



Arancel judicial: paliativo del padecimiento presupuestal de la rama judicial frente al principio de gratuidad de la justicia [

2014

text (article)

Analítica

Making a legal, jurisprudential and doctrinal revision with respect to the judicial tariff in Colombia, it can be found meritorious discussions that are related to the opposed principle of free justice and to the affable solution of the budgetary conditions of the judicial branch, through the payment of a fee. Although each professional in this field, speaker and legislator, gives great importance to each of their arguments, it is no less true that each one prevents about the vacuum that leaves focusing on its importance on one side of the scale and not on the other, that is, while some of them preach the principle of free justice and the right to access to it warning about the exceptions that the same law establishes, others give more importance to the need of the judicial tariff as a palliative for the budget crisis and do not hesitate to observe the exceptions to which are subjected those, that if being subjected to the tariff, cannot access to justice, for example under cover of poverty. Below there is a brief about what is, what has been and what will be the judicial tariff in Colombia; the changes that are convenient and which are not to purge the economic crisis of the judicial branch; the relevant exceptions with their respective explanations and the relevant foreign jurisprudence, as a model to be followed according to the excellent results in each of the countries studied

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Editorial: 2014

Tipo Audiovisual: arancel judicial gratuidad de la justicia padecimiento presupuestal judicial tariff justice gratuity budget condition tarifa judicial gratuidade da justiça padecimento orçamentário

Documento fuente: Derecho Público, ISSN 1909-7778, N°. 33, 2014

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Lengua: Spanish

Enlace a fuente de información: Derecho Público, ISSN 1909-7778, N°. 33, 2014

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