

**THE ROLE OF JUDICIAL LEGISLATION
IN THE PROCESS OF JUDICIAL REFORM FULFILLMENT IN UKRAINE**

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Any domestic practitioner repeatedly in their practice had a problem with the existence of gaps in the current legislation and ways to overcome them. Historically, in countries where there is no case law these shortcomings in the legislation passed by eliminating the use of similar law or similar law.

An important area that needs special attention in the preparation of the Concept of amendments to the Constitution is on improving the judicial system. There is an objective resource regulatory and constitutional amendments to expand citizens to influence the process of justice (the introduction of constitutional guarantees of the jury, changing the order of formation and of the members to minimize participation in the work of individuals who represent the political parties).

The relationship between the law-making and judgment are extremely important for the development of the legal system of Ukraine. This is the start of the 2010 judicial reform. The relevance of the study of this issue is that judicial law-making in general only recently become a subject of attention of scientists in the field of law.

At the moment there is no jurisprudence conceptually grounded and opened a legal categories understanding of the relationship of justice and law-making.

The author makes analysis of modern tendencies of law-making development in the process of administration of justice. On the base of historical experience he presents analysis of main provisions of different schools of jurisprudence, its relation with school of intrinsic law and legal positivism and proves position of admissibility of judicial legislation in Ukraine.

Key words: lawmaking, judicial law-making, law reform, judicial reform.