

Jelena Čanović*

THE INTERVENING EFFECT OF A FINAL JUDGMENT

Summary

The subject of this paper is the procedural law institute created by the theory of civil procedure, which is, concerning the existing substantive legal situations, recognized in the practice of the courts, and finally regulated by the Law on Civil Procedure which came into force in 2011, as well. The intervening effect of a final judgment rendered between the original parties in the previous litigation has a special effect in the latter litigation - a new litigation between the party from the previous litigation and a third party (which can be an intervener, but also a third party informed about the litigation, as well as named predecessor). Thus, as a specific effect of the judgement, it has numerous characteristics, so the paper analyses issues concerning the essence, subjective and objective limits of the intervention effect, the conditions under which it occurs, as well as the conditions for the success of the objection which prevents that effect.

Key words: *intervener, intervention effect of judgment, subjective and objective limits, objection (exceptio male gesti processus).*

* Assistant, Faculty of Law, University of Kragujevac.