

# **R E C E N Z I A**

**by Prof. Dr. Petar Georgiev Bonchovski,**

*IDP-BAS, member of the Scientific Jury, appointed by Order  
No. 3- RF -283 of 02.07.2024 of the Rector of the New Bulgarian  
University*

In connection with an open procedure for the defense of a dissertation work for the acquisition of the educational and scientific degree "doctor" of Maria Georgieva Glushkova, a doctoral student of independent training at the NBU on the doctoral program "Civil Process", in the professional direction sh.

3.6. Right

on the subject:

**"Preparation and presentation of distribution according to  
the Code of Civil Procedure"**

*Academic supervisor: Prof. Dun Todor Kolarov*

## **1. The procedure**

**1.1.** There are no violations of the requirements of the legislation: the relevant provisions of the RASRB, the Regulations for the implementation of the RASRB and the Ordinance on the development of the academic staff of the NBU.

**1.2.** The doctoral student was dismissed with the right of defense by decision of the Faculty Council at the Master's Faculty.

**1.3.** According to the requirement of the Ordinance of the NBU, publications in scientific publications are not required. An abstract has been submitted in accordance with the provisions of Art. 13, para. 2, item 3 of the Ordinance of the NBU.

**1.4.** They are not known to me and I find no evidence of plagiarism. The doctoral student has attached a declaration of originality.

## **2. About the dissertation**

**2.1.** I do not know the doctoral student and have no personal impressions.

**2.2.** According to the presented biographical data, the professional development of the doctoral student is closely related to her work as a bailiff. Practical professional realization is always a plus in studies for the acquisition of the scientific and educational degree doctor.

**2. 3.** From the presented text, there is no doubt that the doctoral student handles the details of the legislation in the researched legal area sufficiently freely and has the opportunity to present various practical hypotheses, incl. through analysis of judicial decisions and controversial practice.

### **3. Conceptual apparatus. Quotes**

**3.1.** Adequate legal linguistic apparatus is used in the dissertation. Terminology is generally used, consistent with generally accepted requirements.

**3.2.** Quotations are relevant and made in context. A sufficient (in view of the rarity of the analysis of distribution problems) scientific apparatus of 25 cited publications was used. The burden falls on national sources, which is understandable given the choice of topic and the approach to the study of the issues.

**3.3.** Case law is also appropriately used.

### **4. Fulfillment of the dissertation tasks.**

**4.1.** The study has a decidedly monographic character with a rather clearly defined theoretical center and a meaningful thread in the study of problems from different legal fields , which are intertwined in the complex process of drawing up the distribution.

It also has the advantage and disadvantage of being the first comprehensive study on the subject, which is of value in itself.

**4.2.** The volume is more than sufficient to accept the monographic value of the PhD project.

**4.3.** There are no extreme bright theoretical results, but the topic does not suggest such either. The research has a clearly expressed scientific and applied value, which, however, is of more than serious importance in the fair implementation of the state sanction and the provision of protection in the enforcement proceedings of civil rights in a broad sense.

**4.4.** The dissertation student has set herself the goal of a complete and complex study of the practical problems that arise when preparing and presenting the distribution. They are formulated precisely and in detail, their reasons are analyzed and, in general, appropriate solutions are proposed.

**4.5.** The analysis of the current state of legislation and practice is also informative and accurate. This analysis is a mandatory starting point for the future development of the system.

**4.6.** I believe that, with these stipulations, the research has been adequately conducted, a number of fully relevant hypotheses have been developed and their various specifics have been analyzed in detail from a practical point of view. I welcome the fact that, on controversial issues, a dissertation writer does not hesitate to express his position.

**4.7.** The sentences de lege ferenda are acceptable where an attempt has been made to rationally balance the interests of private entities and society. A very positive point is the categorical placing of the interests of debtors and creditors over those of private bailiffs.

**4.8.** The report of the scientific supervisor, Prof. Dun T. Kolarov, has a markedly positive assessment.

## **5. Notes**

**5.1.** I have reservations on a principled level about some points. These remarks are not capable of leading to a negative evaluation. Anyway, the specific questions are very debatable, so I won't go into them. If the doctoral student wishes, there is no obstacle for discussion and taking into account the possible publication of the research.

**5.2.** The author has a tendency to get into a lot of completely technical details and not distinguish between legislative issues and the daily situation in the work of the PSI. This, among other things, makes the work very difficult to read. Chapter two is completely redundant because it does not provide any useful information in the context of the formulation of the topic and the research tasks.

**5.3.** Just for the sake of completeness, given the wording of the topic, a study should also have been made of the distribution under the Merchant Shipping Code, which distribution contains

significant features and has a lot of practice among bailiffs in sea and river ports.

**5.4.** There is no clear opinion on one key issue in relation to the provision of Art. 133 of the Civil Code - which bailiff should prepare and present the distribution in several enforcement proceedings aimed at the patrimony of the same debtor, in which case the meaning of this provision should be observed. Hence the question of the appropriateness of the parceling of the territorial competence of the bailiffs under modern conditions.

## **6. Conclusion**

Taking into account the above, I believe that the dissertation work, in accordance with the requirements of the Law on the Development of the Academic Staff in the Republic of Bulgaria, testifies to sufficient theoretical knowledge of the candidate in the relevant scientific specialty, sufficient ability for independent scientific research and their transformation into a text that meets the requirements of scientific work according to modern standards.

I generally find the suggestions *de lege ferenda* for relevant. Therefore, the dissertation project has the necessary qualities and scientific merits of a doctoral dissertation for the acquisition of the educational and scientific degree "doctor".

*The findings made are grounds for making a positive assessment of the presented project and voting "for" the acquisition*

*by Maria Georgieva Glushkova of the educational and scientific  
degree "doctor" in the doctoral program "Civil Process", in the  
professional field 3.6. Right.*

.....

*/ Assoc. Dr. P. Bonchovski/*