1 REQUEST FOR STANDARDIZATION

Analysis of the pre-admissibility of the RS within the scope of the Federal Special Courts

PHASE: RS NOT HEARD

DEADLINE - filing a Request for Standardization of a law interpretation - Res.586/19 - art. 12, caput

Filing - Request for Standardization of a law interpretation against judgment of the Appeals Panel

- analyze timeliness
- timeliness? — no / yes
- analyze applicability — applicable? — no / yes
- analyze resource interest and standing — Has standing? Has interest in filing? — no / yes

Resol. 586/19 - art. 14, I

not to hear → Rendered on art. 14, I of the Res. n. 586/2019 NOT TO HEAR the filed RS

Legend of colors
- analysis of applicability
- Analysis of the general repercution at STF
- Analysis of the Repetitive Appeals at STJ
- Analysis of the Controversial Representative Resources at TNU
- Analysis of the formal requirements of the appeal
- If all the requirements meet, the resource is admitted

PHASE: SUSPENDED RS

To make the conformity judgment - Resol. 586/19 - article 14, II, III e IV

- verify whether there is a theme with or without general repercussion at STF
- Is There a Theme with or without general repercution at STF? — yes / no
- analyze whether there has already been judgment of the Theme
- Has the existence or not of general repercussion already been judged? — yes / no
- verify whether the judgment has already become (final and) unappealable
- analyze wheter the Appelate Decision is in accordance with the Theme's thesis
- The General Repercution Thesis became (final and) unappealable? — no / yes
- suspend RS

Resol. 586/19 - art. 14, II

Rendered on art. 14, II of the Res. n. 586/2019 TO HEAR AND SUSPEND the filed RS

- verify whether there is a theme in Repetitive Appeals at STJ
- Is there a theme in Repetitive Appeals at STJ? — no / yes
- Is the Appelate Decision in accordance with the Theme's thesis? — yes / no

PHASE: NOT ENTERTAINED RS

Is there thema affected by Controversial Representative Resources at TNU?

- verify wheter there is a thema affected by Controversial Representative Resources at TNU — no / yes

Resol. 586/19 - art. 14, III

- do not entertain RS → Rendered on art. 14, III of the Res. n. 586/2019 TO HEAR AND NOT ENTERTAIN the filed RS

PHASE: RS GRANTED TO REVOKE DECISION

Resol. 586/19 - art. 14, IV

- send the case to the court of jurisdiction for revocation of the decision → Rendered on art. 14, IV of the Res n. 586/2019 NOT TO HEAR AND SEND FOR REVOCATION

PHASE: NOT ACCEPTED RS

Analysis of the formal requirements of the appeal

not accept the RS → Rendered on art. 14, V, of the Res n. 586/2019 TO HEAR AND NO ACCEPT the filed RS

- verify whether indicates a valid precedent compared for purposes of uniformization (paradigm decisi) — Does the appeal indicates a valid and identified precedent compared for purposes of uniformization? — no / yes
- verify whether the precedent compared for purposes was joined in the judicial process — Do they join the total copy of the paradigm? — no / yes
- verify whether it shows the facts similarity through an analytical comparison of the judgments — Does it show the similarity of the facts through an analytical comparison of the judgments? — no / yes
- verify whether the RS's analysis demands a re-examination of the matter of fact — Does RS's analysis demand a re-examination of the matter of fact? — no / yes
- verify whether the RS deals with procedural matters — Does the RS deal with procedural matters? — no / yes
- verify whether the appeal's brief contests all the decision's basis — Is the the appeal's brief contests all the decision's basis? — no / yes
- verify whether there is a majority opinion at STF, STJ or TNU? — Does exist a majority opinion at STF, STJ or TNU? — no / yes

PHASE: ACCEPTED RS

- verify whether all the requirements meet — Are all the requirements meet? — no / yes
- ACCEPT THE RS → Rendered on art. 14, VI, of the Res n. 586/2019 TO HEAR the RS and ACCEPT

Resol. 586/19 - art. 14, VI

Powered by bizagi Modeler