations for its application. The use of the synergistic method made it possible to study the development of legal globalization processes with regard to individual norms and institutions of procedural law.

Results. It is safe to say that international standards on the administration of justice, which are enshrined in Article 6 of the Convention and the case law of the ECHR, have determined the vector of development of both the convergence process and the reform of the procedural law of Ukraine as a whole. At the same time, in our opinion, the rule of law as a megaprinciple, a benchmark for the priority of human rights and freedoms, and a method of action should be placed at the top of the supranational standards of administration of justice. Especially since this principle systematically enriches its meaning with "new permanent features and conditions of compliance" in the course of resolving specific cases.

The scientific literature rightly notes that in the non-state space, it is the principle of the rule of law that acts as a concept designed to balance the existing systems of normativity, to prevent the subordination of the entire existing body of law to a single dominant source of law (Palombella, 2010).

A component of the rule of law principle should be considered the right to a trial, which follows from Article 6(1) of the ECHR, according to which everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law, which will decide a dispute concerning his rights and obligations of a civil nature. In other words, the principle of the right to a court provides for the minimum guarantees that states must provide at the level of national legislation to ensure the effective administration of justice to protect the rights and freedoms of man and citizen. The right to a trial, in turn, has an independent structure that includes such elements as access to court, fairness of the trial,

independence and impartiality of the court, publicity of the trial, reasonable time for trial, etc.

For example, a reasonable time for trial as an imperative of the right to a trial is one of the most defined in terms of application of the ECHR and compliance with its provisions in the practice of judicial proceedings. Reasonable time limits can be defined as optimal and predictable time limits that are objectively necessary for a fair trial, which are assessed in each case taking into account the circumstances of a particular case and based on the criteria developed in the ECHR case law, namely: the complexity of the case, the importance of the issue under consideration for the applicant, the behavior of the applicant and the state authorities (Tsuvina, 2015).

An important institutional element of international guarantees in the field of procedural law is the prohibition of legislative interference in the administration of justice (the right to an independent and impartial court).

The analysis of the scientific legal literature shows that some authors are trying to expand the construction of the basic principles of procedural law through integration (convergence) processes, proposing to enshrine the following new independent requirements of court proceedings: effectiveness of judicial defense, procedural economy, concentration, judicial management of the process, the right to be heard, procedural formalism and some others. Our position is that there are no grounds for distinguishing these principles of procedural law as independent since they (a) do not apply to all stages and institutions of the judicial process, (b) sometimes may be only a separate private rule, and (c) contain an assessment of the results of judicial activity, which deprives them of their fundamental content. Therefore, they should be included in the content of the relevant sectoral principles, for example, as an integral part of the right to judicial protection and the right to a court.

Thus, the challenges of legal globalization lead to new directions of movement of national procedural law, which guarantees and ensures an adequate level of legal protection of rights, freedoms, and interests of individuals in terms of access to justice. Therefore, one of the ways to overcome this problem is to accelerate the processes of convergence of national and European legislation, which have become the dominant feature of their evolutionary movement. The purpose of their implementation is to combine three main vectors of intervention: first, to set the direction for even greater application of the developments of European legislation and to take into account the established practice of the European Court of Human Rights (hereinafter - the ECHR); second, to provide indicative indicators by which the progress of harmonization of national legislation in the field of access to justice in our country is compared and assessed; third, to create real conditions for effective interaction with the EU countries through unification and standardization of national legislation (Tokarczuk, 2022).

Expanding the scope of legal regulation. We should not forget about the general trend of expanding the scope of legal regulation, which is due not only to the transformational nature of society's development but also to the emergence of new social relations that require adequate legal regulation.

It is in the context of globalization and mutual integration that there is a need to use adequate means of regulating social relations. Among such means to improve the efficiency of the mechanism of law, scholars are increasingly focusing on the practice-proven use of "atypical regulators of social relations" (Goltsova, 2015).

It should be noted here that the idea of the sources of procedural law of Ukraine has changed significantly, the types of which have expanded and enriched, being directly influenced by the processes of legal globalization.

First, this concerns the elevation to a new level of importance of the principles of judicial proceedings and procedural law, which have received the characteristics of forms of law.

As noted by scholars, universally recognized principles as fundamental, initial, and basic rules of natural law determine the deep, essential modes of legal regulation of procedural relations in the administration of justice. These principles are general principles of law and by their nature are a form of natural law. As for the principles of procedural law defined by the national procedural legislation, they are fundamental in terms of the mechanism of legal regulation of procedural legal relations in particular, they determine the system of legal and procedural means of legal regulation of procedural legal relations, i.e. the dogma of law (Komarov, 2012).

It can be stated that the principles of law (a) from a legal point of view are not rules of conduct, but are generally binding; from the principles of law one can derive a necessary, but not yet enshrined rule of conduct; (b) have a direct regulatory impact on social relations, being the legal basis on which a specific rule is formed for resolving a case; (c) can be used as sources of civil procedural law in the absence of a rule of procedural law regulating relations arising in the course of judicial proceedings.

We should also focus on the legal doctrine itself, which, in the context of legal globalization and European integration plays an important role in the process of convergence of national legal systems and improvement of law-making and law enforcement practice.

In the process of convergence of legal systems, legal doctrine acts as a unifying, "cementing factor" (Mochulska, 2016). It provides a consistent understanding of emerging social relations and indirectly influences the convergence of the Romano-Germanic and Anglo-American legal families as a result of the recognition of judicial lawmaking as a separate source of law within the former.

Although legal doctrine is not enshrined as a source of national procedural law, it de facto has the status of an informal source of law. References to legal doctrine are found in law enforcement practice, but most

often as additional arguments. In addition, the role of legal doctrine is manifested in the creation of constructions, concepts, and definitions used by the judiciary.

It is not for nothing that legal doctrine is sometimes called a "matrix" in lawmaking and law implementation processes in the legal literature, since it (a) represents the theoretical (conceptual) basis for lawmaking that has been developed over the years, (b) objectifies the results of scientific research in the form of fundamental legal ideas and concepts (ideals, values, principles, norms), which can be reproduced in explanations and official interpretations of the relevant authorities (as a source of law), (c) doctrinal knowledge is transformed into legislation, filling it with qualitative and more advanced content (Lvova, 2020).

Thus, the further integration of national judicial proceedings into global processes taking place in the world jurisprudence indicates that all the conditions exist and that it is expedient to apply a fairly new phenomenon for the continental legal system as a legal doctrine as an additional source of procedural law.

Case law has also become part of the system of sources of procedural law in Ukraine. Since the European Convention for the Protection of Human Rights and Fundamental Freedoms is a source of law in Ukraine, its official interpretation, formulated by the European Court of Human Rights, is binding on domestic law enforcement. Thus, the recognition of the European Convention leads to the emergence of legal potential in the legal system of Ukraine, i.e. it is binding on Ukrainian courts. The precedents of international courts are sources of law not only on the interpretation of international treaties, but as such may in some cases be useful in interpreting domestic law.

One of the determining factors that led to the transformation of national justice is a change in the projection of the essence and significance of a court decision as an act of public authority. The introduction of the idea of a precedent-based (semi-precedent-based) system of national law is of considerable doctrinal importance for substantiating the new qualitative essence of the purpose of the judiciary. In this context, the reform of the procedural law has changed the understanding of the role of a court decision in regulating legal relations.

For the national judiciary, the conclusions of the Supreme Court on the application of a rule of law in similar legal relations, which are set forth by the Supreme Court in its resolution, have become important, and are called "legal positions of the Supreme Court", which can be defined as a conclusion on the application of a rule of law in similar legal relations, formulated as a result of a casual interpretation of this rule in cassation proceedings in a particular case, and outlined in the reasoning part of the court's resolution adopted as a result of such proceedings.

Taking into account the characteristic features of these legal positions and their role in the judicial process, it can be argued that we are actually talking about the introduction of a judicial precedent, namely a judicial quasi-precedent.

In addition, the quasi-precedential nature of the SC practice is not only the imperative nature of the cassation court's decisions for lower courts, but such decisions can also perform a quasi-regulatory function, which is a special legal instrument of the SC, through which disputes are resolved on the basis of the principles of the rule of law and justice, and through which the cassation court can fill in gaps and overcome conflicts in legislation (Shumylo, 2021).

Thus, the case law of the Supreme Court, which is in the form of legal positions enshrined in the Supreme Court's rulings on the results of review of individual court decisions, is an instrument for ensuring the unity of judicial practice and a central part of the system of new (non-traditional) sources of law, since the possibility of their use as a formal legal source of law containing a rule of law follows from the analysis of the provisions of the Constitution of Ukraine and procedural legislation (Vasyliev, 2023).

Contractualization of procedural legal relations. Modern procedural law is an integrative system of interrelated elements, among which the weight and importance of private law mechanisms for regulating social relations based on the principles of decentralization, coordination, and autonomy of subjects is increasing. The emergence of private law elements in the process gives the judicial system the properties of a self-regulating system in which public principles form the basis of the system and ensure its stability, and private principles ensure its development and adaptation to the modern needs of civil turnover entities (Prytyka, 2019).

In the procedural sphere, it is the agreement that demonstrates the interpenetration of substantive and procedural law, since in some cases it is used in court proceedings, while in others it is subject to certain general requirements of civil law on the structure of the agreement, the procedure for concluding it, etc.

In our view, a procedural and legal agreement in court proceedings should also be considered as a model (form) of reaching a compromise between the parties to a private law dispute based on the principle of dispositivity of court proceedings, which stipulates that the parties to a case dispose of their rights regarding the subject matter of the dispute at their discretion. It is the compromise component of a procedural and legal agreement in court proceedings that reflects the following characteristic features: (1) as a voluntary agreement between the parties to the case, which is permitted or does not contradict the current legislation, to achieve effective and maximum efficiency in protecting their violated rights and obligations; (2) as an additional way to resolve a particular procedural issue or a private law conflict in general in court proceedings (3) as a model of behavior of the

parties to the case, which balances between their rivalry and cooperation, and provides for mutual or unilateral concessions; (4) as a relatively independent legal relationship arising under certain conditions within the framework of the principle of dispositivity of the court proceedings (Vasyliev, 2018).

Thus, the right to contractual regulation of procedural relations is based on the freedom of contract and is one of the conditions for free economic activity. A procedural contract allows the parties to create additional guarantees for the implementation of binding material relations, to give legal force to actual procedural actions, to create, taking into account the individual characteristics of the procedural situation and material relations, more effective options for resolving procedural issues than those offered by the rules of procedural law. In addition, the resolution of procedural issues through negotiations and compromise has a positive impact on the social climate, contributes to the formation of a society based on cooperation, collaboration and mutual understanding, and the development of positive and productive social ties.

Thus, a procedural and legal agreement can be defined as an agreement between the parties to a court proceeding aimed at harmonizing certain procedural actions or establishing the method and procedure for considering (resolving) a legal case as a whole, and the very fact of reaching this agreement obliges the court considering the case to assess its legality and take appropriate procedural actions.

A procedural agreement shall be excluded or limited to the extent that it contradicts the basic principles of contract law, the purposes and principles of legal proceedings or violates the conditions of a fair trial. The freedom of procedural and legal agreement may be limited at the discretion of the court. The court has the right, taking into account the circumstances of the case and the purpose of the proceedings, to allow or exclude a procedural agreement or to encourage the parties to contractually regulate procedural relations.

Differentiation of judicial procedures. An important step in the development of the national civil justice system was the introduction of differentiation of court procedures, since, in addition to the main procedure for resolving cases, which is the lawsuit, simplified procedures for making binding court decisions, which are carried out without a trial or with a significantly reduced (simplified) trial, are of positive importance.

The basis for such steps was the scientific doctrine that proposed the "concept of procedural pluralism", which implies that not all issues can be treated equally: one format of court proceedings is not suitable for all cases. Different types and numbers of parties to a dispute, the structure of the dispute, and different issues of law may lead to different formats of dispute resolution, which raises the question of transforming the procedural form and moving from a technocratic distribution of cases to more efficient and convenient court proceedings. As a result, researchers substantiate the need to use different types of proceedings to ensure effective justice in different

situations, as well as to expand alternative ways of resolving disputes (conflicts).

According to some experts, differentiation should be carried out solely based on objective factors that demonstrate the need to create additional guarantees for the parties to the case, the inability of the existing components of civil proceedings to ensure the effective resolution of civil cases (their categories), or the expediency and possibility of implementing the tasks of civil proceedings more simply. At the same time, in any case, the differentiation of court proceedings should not give rise to procedures that go beyond the general limits of the civil procedural form and, in particular, do not meet the objectives and principles of civil proceedings (Bobryk, 2018). Thus, as a result of differentiation of court procedures, simplified action proceedings appeared in the procedural legislation of Ukraine as a type of action proceedings, under which, under a truncated procedure with or without summoning the parties to the case, the courts of first instance, on their initiative or at the plaintiff's request, consider and resolve mainly based on written evidence minor and/or simple disputes, the list of which is non-exhaustive with some exceptions, and the courts of appeal and cassation review court decisions in all categories of civil cases.

The analysis of judicial practice shows that it is advisable to establish an exclusive list of categories of cases in simplified action proceedings (similar to the list of cases in writ proceedings), which will not contain evaluative concepts (“insignificance”, “insignificance”, “small price”).

E-Justice. An important step towards improving the legal system and Ukraine's integration into the international community, establishing mutually beneficial cooperation between countries, was the development of the e-justice system, which is a set of organizational, economic, legal, and technical methods aimed at forming an effective use of information and communication technologies in the activities of judicial bodies.

In a broad sense, e-justice refers not only to e-justice itself but also to all processes related to the judicial process, including the organization of court activities not related to the administration of justice. As a rule, the elements of e-justice are: (1) filing a lawsuit and other procedural document via the Internet; (2) use of electronic means of proof; (3) holding an online court hearing via video conferencing on Meet and Zoom platforms, sending e-mail (4) formation of an electronic dossier, and thus transfer of document flow and office work into electronic form; (5) access to case materials for participants in the process and other persons via the Internet; (6) use of electronic subpoenas; (7) conducting all legal proceedings exclusively via the Internet - electronic court or cyber-court, e-court (Vasyliev, 2019).

Ukraine has also introduced digital technologies in judicial proceedings, which is known as digitalization. It is now possible to file lawsuits, register applications, file responses to lawsuits electronically, and track the progress of a case and the acts issued by the court about that case.

This ensures accessibility and transparency for all participants in the judicial process and significantly speeds up the judicial process. In addition, the introduction of information technology in the judicial process helps to reduce the workload of court personnel and reduce material costs.

The ECHR's position on ensuring the right to access to court using information technology is important. The refusal of courts to accept claims in electronic form due to lack of equipment violates the right of access to court. At the same time, the refusal of courts to accept an appeal filed in paper form instead of electronic form due to the inability to properly fill it out due to deficiencies in the software used to fill out the form constitutes excessive formalism and undermines the fairness of the trial. Any interruptions in the operation of the electronic document management system that fail applications and attachments to be submitted to the court should be interpreted in favor of the person who did everything in his/her power to properly fulfill his/her obligations (Karpoev, 2023).

Therefore, the use of e-justice leads to increased accessibility of justice, simplification and acceleration of court proceedings, and a significant reduction in court costs, which are extremely important factors in the development of an effective justice mechanism.

Optimization of legal proceedings. One of the manifestations of the convergence of procedural law can be considered the optimization of court proceedings, which consists in finding and substantiating the necessary forms of improvement of the judicial process, the procedure for conducting procedural activities, and increasing their efficiency.

Optimization can be presented as the process of creating such court procedures that contribute to the conservation of resources of the parties to the proceedings and the court, as well as the formation of an expected and convenient state of the judicial system for them, while ensuring the achievement of the tasks and guarantees of the procedural activity (Hulik, 2020).

It was the need to find other, simpler, faster and more effective methods of dispute resolution that led to the creation of “informal justice” to resolve legal conflicts. These methods do not replace justice and do not deprive interested parties of their constitutional right to judicial protection. On the contrary, they provide them with the opportunity to choose between state and non-state forms of conflict resolution, allowing the parties to decide which procedure best suits the nature of the conflict.

Among the most common alternative dispute resolution methods in the world practice are the following: negotiation, neutral fact finding, early neutral evaluation, mediation, conciliation, expert determination, arbitration, and private judging.

In the theory of procedural law, there are two general models of alternative dispute resolution: (a) the “facilitative model”, which consists in the assistance of a third party to the parties to the dispute in creating

favorable conditions for further consideration of the dispute, establishing relations between the parties, and assisting in negotiations; the powers of the third party are mainly consultative (negotiations, mediation, conciliation, preliminary independent assessment, fact-finding); (b) "determinative model" - the final decision in the case, assessment or expert opinion is binding on the parties and is formalized in the form of a decision (of an arbitrator, expert or judge) (Lytvynuk, 2007).

Both models of alternative dispute resolution have been accepted in Ukraine, but due to national legal traditions and economic and social conditions, not all the variety of the above methods is enshrined in law.

Below is a generalized table that systematizes the key trends in the development of modern procedural law and the administration of justice in Ukraine under the influence of European standards, legal globalization, and the modernization of judicial mechanisms.

Table 1. Generalizing Table of the Main Directions in the Development of Modern Procedural Law and Justice

Direction / phenomenon	Essence	Key elements	Significance for justice in Ukraine
Standards of administration of justice	International standards of justice, enshrined in Article 6 of the ECHR and the case law of the ECtHR, determine the guidelines for the reform of procedural law in Ukraine	rule of law; right to a court; access to court; fairness of proceedings; independence and impartiality of the tribunal; publicity; reasonable time	Form the supranational basis for the modernization of judicial proceedings, ensure the priority of human rights and freedoms, and guide harmonization with European standards
Rule of law as a mega-principle	Considered the highest principle combining legality, justice, and the priority of human rights	balancing systems of normativity; preventing domination of a single source of law; continuous enrichment through judicial practice	Serves as the foundation of all other standards of justice and as the methodological basis for interpreting procedural law
Right to a fair trial	A component of the rule of law and a minimum standard that the state must guarantee at the national level	access to court; fair and public hearing; independent and impartial tribunal; hearing within a reasonable time	Ensures effective protection of human rights and defines the substance of national procedural guarantees
Reasonable time for trial	One of the most practically defined ECtHR standards, assessed in light of the circumstances of each particular case	complexity of the case; importance of the matter for the applicant; conduct of the applicant; conduct of state authorities	Promotes the efficiency of judicial proceedings and prevents excessive delays in case examination
Prohibition of legislative interference in justice	An institutional guarantee of judicial independence and impartiality	inadmissibility of legislative influence on the resolution of specific cases; protection of judicial autonomy	Supports the real independence of the judiciary as a key condition for a fair hearing
Expansion of the scope of legal regulation	Connected with globalization, social transformation, and the emergence of new	use of atypical regulators; renewal of the system of sources of procedural law; strengthening the role of principles	Facilitates the adaptation of procedural law to new social needs and increases the

Direction / phenomenon	Essence	Key elements	Significance for justice in Ukraine
	relations requiring legal regulation		effectiveness of legal regulation
Principles of law as a form of law	Principles of judicial proceedings and procedural law acquire features of independent forms of law	binding nature; direct regulatory influence; possibility of application in the absence of a direct rule	Expand the court's legal instruments and make it possible to fill gaps in legal regulation
Legal doctrine	Under conditions of globalization and European integration, legal doctrine acts as an important informal source of law	conceptual basis of lawmaking; formation of ideas, concepts, and constructions; additional argument in law enforcement	Provides the intellectual foundation for legislative renewal and convergence of legal systems
Case law and precedent-related development	The practice of the ECtHR and the legal positions of the Supreme Court acquire normative significance in Ukrainian procedural law	ECtHR case law; legal positions of the Supreme Court; quasi-precedent; ensuring uniform judicial practice	Strengthens predictability of court decisions, promotes consistent application of law, and helps overcome gaps and conflicts in legislation
Contractualization of procedural legal relations	The importance of private law mechanisms in judicial proceedings is increasing, especially procedural agreements	dispositivity; party autonomy; procedural agreement; compromise; judicial control over legality of agreements	Allows the parties to regulate procedural issues flexibly, increases the effectiveness of rights protection, and promotes cooperation
Differentiation of judicial procedures	Presupposes the existence of different models of proceedings depending on the category and complexity of the case	procedural pluralism; simplified claim proceedings; written examination; adaptation of procedure to the nature of the dispute	Increases the efficiency of justice, allows simpler cases to be resolved more quickly, and supports more rational use of judicial resources
E-Justice	Covers the use of information and communication technologies in court proceedings and in the organization of court activities	electronic filing of documents; electronic evidence; videoconferencing; electronic file; online access to materials; electronic summons	Ensures accessibility and transparency of justice, accelerates proceedings, reduces costs, and decreases the workload of court staff
ECtHR position on digital access to court	Technical barriers may not restrict a person's right of access to court	inadmissibility of refusal due to lack of technical equipment; prohibition of excessive formalism; interpretation of technical failures in favor of the person	Confirms that digitalization must strengthen rather than limit access to justice
Optimization of legal proceedings	Involves the search for the most effective, convenient, and resource-saving forms of procedural activity	simplification of procedures; saving resources; increasing efficiency; orientation toward the needs of the parties and the court	Promotes the modernization of the judicial system and improves the quality of the administration of justice
Alternative dispute resolution (ADR)	Develops as a complement to state justice rather than as its substitute	negotiation; mediation; conciliation; arbitration; neutral evaluation; fact-finding; facilitative and determinative models	Expands the possibilities for rights protection, gives parties a choice of dispute resolution mechanism, and reduces the burden on courts

Source: systematized by the author

The analyzed text provides grounds for concluding that the modern development of procedural law in Ukraine is taking place under the decisive influence of European standards of justice, globalization processes, and the need to improve the effectiveness of judicial protection. A central place in this transformation is occupied by the rule of law, the right to a fair trial, the expansion of the system of sources of procedural law, digitalization, differentiation of procedures, and the contractualization of procedural relations. Taken together, these tendencies demonstrate a gradual transition from a formally normative model of judicial proceedings to a more flexible, human-centered, and functionally efficient system of justice.

Discussion. Convergence processes in the field of procedural law in Ukraine contribute to the creation of a homogeneous legal environment that does not require the state to completely mirror all existing norms and rules in the relevant field from other legal systems, but allows for the application of high-profile approaches based on a combination of norms from several legal systems, the use of norms from a separate legal system, and the introduction of norms that are new to our state. The result of such convergence can be recognized as the formation of a national type of procedural law in Ukraine, which embodies the concepts of "social type of justice" and "European type of procedural law" as the format of legal life of the judicial system of Ukraine, which in terms of content acts as a unified, mixed type of procedural law, which takes into account the national and historical legal traditions of European states and preserves the advantages of the continental type of judicial law, incorporating, as a result of convergence processes, the latest rules and norms that have always been inherent in Anglo-American (common) law. The vector of trends in the development of national procedural law in the process of legal convergence is aimed at improving access to justice, contractualization of procedural legal relations, penetration of precedent principles into the national legal system and actualization of law-creating judicial interpretation, differentiation of procedural forms, digitization of judicial proceedings, and implementation of the concept of judicial (procedural) pluralism.

Conclusion. The convergence of national procedural law, as a modern trend of transformation of the judicial and procedural system of Ukraine, which is directly related to the conditions of objective economic, political and social integration, coexistence and interaction of different legal systems, imposes the requirements of significant changes, including the following:

- access to justice, which should be viewed as a comprehensive indicator that assesses the ability of citizens to defend their rights in court;
- contractualization of procedural legal relations, which implies the movement of procedural law towards the development of techniques for resolving and regulating disputes (conflicts) within the category of contract, based on the principle that a legal rule loses its imperative character when the parties can agree on its application (contractualization);

- penetration of precedent into the national legal system and actualization of law-making judicial interpretation, which is manifested in the tendency to increase the freedom of judicial interpretation of norms, when the court acquires the functions of a law-making body and an institution that improves law;

- differentiation of procedural forms, which is associated with the introduction of variability in the existing procedure or the emergence of a new procedure that is subject to general rules and has specific features of its implementation; the focus of modern judicial proceedings and procedural law on the differentiation of procedural forms with the possibility of their simplification and acceleration;

- digitalization of judicial proceedings, which means increasing the level of access to justice and improving access to justice in the field of procedural law in the modern digital reality;

- implementation of the concept of judicial (procedural) pluralism, which provides for the promotion of a variety of judicial (formal) and alternative (informal) procedural mechanisms for resolving disputes (conflicts), including out-of-court mechanisms.

The above-mentioned innovations in procedural law, as the result of convergence processes, are characteristic of all national judicial and procedural branches of law.

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