

## STAFFING OF JUDICIAL INSTITUTIONS UNDER THE JUDICIAL REFORM OF 1864

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### **Abstract**

The article analyzes the staffing of judicial institutions under the judicial reform of 1864. It is noted that the judicial reform was initiated in connection with the need to update the legislation and introduce new principles for the functioning of judicial institutions, and the main goal of the reform was to create a democratic court based on the traditions of the judiciary of European countries. It is emphasized that among the important innovations of the reform was the creation of peace and general justice, which covered most criminal and civil cases. It is noted that the peace courts functioned as a separate system, different from the general courts, with their own legal regulation, which included the involvement of peasants in civic life, emphasizing the equality of all before the law. It is emphasized that an important aspect of the reform was the election of justices of the peace, which ensured control over the electoral process, and elections were held by county zemstvo assemblies or city dumas, taking into account age, educational and property qualifications. It is noted that certain restrictions were established for candidates for the position of justice of the peace regarding persons who were under investigation, convicted of crimes, as well as those who were dismissed from service, which was aimed at ensuring the integrity and professionalism of judges in the new system. It is noted that in the conditions of the judicial reform, there was a clear shortage of qualified personnel, since the majority of judges had only a gymnasium education, which turned out to be insufficient for effective judicial activity. It is noted that judicial activity during the implementation of the reform became an independent sphere, which required reforming the mechanism for selecting judges, and therefore physical, social, moral and intellectual conditions were established for members of district courts. It is stated that the reform of judicial statutes introduced a new procedure for recruiting judges, which ensured their independence and professionalism. At the same time, it is substantiated that the introduction of mandatory legal education for judges increased the level of professionalism in the judicial system. It is also emphasized that the irremovability of judges and their financial security became important conditions for ensuring the independence of judges, judges could be transferred only with their own consent, and dismissal was possible only by court decision.

**Key words:** staffing; court; judges; judicial reform of 1864; judicial statutes

## Introduction

The formation of a modern Ukrainian democratic legal state at the current stage of development requires ensuring the rule of law, which involves the establishment of mutual responsibility between the citizen and the state. One of the key components of this process is the functioning of an independent judiciary, which contributes to full compliance with the principle of accessibility of justice as a guarantee of effective protection of human and citizen rights and freedoms. Access to justice is considered as the ability of each individual to freely apply to judicial bodies and other legal institutions, to participate in legal proceedings at all their stages. This aspect is an important criterion for assessing the effectiveness of the judicial system in the state. Proper provision of access to justice creates conditions for the implementation of a wide range of fundamental rights, including the right to judicial protection, participation in legal proceedings, equality and adversarial status of the parties, as well as the right to a fair trial.

The judicial reform of 1864 became one of the key parts of the large-scale transformations carried out in the second half of the 19th century as part of the modernization of the state apparatus of the Russian Empire. The main task of this reform was to introduce a new judicial system that would meet the requirements of objectivity, transparency and accessibility of justice. As a result of the reform, the outdated and cumbersome judicial structure inherent in the feudal system was eliminated, and new institutions with a clear division of competences were introduced. The fundamental principles of the updated system were the independence of judges, the adversarial nature of the process, the openness of court sessions and the guarantee of the right of every citizen to legal protection. The reform also defined two main forms of judicial proceedings: civil and criminal. The institute of jurors acquired special importance, as it allowed society to take an active part in the administration of justice. The judicial system, reformed in 1864, was recognized as one of the most progressive in Europe at that time. The main principles of this reform contributed to the establishment of the rule of law and the strengthening of citizens' trust in justice. Although the system was not without certain shortcomings and limitations, it laid a solid foundation for the further development of the legal system in the territories of the former empire.

The judicial reform of 1864 put forward high requirements for judges, which laid the foundations of a professional and independent judiciary. First of all, candidates for judicial positions had to have a solid legal education and relevant practical experience. An important condition was the independence of judges from the executive branch: their irremovability in office was introduced and mechanisms for protection against external interference in official activities were provided. Only persons with an impeccable reputation and high moral qualities could hold a judicial position, which contributed to the growth of trust in the judicial system.

An equally important aspect was the age requirement – candidates had to reach a certain age, which indicated their maturity and accumulated life experience. The emphasis was also placed on the principles of impartiality, professionalism and strict adherence to laws and legal norms. This approach formed the basis for a modern understanding of the essence of justice.

Today, the relevance of the issue of reforming the judicial system is only increasing. Ensuring the independence of the judiciary, high qualifications of the judiciary, guaranteeing fair trial and legal certainty are of paramount importance. Effective legal protection, unity of judicial practice and transparency of decisions are key aspects designed to ensure citizens' access to the judicial system. All this will become a guarantee of proper protection of the rights and freedoms of every citizen from any unlawful encroachments.

For the effective development of the justice system in Ukraine, it is necessary to focus on the realization that the modernization of public administration, including the complex of judicial institutions, and increasing the efficiency of the activities of judicial bodies must be accompanied by reliable legal support for this process. It is important to take into account the historical and legal experience of forming an independent democratic judicial system.

The issue of staffing judicial institutions in the context of the judicial reform of 1864 attracts considerable attention in modern academic literature. The variety of research approaches contributes to a broader understanding of the complexity of the challenges associated with this process. The collective monograph entitled “Judicial Power in Ukraine: Historical Origins, Patterns, Peculiarities of Development” (2014) emphasizes the specifics of the reform and its implementation. The authors of the book presented a thorough analysis of the functioning of the judiciary in Ukraine during the period when it was part of the Russian Empire. The procedures for administering justice both before and after the 1864 reform are described in detail, and the changes caused by subsequent judicial counter-reforms are also analyzed. The monograph carefully reveals the essence, content and forms of implementation of judicial power in the historical period under study, with an emphasis on historical experience that deserves consideration in the context of modern judicial reform in Ukraine.

Of particular interest are the works of Yu. Levchuk (Levchuk, 2016; 2017), which covered in detail the aspects of organizing judicial supervision over the activities of courts and officials and ensuring the functioning of the Kyiv Judicial Chamber. In particular, the issues of the legal principles of the formation of the judicial chamber, its procedural activities in the field of considering civil cases, as well as personnel and material and technical support are covered.

Among modern studies, the works of O. Tavartkiladze (Tavartkiladze, 2019), who focused on studying the activities of the Odessa Judicial Chamber, are particularly noteworthy. He carried out a comprehensive analysis of the functioning of this body of justice in the context of considering criminal and civil cases, as well as their various categories, and investigated the institution of judicial expertise in the processes considered by the chamber. In addition, the scientist focused in detail on the history of the creation of the chamber, its organizational and legal structure as part of the legal institutions of the Russian Empire. Considerable attention was also paid to the reform of the judicial system in the Russian Empire in the period of 1860–1870 and the role of the prosecutor in the work of the Odessa Judicial Chamber.

The issue of the impact of judicial reform on justice remains the subject of active scientific research. In this context, the articles of O. Gariaga and A. Frantz are of important analytical value. The authors conducted an in-depth analysis of the justice system in Ukrainian territories after the 1864 reform (Gariaga, Frantz, 2020) and investigated the functioning of the institution of justices of the peace within the framework of the judicial system of the Russian Empire at that time (Gariaga, Frantz, 2021).

Despite a significant amount of scientific research, a number of fundamental questions remain open. First of all, the historiographic analysis of access to justice under the judicial statutes of 1864 was studied mainly in the context of transformations of the judicial system of the Russian Empire, especially in connection with the judicial reform of the second half of the 19th century. Secondly, studies of the legislative norms of the statutes and the policy of autocracy in Ukraine of the late 19th and early 20th centuries focused mainly on the practical aspects of judicial reform and its role in the socio-political transformations of the state. Thirdly, most works that to some extent analyze the practical implementation of the democratic norms of the judicial statutes of 1864 have a limited source base. At the moment, there are no specialized monographs or scientific articles that

comprehensively cover this topic. The existing historiographic base provides material only partially.

The purpose of this article is to study the staffing of judicial institutions under the judicial reform of 1864, to determine the specifics of the application of accumulated experience in the modern conditions of reforming the judicial system in Ukraine. Specific objectives include: revealing the prerequisites and features of the introduction of judicial statutes in the process of reforming the judicial system in the Russian Empire; analyzing the legislative norms of judicial statutes regarding the functioning of judicial institutions; highlighting the specifics of the application of the norms of judicial statutes in the field of staffing of courts in the second half of the 19th century.

## **Materials and Methods**

The methodology of this study is based on the application of a complex of general scientific and special methods of scientific knowledge, which provided the opportunity to conduct a comprehensive analysis of the staffing of judicial institutions in the context of the judicial reform of 1864. To solve the research problem, theoretical approaches were combined with the analysis of practical materials obtained on the basis of studying the legislation of that time, legal documents and the functioning of courts. The basis of the study was the use of the dialectical method, which allowed to deeply reveal the subject of the study and achieve the set goals and objectives. The use of this method contributed to a detailed analysis of state and legal phenomena and processes in their relationship with society, which made it possible to identify patterns and trends in the functioning of the judicial system in the Ukrainian territories of the Russian Empire during the implementation of the reform of 1864. During the work on the study, special scientific methods were also used. The method of system analysis was used to study the sources and regulatory framework. The use of the historical method made it possible to trace the dynamics of changes in the justice system in the Ukrainian provinces during the second half of the 19th - early 20th centuries. The institutional method became the key to identifying the specifics of the activities of judicial bodies in Ukrainian lands. Using the structural-functional method, it was possible to investigate the real activities of judicial institutions. The use of the historical-comparative method made it possible to assess the content and essence of judicial reforms in the context of their comparison with previous periods. The normative-comparative method provided an analysis of the norms of the judicial statutes of 1864 and their impact on the process of administering justice. A comprehensive consideration of the practice of resolving civil and criminal cases became possible thanks to comparative legal analysis. The legal-technical method helped to trace the mechanisms of making specific decisions in the courts, in particular in the context of implementing the regulatory provisions of the reform.

The empirical basis of the study was the legislative acts that were in force throughout the Russian Empire in the second half of the 19th century. This included decrees and orders of the heads of state of that time, as well as judicial statutes, which became the basis for the implementation of the judicial reform of 1864. The statutes consisted of four sections: the first - "Establishment of Judicial Institutions", which can be equated to the modern law on the judiciary; the second and third - "Statute of Criminal Procedure" and "Statute of Civil Procedure", represented two procedural codes; the fourth - "Statute on Punishments Imposed by Justices of the Peace", actually performed the function of a code for the consideration of cases by justices of the peace. The study was conducted in several stages. First, the relevance of the topic was determined and the main directions of analysis were outlined. Particular attention was paid to an overview of the state of scientific development of the problem and analysis of the source base. The work studied the prerequisites and specifics of the implementation of judicial statutes within the

framework of the reform of the judicial system of the Russian Empire. A separate aspect was the assessment of legislative provisions on personnel policy and the study of the impact of personnel provision on the effectiveness of the functioning of judicial institutions in the second half of the 19th century. The research methodology was based on the integration of theoretical principles with practical approaches, which provided the opportunity to obtain a comprehensive and in-depth result. The use of various methods and the analysis of a wide range of sources contributed to the achievement of objectivity and depth of conclusions. This allowed the formulation of reasoned recommendations, ensuring the complexity and comprehensiveness of the research work.

## Results and Discussion

One of the key innovations of the reform was the introduction of justice of the peace. Its jurisdiction covered most criminal and civil cases related to the everyday life of citizens. The task of the reformers was to assign to the peace courts an important social mission - to integrate the peasant population into the general civil life, built on the principles of equality of all before the law (Tsvik & Petryshyn, 2008). In this context, it is worth supporting the opinion of O. Slynko (2019) that the proposed model belonged to the continental (French) model of the institution of the peace court.

The peace justice system was created as a separate, autonomous component of the judicial system, which significantly differed from the traditional approach to the organization of courts in the practice of that time. This was also expressed in the delimitation of the legal regulation of the activities of peace and general courts. The procedures of proceedings in peace courts were clearly regulated by the provisions of the chapter "Procedure of Proceedings in Peace Court Institutions" in accordance with the Statute of Criminal Procedure (Articles 33–199) and the Statute of Civil Procedure (Articles 29–201). Regarding the imposition of penalties, justices of the peace were guided by the provisions of the Statute on Punishments imposed by justices of the peace (Kravchuk, 2016).

One of the important features was that justices of the peace were elected. Such selectivity was probably due to two factors: first, the difficulties of the authorities in finding a large number of candidates for these positions; second, the authorities' confidence in the effective functioning of the mechanisms for controlling and correcting the electoral process. Elections were held by county zemstvo assemblies or city dumas among persons who met certain requirements: reaching the age of 25, having secondary or higher education, or three years of work experience in positions that provide the necessary qualifications for the conduct of judicial proceedings. The criteria also included property qualifications (Kravchuk, 2016).

At the same time, restrictions were established for holding the position of justice of the peace. Persons who were under investigation or trial for crimes or offenses, as well as those who had been sentenced to imprisonment or more severe punishments, could not be appointed to such a position. In addition, the list of restrictions included persons excluded from service in judicial or spiritual structures due to vicious behavior, deprived of membership in communities or noble assemblies by the decision of the relevant estates to which they belonged; as well as those who were declared insolvent debtors or placed under guardianship due to wastefulness. Similar restrictions also applied to clergy (Obrusna, 2012).

It is worth emphasizing that the justice of the peace was semi-professional in nature. Justices of the peace were entrusted with the function of reconciliation, and they had to resolve conflicts and disputes mostly not according to formal laws, but guided by conscience and local customs. At the same time, the legislator did not impose a mandatory requirement for such judges to have a legal education. However, this was explained by the fact that in the conditions of the weak level of development of legal education at that time, it was

almost impossible to find several thousand lawyers to perform the duties of justices of the peace alone. More attention was paid to the personal qualities of candidates: knowledge of local traditions, common sense, wisdom of life and a friendly attitude towards people (Kravchuk, 2016).

There was an obvious shortage of educated specialists to occupy such positions. For the most part, justices of the peace in the provinces, especially in the first decades after the reforms, had only a gymnasium education, which turned out to be insufficient for effective activity in this position. An additional obstacle was the established property qualification. Although formally the state had enough representatives of the nobility who met the property requirements, far from all of them were interested in working in the judicial sphere (Birkovich, 2020). It is not surprising that at the beginning of the formation of the corps of justices of the peace in many provinces and counties there was a serious shortage of candidates. In some regions there were even no people willing to participate in the elections for the position of justice of the peace. In connection with the above circumstances, the county zemstvo assemblies carried out the process of electing justices of the peace from among persons who formally did not meet the established qualifications, but had gained high public trust and recognition due to their merits and useful activities. The election procedure was organized according to the following mechanism: the list of candidates for the position of justice of the peace was formed by the county representative of the nobility in agreement with the local authorities and the current justices of the peace of each district approximately three months before the elections. This list included all justices of the peace – both district and honorary – who permanently resided in the given county and met the established legislative requirements for holding a judicial position (Sereda, 2014). The formed list was sent to the governor for final approval and was published in provincial publications two months before the elections. During the next term, the zemstvo assemblies considered applications for amendments to the list. After the final version of the list was adopted, the names of the candidates were announced publicly, which served as part of the official procedure for holding elections. The status of elected justice of the peace was granted to those candidates who received the largest number of votes. Judicial practice gradually formed as an autonomous and specific branch of administrative activity, which necessitated the revision of the organizational and legal procedures for selecting candidates for judicial positions and delegating relevant powers to them. To ensure the effective functioning of judicial institutions of general jurisdiction, such as district courts, court chambers, and the cassation senate, there was an urgent need for highly qualified and professional personnel. The solution to this problem largely depended on the implementation of qualifications detailed in the legislation (Prokopenko, 2016).

The position of a district court judge required candidates to meet a number of important criteria:

1. Physical (natural) conditions. Persons with certain physical disabilities, such as blindness, deafness, muteness, or loss of consciousness, could not serve as judges, as this contradicted the general prohibition on their admission to the civil service. The law also specified that only men were allowed to serve as judges. Although the law did not provide for a direct minimum age limit, reaching the age of 25 was considered necessary due to other requirements, such as education and experience in judicial practice.

2. Social conditions. Judges had to be subjects of their state and observe restrictions on the incompatibility of judicial office with other state or public services, participation in trade and industrial organizations, and credit institutions. In addition, almost all district court judges belonged to the Orthodox faith. Orthodoxy was only required for cases of crimes related to religion or the church, although this requirement was not universal.

3. Moral requirements. Candidates were required to have “moral integrity.” Persons

who were under investigation or convicted of crimes (regardless of pardon or amnesty), had lost their rank or status due to moral dishonesty, or had been expelled from noble or corporate societies by decisions of the respective estates could not hold judicial office. Moral virtues were key both for appointment to office and for the performance of judicial activities. Judges were subject to dismissal for shameful actions outside of service that violated the dignity of their status and undermined confidence in them.

4. Intellectual requirements. Candidates had to have a legal education or appropriate practical training. Although this requirement was not always strictly enshrined in legal statutes, persons without formal education could hold the position of judge, provided that they had practical experience in the field of justice. This compromise was due to the concerns of the reformers about the insufficient number of professionals with a legal education to fill judicial vacancies.

Thus, each judge had to meet the stated physical, social, moral and intellectual requirements in order to ensure the proper administration of justice and maintain high standards of this profession.

The judicial statutes and the new judicial system attracted considerable attention and aroused interest among young people. Law faculties of universities at this time were crowded. In particular, in the late 60s and early 70s of the 19th centuries, the majority of university students were future lawyers. This allowed a significant increase in the number of young professionals with a legal education who began to work in the judicial system. As a result, the number of professional judges increased significantly in a relatively short period of time (Shandra, 2013). By the 1880s, the proportion of judges with a higher legal education was 83% in district courts and 97% in chambers. The court statutes introduced new rules for the appointment of judges to the general courts in order to ensure their independence and increase the professionalism of the judicial system. This led to a reduction in the practice of elections as a method of appointment to the position of judge, and instead the mechanism of direct appointment became widespread, and mandatory requirements for higher legal education were introduced for work in the crown courts.

Reforming the organizational and legal mechanism for selecting candidates for the judicial corps and determining the legal status of judges laid the foundation for the institutionalization of the judicial service as a special type of civil service. The statutes clearly divided responsibilities between different officials, which made it possible to more clearly define the professional requirements for each employee depending on his functions (Prokopenko, 2016). This created favorable conditions for the formation of a judicial community, increased the level of professionalism of judicial system employees, and improved their social status.

The legal position and independent status of judges provided them with a worthy place in society and brought moral satisfaction. The judge received a special incentive to perform his duties fairly and responsibly. It is worth noting that in the 1860s and 1870s, university graduates – young lawyers educated in the era of reforms and social uplift, when educational institutions were centers of progressive thought and freedom – entered the judicial service.

The main conditions that ensured judges' independence, impartiality, and objectivity, as well as meeting high standards of judicial service, were the principle of irremovability of judges and their proper financial support (Kravchuk, 2016). A judge could be transferred to another position only with his or her own consent, and he or she could be removed from office only by a court decision. Dismissal of judges without their decision was carried out only by the body that appointed them to the position, and exclusively on the basis of a court verdict in cases of crimes or offenses stipulated by law.

One of the key factors in the independence of judges was high wages. The court statutes provided for quite significant annual salaries for judicial employees of the district

court: the chairman received 4,500 rubles, the deputy chairman - 3,500 rubles, and the judge - 2,200 rubles. per year. The Ministry of Justice paid considerable attention to the material support of judges and periodically initiated its increase. The competence of the ministry included all issues related to the financing of the judicial system, from the allocation of funds for the arrangement of premises to the payment of salaries to judges.

Specialized studies devoted to the implementation of judicial reform have covered in detail the processes of providing courts with premises, their repair and maintenance. Despite certain achievements, during the years 1864–1917 it was not possible to bring the material and technical support of the courts to the proper level. Although the courts were provided with buildings, their technical condition remained unsatisfactory. General problems included a critical lack of space, inconvenient layout of premises, and unsatisfactory sanitary conditions for the operation of institutions.

Judges were entrusted with numerous duties, among which the central place was occupied by the administration of justice in accordance with the requirements of the law and compliance with the established rules of judicial procedure. They were required to fully comply with the norms of behavior, which was to ensure the high authority of the judiciary both in official relations and in everyday life (Obrusna, 2011). Along with general duties, judges were also entrusted with specific obligations, which had the following aspects:

1. Oath as a mandatory element of their appointment.
2. Obligation to reside in the territory that fell within the jurisdiction of the relevant district court.
3. The right and at the same time the duty to verify the legality of the detention of persons in custody in institutions within their district. If violations are detected or there is no decision by the authorized bodies, the judge was to order the immediate release of such persons.
4. Reporting on financial transactions that went through the court.
5. Prohibition of holding other positions while performing judicial duties.

The proper performance of these tasks was monitored through a specially developed system of supervision, as well as the possibility of holding judges accountable for disciplinary, civil or criminal liability. At the same time, an important guarantor of their independence remained the provision according to which judges could not be dismissed or transferred to another position without their consent or personal request. Removal from office was allowed only within the framework of a judicial proceeding in cases of committing crimes or offenses provided for by current legislation. As for disciplinary measures, they were also implemented in a strictly regulated procedure. Judges could not be held accountable by a sole decision of the Minister of Justice. All issues of administrative violations were resolved at special disciplinary hearings, which were held at general meetings of all departments or divisions of the judicial body, under whose direct subordination the relevant judge was (Dragniewicz, 2021).

In the procedure of disciplinary liability, judges could initially be subject to only warnings, and since 1885, deductions from salaries could also be imposed, and they were imposed exclusively in court. Disciplinary proceedings against chairmen, their associates, and judges of district courts were conducted in the court chamber. Criminal liability arose for actions specified in the relevant provision on punishment. They could be both general, which were considered in the general procedure, and official, the proceedings in which were carried out in a special procedure. Civil liability arose for judges for unqualified actions. A judge was subject to civil liability only if his actions were malicious and motivated by selfish or personal motives, as well as if he misinterpreted a clearly stated law [Dragniewicz, 2021]. Characterizing these guarantees, some contemporaries considered them not just high, but even excessive, stemming from a misunderstanding (absolutization) of judicial

independence, that is, they argued that the responsibility of judges was practically absent.

The law established the jurisdiction of cases to the district court on a residual principle. Thus, in civil cases, its competence was defined as follows: all claims that were not under the jurisdiction of other courts (the county court, the village assembly court, the consistory court, the peace court, commercial courts, the judicial chamber and the Senate) were within the competence of the district courts.

In fact, the following categories of civil cases were subject to the jurisdiction of the district courts:

- 1) real and mixed claims about real estate;
- 2) disputes about exclusive rights;
- 3) claims about personal rights arising from marital and family relations;
- 4) claims for the approval or invalidation of wills;
- 5) claims for the dissolution and invalidity of schismatic marriages;

6) all other claims exceeding the competence of the peace courts or courts replacing them and not assigned to the department of special courts or mixed commissions of district courts (Garyaga, 2024).

Civil cases were considered by the district court in a composition of three crown judges. The jurisdiction of the district court over criminal cases was also established. As a general rule, it was subject to cases exceeding the competence of the peace court, but not within the competence of the judicial chamber. Cases on crimes for which the criminal law did not provide for a punishment associated with the loss of rights were considered by the crown court in the number of three judges. As a result, cases in district courts without the participation of jurors were distributed according to the types of crimes: crimes against public order, crimes against administrative order, official crimes, crimes against the life, health, freedom and honor of private individuals, and violations of the statutes of state departments.

To consider criminal cases that entailed the deprivation of all or all special rights of the estate, jurors joined the crown court of the district court. They had to independently, separately from the crown court, render a verdict concerning the issues of fact and the guilt of the defendant. In the jury court, only two categories of cases (crimes against the property of citizens and their life, health, freedom and honor) accounted for the majority of the total number of cases they considered.

#### **4. Conclusions**

This research shows that the role of the Court has shifted from negative legislator to positive. The Judicial Statutes of 1864 became a key element of the judicial reform carried out within the Russian Empire. This reform was aimed at transforming the general imperial legislation in the field of judicial proceedings and is considered one of the most successful and consistent among the reforms carried out by the tsarist authorities in the 1860s and 1870s. Compared with the pre-reform judicial system, the new system had obvious advantages, because the introduced institutions, together with democratic innovations, created an effective basis for the judicial system and procedural law. The reform met the requirements of the time and social demands, because the old system was archaic and required fundamental changes.

In the period before the reform, the judicial system was characterized by the presence of numerous instances with unclear boundaries of jurisdiction. Magistrates, town halls, courthouses, estate courts followed different procedures, which significantly complicated the appeal to the court and undermined the protection of the rights and legitimate interests of citizens.

Thanks to the reform, an independent and permanent body of judges was created, and the institute of the bar was also founded with important tasks of protecting human rights. The introduction of the principle of transparency of judicial proceedings aroused considerable interest in court sessions among different segments of the population. The courtrooms were often filled with representatives of the nobility, merchants and peasants, which became a common practice. The institute of jurors received a particularly positive response in society. The verdicts announced with their participation were actively discussed in public circles and caused a significant public resonance.

The formation of the judicial corps during the reform of 1864 is an important and systematic process of providing the judiciary with competent personnel, which was based on legal mechanisms for the acquisition and termination of powers by judges. This process was characterized by a phased nature and was inextricably linked with the analysis of the state of formation of the judicial corps in the pre-reform period. It was accompanied by an awareness of the need for changes on the part of both state institutions and society as a whole, the development of projects and theoretical concepts, their further discussion, the development of regulatory acts enshrined in judicial statutes, as well as systematic monitoring of their implementation in practice. The scientific novelty of this study lies in the implementation of a thorough analysis of the features of the staffing of judicial institutions in the context of the judicial reform of 1864. Special emphasis is placed on innovations in personnel policy, the integration of new principles of judicial proceedings and their impact on the development of the legal system of that period. A detailed examination of this historical stage allows us to more deeply understand the basis for the formation of the modern judicial system, as well as to assess the significance of reform processes for establishing the principles of justice and law and order. A promising direction for further scientific research is seen as understanding the experience of judicial and legal transformations of the second half of the 19th century with the aim of adapting it to modernize the modern judicial system.

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