

Jens Bormann and Philip M. Bender

Judge Without Lawsuit

The Notary in Civil Law Countries




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Jens Bormann and Philip M. Bender

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Jens Bormann (Editor) and Philip M. Bender (Author)

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Explainer



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Foreword

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Civil law notaries play a central role in the preventive administration of justice and the implementation of the rule of law in the digital age. At the same time, we feel that people know very little about them. This is generally true for those outside the notarial sphere, but it particularly applies to representatives from the common law world, where notaries, as understood in the civil law context, do not exist. However, our profession depends on being understood. Otherwise, national policy makers or international experts – be it from the World Bank or the OECD – will not appreciate the added value that a functioning system of preventive justice provides.

This is why we made this explainer a priority of the German Vice-Presidency for Europe within the International Union of Notaries (UINL). It is written for the curious reader who just wants to acquire some fun facts about our profession, for the common law jurist interested in exchange, for policy makers and experts who have to draft regulation in notarial matters, and for our colleagues from all around the world who wish to reflect on their daily business.

Berlin, September 2024

Jens Bormann
Philip M. Bender

The editor **Jens Bormann**, Ph.D. (Albert Ludwig University of Freiburg), LL.M. (Harvard), is a Notary in Ratingen and Visiting Professor at the Leibniz University of Hannover. He currently acts as UINL Vice-President for Europe and as President of the German Federal Chamber of Notaries.

The author **Philip M. Bender**, Ph.D. (Ludwig Maximilian University of Munich), LL.M. (Yale), Maître en droit (Paris II / Panthéon-Assas), is a Notary Candidate in Bavaria. He currently works as a member of the directorate of the German Federal Chamber of Notaries.

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