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THEORETICAL AND PRACTICAL PROBLEMS OF IDENTIFYING THE PERSONS INVOLVED IN CASES OF CHANGING OF CIVIL CAPACITY OF AN INDIVIDUAL

The article analyzes the legal provisions and investigates the theoretical views on the determining the circle of persons involved in cases of diminished capacity of individual and recognizing incapacity by the court. The characteristics of the individual applicant for special proceedings, as well as involving other interested individuals in the cases related to the mentioned category were analyzed. The author notes a legal interest in the result of trial as the main factor for identification of the parties involved in the case. Therefore, to decide on the further proceedings of the claim, the court is obliged to clearly establish the subject of judicial protection, objective point of the stated claims and legal rela-

tions between the stated claim and the claimant.

Besides that, the involvement of other individuals in cases of the category was analyzed. The matter of determining the main features of other involved individuals is reviewed. The author concludes that the other person involved in the special proceedings also has a legal interest (personal, state or public) in a result of the case. In the result of the study, the author proves the necessity of consideration of this category of cases for the person against whom the statement is considered, and the prosecutor who gives a conclusion on the legality of incapacitation of an individual or admitting incapacity of individual.

