

DOI: [10.55643/fc.2024.4583](https://doi.org/10.55643/fc.2024.4583)

Iryna Lychenko

Doctor of Legal Sciences, Professor of the Department of Civil Law and Procedure, Lviv Polytechnic National University, Lviv, Ukraine;
e-mail: lychenko893@gmail.com
ORCID: [0000-0002-4838-3579](https://orcid.org/0000-0002-4838-3579)
(Corresponding author)

Iryna Andrusiak

PhD in Legal Sciences, Associate Professor of the Department of Theory of Law and Constitutionalism, Lviv Polytechnic National University, Lviv, Ukraine;
ORCID: [0000-0001-6887-0510](https://orcid.org/0000-0001-6887-0510)

Zoriana Gontar

Candidate of Sciences in Public Administration, Associate Professor of the Department of Social Work, Management and Social Sciences, Lviv State University of Life Safety, Lviv, Ukraine;
ORCID: [0000-0003-1712-7457](https://orcid.org/0000-0003-1712-7457)

Yuriy Norchuk

Candidate of Psychological Sciences, Associate Professor of the Department of Units Daily Activities Management, Odesa Military Academy, Odesa, Ukraine;
ORCID: [0000-0003-0850-2278](https://orcid.org/0000-0003-0850-2278)

Viktoriya Pytlovana

Candidate of Legal Sciences, Associate Professor of the Department of Theory and History of State and Law, Educational and Scientific Law Institute of Vasyl Stefanyk Precarpathian National University, Ivano-Frankivsk, Ukraine;
ORCID: [0009-0004-2721-3134](https://orcid.org/0009-0004-2721-3134)

Snizhana Panchenko

Candidate of Legal Sciences, Associate Professor of the Department of History and Theory of the State and Law, Black Sea National University named after Petro Mohyla, Mykolaiv, Ukraine;
ORCID: [0000-0002-5561-7716](https://orcid.org/0000-0002-5561-7716)

Received: 23/09/2024

Accepted: 24/11/2024

Published: 31/12/2024

© Copyright
2024 by the author(s)



This is an Open Access article distributed under the terms of the [Creative Commons CC-BY 4.0](https://creativecommons.org/licenses/by/4.0/)

IMPACT OF LEGISLATIVE CHANGES ON THE FINANCING OF JUDICIAL ACTIVITIES IN UKRAINE

ABSTRACT

Judicial activity in Ukraine involves the examination and resolution of contentious issues related to the protection of rights, restoration of violated rights, cessation of rights violations, and application of legal influence measures. All these require appropriate resources, not just informational but also financial and material. The levels of funding depend on the judicial authority financing programs and state budget projects. In other words, changes in legislation will directly affect the volumes and timelines of funding for judicial activities. Conducting an in-depth analysis of scientific and practical literature, our goal was to identify and assess the level of impact of the latest legislative changes on the funding volumes for judicial activities in Ukraine. The object of the study is judicial activity in Ukraine. We believe that the assessment of legislative changes requires the involvement of relevant experts in law and beyond. Therefore, with the help of experts and the applied structuring technique, the weight of the impact of certain legislative changes on the amount of funding for judicial activity in Ukraine is ranked.

However, determining which impact is most significant is just one of the outcomes. Additionally, measures for the judicial system's response/adaptation to the most significant changes were proposed. The limitations of the study relate to the fact that the legislative changes identified in the work are not constant and stable. In the future, there will be new changes requiring a new approach to evaluation and response.

Keywords: finance, funding volumes, judicial activity, legislative changes, legal system, state expenditures

JEL Classification: C51, O38, K30

INTRODUCTION

Key Terms and Concepts Involved in the Research

We believe that the essence and content of funding judicial activities in modern society are recognized as a fundamental element ensuring justice and the implementation of the rule of law. Effective funding ensures not only the work of the courts but also determines their operational capacity and ability to respond to growing challenges. The judicial system requires significant financial resources to ensure judges' salaries, support staff, case management, and the development of necessary infrastructure. Insufficient funding can affect the speed of case proceedings, cause public dissatisfaction, and undermine trust in the judicial system. One of the constitutional guarantees, which carries a unique character, pertains to the special procedure for funding the courts. The key mechanism for ensuring this guarantee is the state's inherent obligation to allocate funds for financing and creating appropriate conditions for the functioning of the judicial system and the implementation of their activities through the distribution of expenditures from the country's state budget for maintaining the courts. The essence of funding judicial activities lies in providing sufficient and stable financial resources for the effective functioning of the judicial system. This includes financing judges' and court personnel's salaries, maintaining and modernizing court buildings, implementing modern technologies, as well as conducting training and professional development for judges. Adequate funding contributes to ensuring the independence of the judiciary, improving the quality of judicial services, reducing case processing times, and strengthening citizens'

trust in the judicial system. Thus, funding judicial activities is a key element that ensures adherence to the principles of the rule of law and justice in society. The primary source of funding for the judicial system is typically budget expenditures. However, these allocations can be vulnerable to political decisions and may be reduced during economic downturns (for example, as a result of a global pandemic shock and its consequences, or wartime risks), leading to financial instability within the judicial system.

The Rationale for the Research

Ukraine is consistently and persistently fighting for the right of its citizens to live in an independent, lawful, democratic state that guarantees fair and impartial judicial activities. In the most challenging times, the commitment to the rule of law, judicial independence, and the protection of human rights and freedoms has been maintained. According to constitutional norms, the rights and freedoms of individuals and citizens are protected by the courts. The independence and inviolability of judges are guaranteed by the Constitution and the laws of Ukraine. Independent and impartial justice is the cornerstone of sustainable societal and state development based on the rule of law. During the state of martial law, independent courts, like other democratic values, serve to protect key values: the life of every person, their rights, freedoms, and dignity. This is what inspires Ukraine in its confrontation with the Russian regime. Judicial independence is a necessary element of a state governed by the rule of law. Therefore, ensuring the independence of judges and the authority of the judiciary is a priority in the activities of the Supreme Council of Justice. The activities of the Supreme Council of Justice, as representatives of the interests of the entire judiciary, directly influence the authority of the judiciary.

A fair and adequate level of financial support for the courts is an integral component of the independence of both individual judges and the judiciary as a whole. According to international standards of judicial activities, the importance of creating and ensuring appropriate working conditions for judicial authorities' employees, including judges, is emphasized. Such actions are primarily seen as guarantees of their independence in accordance with legislative provisions. The key role of the executive branch in determining the level of financial support for the judiciary requires the use of effective and indisputable methods for calculating the real needs of judges regarding the proper provision of their activities. If the requirements of the judicial budget are not adequately substantiated, that is, expressed inefficiently, the judicial system is unlikely to receive the sufficient financial support it strives for to effectively perform its functions.

Undeniably, there is an interconnection between proper financial support and the efficiency of work. The issue is not only about matching the complexity and social responsibility of the work performed by the judiciary but also about the associated costs of adequately financing the processes of preparing and conducting court hearings. Thus, it should be understood that legislative changes themselves, which theoretically aim to improve this type of legal activity, are the most sensitive to the funding of judicial activities but in practice may lead to negative consequences. We believe that stable and adequate funding ensures the effective functioning of the judicial system, which is a fundamental element of the rule of law and a democratic society. Changes in legislation can significantly affect the distribution of financial resources, which, in turn, impacts the quality of judicial services, judges' salaries, and the provision of necessary infrastructure.

It is well-known that courts occupy a central place in the system of legal protection of constitutional and other legal values. The activity of courts includes the protection and defence of law, the restoration of violated rights, and the cessation of rights violations. Democratic transformations in society and the state are impossible without effective judicial activity, which is an integral attribute of a rule-of-law state. However, like any other activity, it requires adequate resource provision, which is clearly justified at the legislative level. Hence, the extent of funding depends on legislative changes. It is widely known around the world that one of the most important guarantees of the independence of courts and judges is their proper financial provision (adequate remuneration for judges and staff of court apparatuses, as well as the financing of courts' material needs to a degree sufficient for effective performance of their functions). In Ukraine, there is still a problem with organizing stable operations due to the lack of necessary budget allocations for postal services, utilities and energy supplies, telephone and internet services, procurement of office supplies, provision of necessary computer and office equipment, courtrooms, and the construction of new buildings and renovation of court premises. And precisely the continuous legislative changes (which have only intensified under full-scale invasion conditions) depend on the extent of financial provision.

LITERATURE REVIEW

Recent Research in the Field of Judicial Activity

Grzymala-Busse, A., & et al. (2021) describe modern judicial activity in a highly generalized and correct manner, noting that judicial activity satisfies and protects both private and public interests, performs its inherent functions, and serves as

a source of change in social life but is dependent on resource provision. North, D. C. (1990) notes that judicial activity is sometimes considered more broadly, including not only key and integral elements such as activity, its results, and socio-legal experience, but also new components such as methods and ways of resolving specific categories of cases, judgment, summarization of court activities, and legal status. However, the constant need for proper funding remains unchanged to avoid corruption.

Recent Research in Solving Problems of Funding the Judicial System

Problems with funding judicial activity have long been the focus of academic practice. For example, Cepiku, D., & Giordano, F. (2021) note that not all legislative changes are positive for the judicial system. Legislative gaps create a number of problems, particularly in terms of discontinuing or limiting mail delivery, threats of disconnecting court buildings from heating, electrical, and other networks, disconnecting courts from internet and telephone services, the inability to carry out current or capital repairs of court buildings, even in an emergency state, etc. As correctly stated by McGovern, G., & Greenberg, M. D. (2014), the financial provision of courts and judges is an integral part of both the independence of an individual judge and the independence of the entire judiciary, as repeatedly emphasized by international legal institutions. Moreover, according to Salminen, J., & Ikola-Norrbacka, R. (2021), one of the guarantees of the independence of judges administering justice, and retired judges, is their proper material and social provision, which must guarantee the administration of fair, independent, and impartial justice. Additionally, guarantees of a judge's independence include measures for their material and social provision. But such provision directly depends on the implemented legislative changes.

AIMS AND OBJECTIVES

The aim is to determine and assess the impact of recent legislative changes on the funding levels of judicial activity in Ukraine. The tasks set within this article include: identifying the most significant recent legislative changes in Ukraine that directly affect changes in the funding levels for judicial activities; presenting a methodology that will allow for organizing expert opinions in a way that determines which changes are substantial and which are less significant, and based on the ranking results, forming an appropriate adaptation model.

METHODS

The technique of structuring the significance of the impact

The technique of structuring the significance of the impact is an advanced vision of the outdated hierarchical analysis and represents a systems approach to decision-making in complex multi-criteria situations. The essence of this technique is to break down a complex problem and rank it structurally. The overall goal is divided into sub-goals, criteria, and phenomena (such as legislative changes). This simplifies the analysis process and focuses on individual components of the problem. The content of the technique of structuring the significance of impact involves pairwise comparison of elements using expert assessments (Vargas, 1982; Vargas, 2001). Each criterion is assessed relative to others using a special scale that reflects their relative importance or preference. These assessments are then used to construct certain matrices, from which weights of criteria are calculated and elements are ranked using mathematical methods. The value of the technique of structuring the significance of the impact is in its ability to systematize complex decisions and ensure the rationality of the response to changes (Forman, 2001; Labib, 2011). It enhances transparency and objectivity in the decision-making process, which is critically important in state management and judicial activity. Therefore, this technique is necessary for solving problems where it is necessary to consider many different factors and criteria.

Expert Analysis Method

To understand and comprehend which legislative changes should be highlighted today, experts in the fields of law, judicial practice, and state budget formation are involved. A survey was conducted for 25 experts and specialists. This enabled the identification of the most significant legislative changes.

RESULTS

Trends in Changes in Judicial Funding in Ukraine in Recent Years

Judicial activity is a type of legal activity characterized by features of both law enforcement and human rights protection. The main task within the system of judicial activity is the administration of justice, encompassing constitutional jurisdiction

and the general and special jurisdiction of courts in both criminal and civil litigation (On the Judiciary and the Status of Judges, 2024). Legislative changes are the result of a process that amends the existing legal framework and will have an effect on the entities involved in any given legislative act. Funding of the judicial activity is the resource provision for the judicial system with adequate financial and material goods to meet the needs of fulfilling their tasks and functions before the public. Funding of the judiciary in Ukraine is based on principles such as: financing the courts and other judicial system bodies solely from the funds of the State Budget of Ukraine; fully accounting in the State Budget of Ukraine for the expenses necessary for the courts to exercise their powers; the full and timely establishment of budget appropriations and the approval of budgets for budget holders; independent management by budget holders of the funds allocated for financing the judiciary, with mandatory compliance with budget legislation and approved budgets.

Over the past two years of martial law in Ukraine, there has been a trend towards decreasing funding volumes for judicial activities. Although the changes are not significant, considering the inflationary processes in the country, there is no substantial growth (Figure 1).

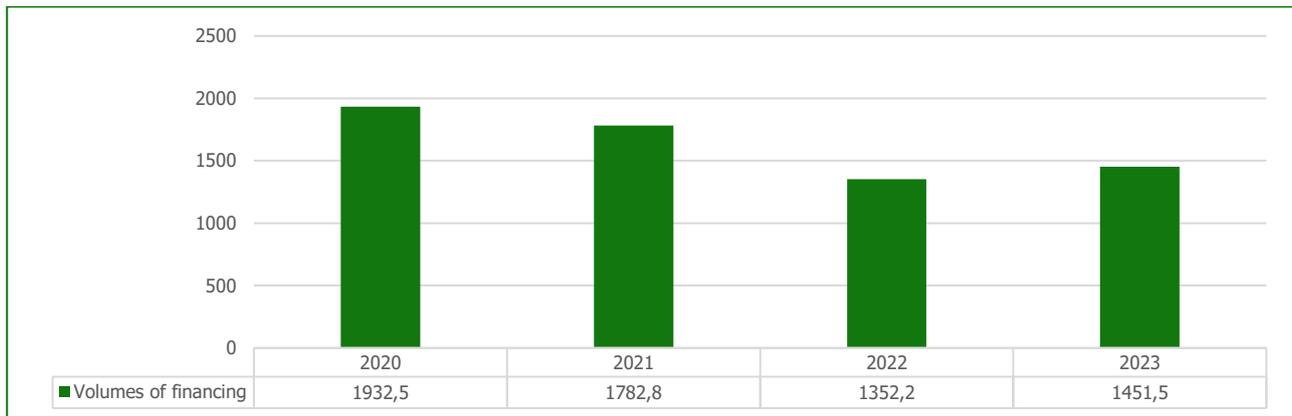


Figure 1. Trends in changes in judicial funding in Ukraine in recent years, UAH million. (Source: Ministry of Finance of Ukraine (2023))

Due to military actions, a significant part of the state budget is redirected towards defence and security. Consequently, in the first year of the full-scale invasion, there was no increase in funding (State Statistics Service of Ukraine, 2023). Limited budget resources force the government to cut expenses. Destruction and damage to judicial buildings in combat zones require additional expenditures for restoration, which, in turn, relates not specifically to judicial activities but to infrastructure. Funding volumes have changed not only due to inflation but also due to certain legislative changes that have contributed to this process. Let's assess this impact in more detail.

Most Significant Legislative Changes

As a result of expert surveys, let's identify the most significant legislative changes that significantly impact the funding volumes of judicial activities in Ukraine today and assign them the following mathematical designations:

- Ch1. About amending certain legislative acts of Ukraine regarding the resumption of the Higher Qualification Commission of Judges of Ukraine (2024). It envisages the restart of the Higher Qualification Commission of Judges to ensure transparent and effective selection of judges.
- Ch2. About amending certain legislative acts of Ukraine regarding the improvement of the procedure for electing (appointing) members of the Higher Council of Justice (2024). It reforms the procedure for appointing members of the Higher Council of Justice, including the creation of an Ethics Council with international experts.
- Ch3. About the judiciary and status of judges concerning the activities of the Supreme Court and judicial governance bodies (2024). It makes changes to the structure and functioning of the Supreme Court, as well as regulates issues of judicial governance.
- Ch4. About amending the Budget Code of Ukraine regarding the financing of the judiciary (2024). It changes the procedure for financing the judicial system, ensuring stable and adequate budgetary support for courts (Figure 2).

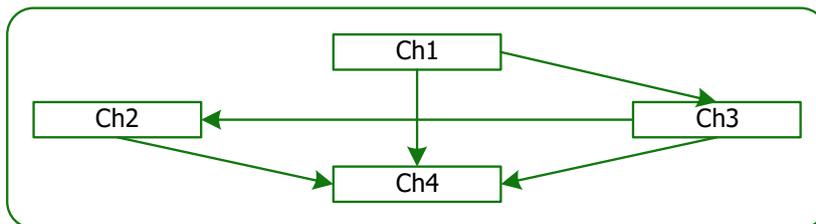


Figure 2. The initial model for assessing the significance of legislative changes on the volumes of funding for judicial activities.

Structuring the Impact of Legislative Changes

In the initial phase, all the contemporary legislative changes we have identified (Figure 2) are assessed against each other for certain dependencies. It should be noted that the assessment values can be either 0 or 1. Binary values clearly indicate the absence or presence of a particular characteristic or advantage, simplifying data interpretation. Therefore, we believe that using only 0 or 1 ensures efficiency, clarity, and reliability in the assessment (Table 1).

Table 1. Dependency Matrix of Legislative Changes Among Themselves.

Chij	
Ch1	Ch1 Ch2 Ch3 Ch4 0 0 1 1
Ch2	Ch1 Ch2 Ch3 Ch4 0 0 0 1
Ch3	Ch1 Ch2 Ch3 Ch4 0 1 0 1
Ch4	Ch1 Ch2 Ch3 Ch4 0 0 0 0

However, it should be noted that in binary matrices, the diagonal must be set to 1. Typically, this means that any object or element is always equal to itself, hence the value is set as 1 (true). Following this, we have updated this element and presented the new matrix (Table 2).

Table 2. Dependency Matrix of Legislative Changes Among Themselves with Diagonal Adjustments.

Chij	
Ch1	Ch1 Ch2 Ch3 Ch4 1 0 1 1
Ch2	Ch1 Ch2 Ch3 Ch4 0 1 0 1
Ch3	Ch1 Ch2 Ch3 Ch4 0 1 1 1
Ch4	Ch1 Ch2 Ch3 Ch4 0 0 0 1

Next, it is important to clearly define several key columns. Considering the previously built model (Figure 2) and the results of the matrix calculation (Table 2), the structured order of importance of the legislative changes is determined.

Column $S(\text{Chi})$ shows the number of vertices that can be reached from the current vertex.

Column $P(\text{Chi})$ contains a subset of vertices that precede the current one.

Column $S(\text{Chi}) \cap P(\text{Chi})$ displays the conditions that are met for a specific legislative change. Thus, with the help of this table, a hierarchical structure can be established from the most influential legislative changes on the funding volumes of judicial activities to the least (Table 3).

Table 3. Integration Matrix for Determining the Impact Significance of Legislative Changes on the Funding Volumes of Judicial Activities in Ukraine.

Chij				
Lowest level	<i>Chi</i>	<i>S</i> (Chi)	<i>P</i> (Chi)	<i>S</i> (Chi) ∩ <i>P</i> (Chi)
	<i>Ch1</i>	[1; 3; 4]	[1]	[1]
	<i>Ch2</i>	[2; 4]	[2; 3]	[2]
	<i>Ch3</i>	[2; 3; 4]	[1; 3]	[3]
	<i>Ch4</i>	[4]	[1; 2; 3; 4]	[4]
Acceptable level	<i>Chi</i>	<i>S</i> (Chi)	<i>P</i> (Chi)	<i>S</i> (Chi) ∩ <i>P</i> (Chi)
	<i>Ch2</i>	[2; 4]	[2; 3]	[2]
	<i>Ch3</i>	[2; 3; 4]	[3]	[3]
	<i>Ch4</i>	[4]	[2; 3; 4]	[4]
	<i>Chi</i>	<i>S</i> (Chi)	<i>P</i> (Chi)	<i>S</i> (Chi) ∩ <i>P</i> (Chi)
Admissible level	<i>Ch2</i>	[2; 4]	[2]	[2]
	<i>Ch4</i>	[4]	[2; 4]	[4]
	<i>Chi</i>	<i>S</i> (Chi)	<i>P</i> (Chi)	<i>S</i> (Chi) ∩ <i>P</i> (Chi)
Highest level	<i>Ch4</i>	[4]	[4]	[4]

The essence of the iterative table should be justified. For such legislative changes where equality exists: $S(\text{Chi}) \cap P(\text{Chi}) = P(\text{Chi})$, they are eliminated and constitute the lowest level of influence. This process continues until the most influential change remains in our case today: Ch4. About amending the Budget Code of Ukraine regarding the financing of the judiciary (2024). Need to understand that Legislative changes at the highest level are crucial and could lead to major enhancements in judicial activities, warranting prioritized and immediate action. Also, noted that each level serves to prioritize legislative changes based on their expected impact, helping stakeholders focus resources and attention where it is most needed.

Response/Adaptation Model to the Most Significant Legislative Changes

Based on the evaluation results, we will determine the key directions for adapting the judicial system of Ukraine (Figure 3).

A separate issue is the review of the sizes of court fees taking into account the economic situation and the implementation of differentiated rates for different categories of cases. Also, it is important to remember constant control over the timely receipt and use of funds. Emphasizing the importance of financial support for judicial activities, we believe that current legislative changes are insufficient. It is crucial for Ukraine to implement budgeting procedures that include the identification of funding sources, the process of developing, approving, and utilizing budgetary needs norms for financing the judiciary, the procedure for drafting and using proposals for allocations, as well as the process for considering its funding during the adoption of annual laws on the State Budget of Ukraine in a way that details all elements. It is necessary to maximize the depoliticization of judicial funding. However, without an adequate increase in budget expenditures, building an independent judicial system in Ukraine will be practically impossible. To achieve this, it is necessary to legally establish a correlation between allocations designated for ensuring appropriate conditions for the functioning of courts and the activities of judges, as well as the volume of GDP produced. A separate issue concerns local courts and their judicial activities. Therefore, a significant portion of expenditures should be directed towards capital components, including the construction of new administrative facilities, as well as the capital repair and reconstruction of those that have been in use for an extended period to bring them up to international standards. Developing an appropriate state target program and its implementation can be viewed as investments in the future—forming an independent judicial system in accordance with the socio-economic and political transformations in society.

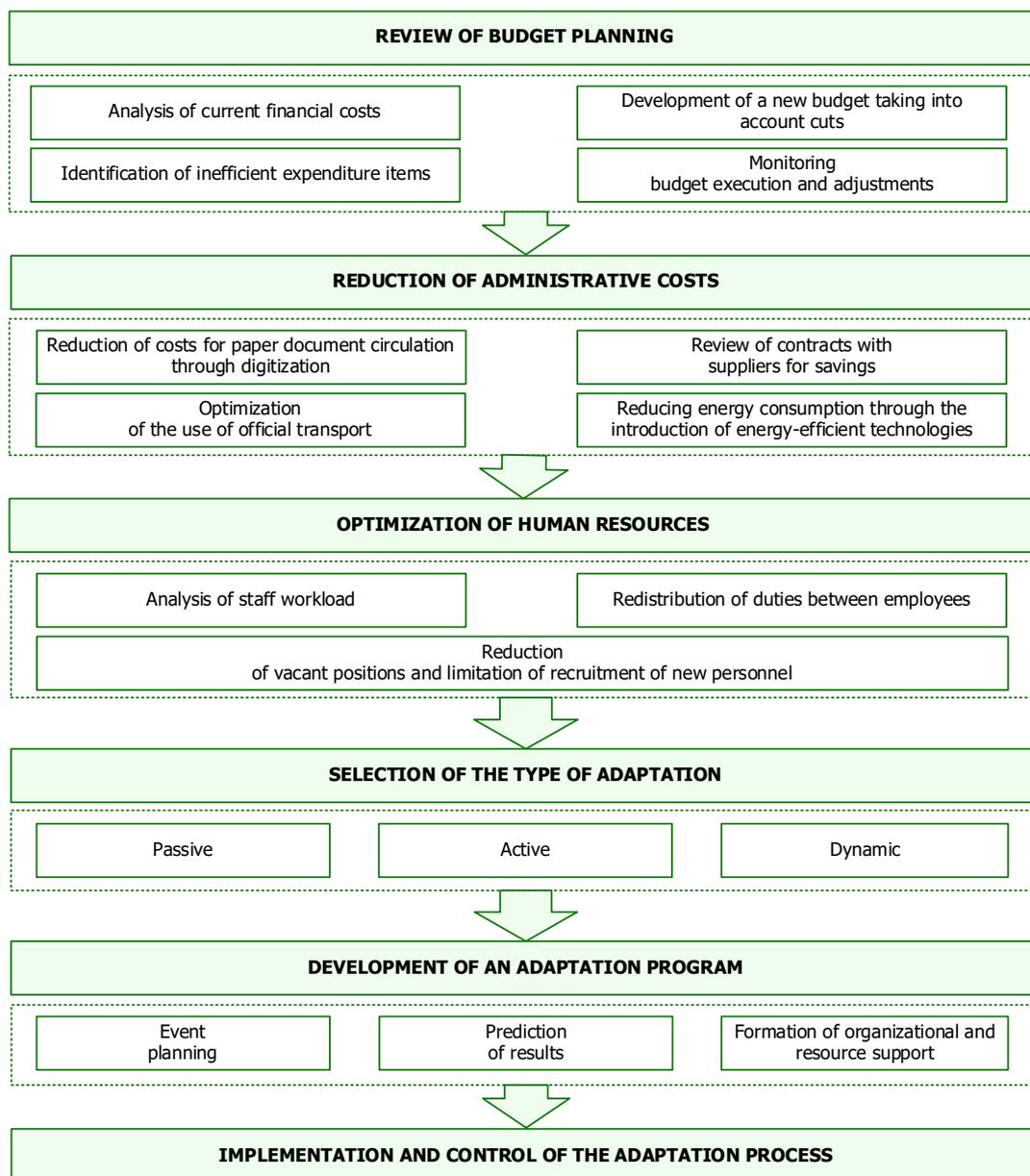


Figure 3. Response/Adaptation Model to the Most Significant Legislative Changes.

DISCUSSION

Comparing our results with others, it is necessary to highlight the following existing works. For instance, Mora-Sanguinetti & Garoupa (2020) significantly focused on the economic analysis of law in a European context, evaluating how changes in the legal field affect the entire judicial system. However, they do not attempt to rank these changes from most to least significant. Voigt (2016) examines how the independence and efficiency of the judicial system depend on the levels of funding. Thus, our research also proves the importance of adequate funding to ensure this efficiency, but at the same time, we try to present how to adapt to any legislative changes. Mora-Sanguinetti et al. (2017) assess how funding of the judicial system affects market changes and economic stability. Although there are signs of ranking, their approach differs. Rodrik et al. (2004) and Schwartz & Dhumale (2021) also offer their vision of the adaptation model during reductions in funding, but their proposals differ from ours and are not based on a prior assessment of legislative changes.

The elements of novelty are revealed through the following positions:

1. Developed a ranking system for the impact of legislative changes. Creating a system that ranks legislative changes by their impact on the funding of judicial activities contains elements of novelty, as it was done as one of the first.

2. New measures for response and adaptation of the judicial system. The research not only identifies problems but also proposes specific measures for adapting the judicial system to the most significant legislative changes.

CONCLUSIONS

Research Outcomes Summary

At the current stage of justice administration and ensuring the state's compliance with citizens' constitutional rights, an important component is the material and financial provision for judges, in particular, and the justice system as a whole. The existing methodologies for determining the material provision of courts are partly such that they do not meet modern methods of determining the financial provision of state institutions in the context of European integration. Adequate funding of courts will allow the implementation of modern technologies for automating work processes, which will speed up the resolution of cases and improve their efficiency and effectiveness with the corresponding level of judiciary quality. It is also important to consider the funding of professional development programs for judges and other human rights specialists. Providing an adequate amount of financial resources to the judicial system will contribute to ensuring justice for all layers of the population. Funding is also crucial for creating a modern information space that will enhance the openness and accessibility of justice for citizens. We believe that no matter what the overall legislative changes are, they should not destroy the financing of judicial activity. Adequate funding therefore ensures the efficient operation of courts, access to necessary resources and the maintenance of the integrity of the judicial process, which is crucial for upholding the rule of law and ensuring justice.

Legislative changes are indispensable in the matter of financing judicial activities, as only through clearly defined normative acts can the stability and predictability of financial flows be ensured. Legislation establishes the fundamental principles and procedures for the allocation of budgetary funds, which helps to avoid political influence and corruption, ensuring transparency in the use of resources. Thus, legislative changes are a key instrument for creating the foundation upon which the financial security and functional capability of the judicial system are built. Addressing the pressing issues of financial and material support for the activities of courts and bringing the judicial system up to international standards is an extremely important task that requires the cooperation of all branches of government. The joint efforts of the legislative, executive, and judicial branches are key to effectively resolving these issues. This collaboration should be based on mutual consideration of the arguments and positions of the judicial branch. It is important to consider the findings and recommendations of international human rights organizations, which can serve as benchmarks for reforming the judicial system. To achieve successful results in this direction, the following aspects must be considered: providing the judicial system with sufficient financial resources not only for payroll but also for the development and the implementation of modern technologies; public access to judicial decisions and information about the activities of courts to increase public trust; the implementation of effective and innovative practices in judicial processes to improve their productivity and efficiency; independence and autonomy of the judicial branch, which are prerequisites for its effectiveness and fairness.

It is important to note that according to expert assessments, a significant number of legislative changes substantially influence the funding levels of judicial activity in Ukraine. Thus, ranking the most recent changes by their level of impact has allowed for a better understanding of the mechanisms of response and adaptation of the judicial system. We concluded that the recent changes in legislation significantly affect the funding of judicial activity in Ukraine. Moreover, the need to adapt the judicial system to these changes was underscored, and specific measures were proposed to ensure effective financing. Additionally, it was noted that continuous legislative changes require ongoing monitoring and updating of impact assessment methods on judicial activity. The proposed approach has practical value as it serves as a tool for continuous analysis of the impact of legislative changes, allowing for timely response to new challenges and adjustments in financing strategies. Therefore, the practical significance lies in providing analytical data and tools for making informed decisions regarding the financing of the judicial system.

Limitations and Future Research Directions

Like any other study, this one has its own limitations. It should be noted that the limitations of the study relate to the fact that the legislative changes identified in this work are not constant and stable. In the future, there will be new changes that will require a new approach to assessment and response. Moreover, significant changes in judicial activity may occur in the post-war period, hence different funding levels. Future research should more thoroughly investigate the strategic directions of judicial practice in the post-war period of Ukraine.

ADDITIONAL INFORMATION

AUTHOR CONTRIBUTIONS

All authors have contributed equally.

FUNDING

The Authors received no funding for this research.

CONFLICT OF INTEREST

The Authors declare that there is no conflict of interest.

REFERENCES

- Vargas, L. G. (1982). Recollections of the origins of the Analytic Hierarchy Process. *Mathematical Modelling*, 3(3), 231-238. [https://doi.org/10.1016/0270-0255\(82\)90056-7](https://doi.org/10.1016/0270-0255(82)90056-7).
- Vargas, L. G. (2001). Models, methods, concepts & applications of the Analytic Hierarchy Process. *International Series in Operations Research & Management Science*, 34. <https://doi.org/10.1007/978-1-4615-1665-1>
- Forman, E. H., & Gass, S. I. (2001). The Analytic Hierarchy Process—An Exposition. *Operations Research*, 49(4), 469-486. <https://doi.org/10.1287/opre.49.4.469.11231>
- Ishizaka, A., & Labib, A. (2011). Review of the main developments in the Analytic Hierarchy Process. *Expert Systems with Applications*, 38(11), 14336-14345. <https://doi.org/10.1016/j.eswa.2011.04.143>
- About amending certain legislative acts of Ukraine regarding the resumption of the Higher Qualification Commission of Judges of Ukraine (2024). <https://zakon.rada.gov.ua/laws/show/1629-20#Text>
- About amending certain legislative acts of Ukraine regarding the improvement of the procedure for electing (appointing) members of the Higher Council of Justice (2024). <https://zakon.rada.gov.ua/laws/show/1635-20?lang=en#Text>
- About the judiciary and status of judges concerning the activities of the Supreme Court and judicial governance bodies (2024). <https://zakon.rada.gov.ua/laws/show/1402-19#Text>
- About amending the Budget Code of Ukraine regarding the financing of the judiciary (2024). <https://zakon.rada.gov.ua/laws/show/3880-20#Text>
- State Statistics Service of Ukraine (2023). <https://www.ukrstat.gov.ua/>
- On the Judiciary and the Status of Judges (2016). *Bulletin of the Verkhovna Rada of Ukraine*, 31, Article 545. <https://zakon.rada.gov.ua/laws/show/1402-19#Text>
- Ministry of Finance of Ukraine (2023). <https://www.mof.gov.ua/uk/>
- Cepiku, D., & Giordano, F. (2021). Good budgeting, better justice: Modern budget practices for the judicial system. World Bank Documents. <https://documents1.worldbank.org/curated/en/139831468778813637/pdf/250820040Edition.pdf>
- McGovern, G., & Greenberg, M. D. (2014). Who pays for justice? Perspectives on state court system financing and governance. RAND Corporation. https://www.rand.org/pubs/research_reports/RR486.html
- Mora-Sanguinetti, J. S., & Garoupa, N. (2020). Economic analysis of law in European legal scholarship. *Springer*. <https://link.springer.com/book/10.1007/978-3-030-19523-4>
- Voigt, S. (2016). How judicial independence and efficiency affect the economy. *European Journal of Law and Economics*, 42, 183–208. <https://doi.org/10.1007/s10657-016-9528-2>
- Mora-Sanguinetti, J. S., Martínez-Matute, M., & García-Posada, M. (2017). Credit, crisis and contract enforcement: Evidence from the Spanish loan market. *European Journal of Law and Economics*, 44(3), 361-383. <https://doi.org/10.1007/s10657-016-9528-2>
- North, D. C. (1990). Institutions, Institutional Change and Economic Performance. Cambridge University Press. St Louis. <https://doi.org/10.1017/CBO9780511808678>
- Rodrik, D., Subramanian, A., & Trebbi, F. (2004). Institutions rule: The primacy of institutions over geography and integration in economic development. *Journal of Economic Growth*, 9(2), 131-165. <https://doi.org/10.1023/B:JOEG.0000031425.72248.85>
- Salminen, J., & Ikola-Norrbacka, R. (2021). Funding the judiciary: How budgeting systems shape justice. Academia.edu. https://www.academia.edu/439073/Funding_the_Judiciary_How_Budgeting_System_Shapes_Justice
- Schwartz, R., & Dhumale, R. (2021). 21 cost-saving measures for the judiciary. *International Journal for Court Administration*. <https://www.iaacajournal.org/articles/10.36745/ijca.345/>
- Grzymala-Busse, A. et al. (2021). Initiatives in legal and judicial reform. World Bank Documents. <https://documents1.worldbank.org/curated/en/148281468779967441/pdf/multi-page.pdf>

Личенко І., Андрусак І., Гонтар З., Норчук Ю., Питльована В., Панченко С.

ВПЛИВ ЗАКОНОДАВЧИХ ЗМІН НА ФІНАНСУВАННЯ СУДОВОЇ ДІЯЛЬНОСТІ В УКРАЇНІ

Судова діяльність в Україні полягає в розгляді та розв'язанні спірних питань із захисту права, відновлення порушеного права, припинення порушення права та в застосуванні заходів правового впливу. Усе це вимагає відповідних ресурсів і не лише інформаційних, а й фінансово-матеріальних. Обсяги фінансування залежать від програм фінансування судової влади й проєктів державного бюджету. Від змін у законодавстві будуть залежати й обсяги та терміни фінансування судової діяльності. Проводячи поглиблений аналіз науково-практичної літератури, ми поставили собі за мету визначити й оцінити рівень впливу останніх законодавчих змін на обсяги фінансування судової діяльності в Україні. Об'єктом дослідження є судова діяльність в Україні. Уважаємо, що оцінювання законодавчих змін потребує залучення відповідних експертів із права й не тільки. Відтак, за допомогою експертів і застосованої техніки структування здійснено ранжування ваги впливу тих чи інших законодавчих змін на обсяги фінансування судової діяльності в Україні. Проте визначити, який вплив найбільш суттєвий, – це лише один із результатів роботи. Також було запропоновано перелік заходів реагування / адаптації судової системи під найбільш вагомі зміни. Обмеження дослідження стосуються того факту, що виокремлені в роботі законодавчі зміни не є постійними й сталими. У майбутньому будуть нові зміни й буде потрібний новий підхід до оцінювання й реагування.

Ключові слова: фінанси, обсяги фінансування, судова діяльність, законодавчі зміни, правова система, державні видатки

JEL Класифікація: C51, O38, K30