Irakli Leonidze

Student of Master's Degree Program of Law
Tbilisi State University

Notary Mediator at the Cross-Junction of Public and Private Law Systems

Abstract

The Article discusses certain aspects of the status and other professional activities of a notary mediator as a possibilities of being considered a public service servant and than the improvement the status of a notary mediator. The research issues are focused on the study and examination of the results of the process expressed during the development of a certain legal institution and legal systems.

Key Words: *Public Servant, Notary, Notary Mediator, Professional Activity, Career Development.*

Introduction

In Georgia, legal institutions are characterized by problematic development challenges. It is true that the codification of legislative acts has developed the basic framework for the regulation of legal institutions, where the legislator has considered and established the basic rules of regulation, but fulfillment of obligations under the EU Association Agreement is a new stage in refining the functioning of legal institutions and improving effectiveness of the existing forms.

After the adoption of the Law of Georgia on Mediation, one of the problematic challenges of mediation law is the systematization of alternative dispute resolution forms established before the adoption of this law (Dingle, Kelbie, 2013: 14-15). The issue of defining the status of a notary-mediator echoes the purpose of establishing possible and inadmissible legal definitions, including the normative provision of the Law of Georgia on Public Service, which may be used for the benefit of the notary mediation institute and in response to citizens' legal interests, particularly, in the process of inheritance proceedings or participation of a notary in the land registration (Gassen, 2011: 1-2).

A person exercising legal authority creates certain notions for the definition of notary-mediator status.[1] The attraction of the notary-mediator at the junction of systems to the public powers should be balanced primarily by informing and generating the aspects of public and private law of mediation (Gnoffo, 1997: 1068). The possibility of changing the current legislative regulation involves the differentiation of different means of interpretation. For example, a notary involved in a land registration may perform not only mediator but public functions depending on geographic jurisdiction (Padilla, 2020:6).

---

[1] Notaries of Europe (2017-2018). Mediation for Notaries – Notaries for Mediation – Practical Guide. Retrieved September 4, 2021 from http://www.notaries-of-europe.eu/files/publications/guide-m%C3%A9diation-en-min.pdf

It is necessary to study the starting point that hinders the thematic definition of the status of a notary-mediator (which is to be considered a public servicer in future), specifically, a public servant, and to characterize the status of a notary-mediator with a value equal to the status of a notary. In particular, the question of whether it is acceptable to extend the application of the Law of Georgia on Public Service to a notary mediator is to be assessed.

The aim of the research is to form a rational opinion on the definition of notary-mediator status and further changes. The research uses Georgian and German legislative regulatory form as a common basis for Latin notary (Gogoladze, 2016:34-35) and then as a norm of notary law of similar nature. The main part makes recommendations and discusses the characteristic aspects of the German model. The final part assesses the issues raised within the research topics.

Research Methodology

The study uses comparative, analytical, normative and dogmatic methods. The normative method selected to characterize the current legal regulation of notarial mediation presents the legal regulation of the status and activity of a notary mediator. By using the comparative method, the Georgian legislative regulation is evaluated in the comparative aspect of the German regulation system, while by using the dogmatic and analytical method, the opinions expressed in the legal literature, their substantiation and the issue of the need for legislative change are discussed.

Research Results

Notary Mediator in Georgian Law

The status of a notary mediator is regulated by notarial legal acts.[2] The status of notary defined by profession is a main component, on the basis of which the powers, i.e. possibility, and not the necessity of carrying out notarial mediation was determined.

The scope of regulation of the Law of Georgia on Public Service and the legislative form should be considered, which creates a positive acceptance regarding the issue of establishing unambiguous criteria for cooperation or separation with other legal institutions.

Today, the Law of Georgia on Civil Service is a model illustration and systematically effective institution of state and law development / harmonization. The fact that a notary is not a public servant is a kind of opposite of the reality that existed before the period of independence of the state. In the Soviet era, the notary and the "ancestor" of the public servant were separated from the very beginning within the framework of a single regulation - obtaining state budget funding (Gogoladze, 2019: 20), although the mechanism of self-regulation of the institute was not developed at the legislative level.

Harmonization of the status of a notary-mediator remains one of the current challenges. Unfortunately, the lack of interest of citizens in notarial mediation has slowed down the development of the status of notary-mediator over time and has become so vague that the issue of the need to develop notary mediation is no longer on the agenda. Also, the underdevelopment of the Law of Georgia on Mediation on Compulsory and Voluntary Forms of

[2] Order №71 of Minister of Justice of Georgia on approving instruction for Rules of Performing Notary Activities, Article 99, 2010.

Notarial Mediation has established a narrow strategy for the future development of notarial mediation, which includes different qualification requirements of the mediator and the notary-mediator. It is crucial that the mediation be developed by introducing and ameliorating its different forms. Institutional differences in this regard may be beneficial, although the risks that the individual forms nurtured as a result of this process will deviate from the classical understanding of mediation are still a topical issue.

After gaining independence, the profession of notary has returned to the beginning of Latin notary (Shengelia, 2012: 394), which has not allowed to consider it as a public servant at legislative level. Despite the differences of opinion, the legal literature does not deny the purpose of mutual exclusion. However, while the legislator grants a notary an authority (Tsertsvadze, 2013: 68-69) which is not a notarial but a typical example of alternative dispute resolution, then question arises: could one discuss possibility of notary-mediator becoming a public servant? Notary-mediator status can be obtained after the notary meets the relevant qualification requirements. As a result, notary is assigned status of notary-mediator in the electronic description of notary search engine on the official webpage of the Notary Chamber. The legal basis of the notary status then forms notary-legal form of regulating the status of notary-mediator.

For example, if the status of the notary is terminated or suspended, they will not be able to carry out the notarial and notarial-mediation activities. However, when the notary-mediator status is terminated, the notary can carry out the notarial activity without any obstacles. It means that notary status is the main status defined by a professional mark, and the status of a notary-mediator is the possibility of granting / obtaining it, including perhaps the issue of career advancement, delegation of authority and an additional component of core status (Macmillan, 2016: 13).

A notary is not a public servant, and a notary-mediator is primarily a notary, as notarial mediation is performed by certified notaries. Accordingly, a notary-mediator should not be a public servant, although there are different methods of interpreting a rule of law. Empowerment of notarial mediation, as one of the alternative means of dispute resolution, should form the specificity of the authority / status subsequently granted and not a form of unconditional resemblance directly to the main status. In this respect, the German model is interesting, where the redistribution of the state arrangement forms the peculiarities of the diversity of status in separate territories. It should be noted that the issue of considering a notary-mediator a public servant is primarily a matter of basic notary status. An equal definition of these two statuses of a notary and a notary-mediator is necessary not only to ensure the systemic development of the field of mediation, but also for notarial law.

There is a difference of opinion in the legal literature on the following issue: Is the status of a notary- mediator a regular component of a notary's career advancement and an opportunity to be empowered on a professional basis or a responsible delegation of authority? In order to follow the principles of notarial mediation and to carry out one of the alternative forms of dispute resolution, as an opportunity to establish an independent status based on the status of a notary and not the need to implement it.

The basis of each opinion is again the current legislative version of the activities of the notary mediator. It is difficult to talk about the unconditional nature of the exclusion of certain marks of notary and notary mediator status, when the issue of the relation between the notary and notary mediator status still raises questions about the form of activities of the legal institution. It is unfortunate that not so high referral to notary-mediation limits the knowledge of this matter to scarce statistical data.

It is interested to consider reservation of subclause R of Clause 1 of Article 4 of Law of Georgia on Public Service. This law does not apply to: legal entity of public law – Notary Chamber of Georgia, except for service of its office.[3] Considering that the Notary Chamber of Georgia granted a notary status of notary-mediator in 2012, one could argue that the scope of application of this reservation to notary-mediator activities does not lead to unconditional basis of mutual exclusion of entities with status granted on the basis of profession. Including when Article 4, Paragraph 9 of the Law of Georgia on Notaries imposes a reciprocal reservation.[4] It is noteworthy that the means of alternative dispute resolution in the state are developing day by day. In 2019, the Law of Georgia on Mediation was adopted,[5] legal types of mediation were defined and amendments were made to the Civil Procedure Code of Georgia. The introduction of mediation did not take place on the basis of drafting a joint act regulating its various forms, therefore, until 2019, in 2012, notaries were given the opportunity to obtain the status of a notary-mediator and carry out their activities at the legislative level. With the adoption of the Law of Georgia on Mediation, this function was officially established as an integral part of the notary status. The question posed in the research process is interesting insofar as the legal issue of considering a notary-mediator a public servant is hindered.

The implementation of notarial mediation requires the observance of the principles of notarial mediation. Therefore, the implementation of notarial mediation is a notarial activity in general, but not in a narrow sense. Notarial mediation can be considered an independent and principle-separated activity, which is granted the status of notarial activity due to the essence of the legislative norms. Notarial activities, the implementation of notarial mediation and public service, in particular the status of a public servant in the spectrum of activities, show an interesting acceptance of professionally defined activities, although the existing form of legislation provides a firmly defined different data. Notation of the form of activity of a notary mediator can be established within the framework of the Law of Georgia on Public Service. A civil servant is a public servant performing a public service, later a person performing one of the branches / services of state activity.

In this structure, a natural person holding the status of a notary is not considered a public servant, primarily on the basis of the relevant reservation in Article 4. Under the influence of a well-established structure, the status of a notary mediator is revoked by the reservation of Article 4, part 1 (r) in the general space of a civil servant. By applying the Law of Georgia on Civil Service to the Board of the Notary Chamber, the legislature maintained the connection of the civil service with the notary sphere and, within the framework of this law, set a precedent by considering that the issue of legal separation of members of a legal entity under public law is not an unconditional, negative form of separation of institution and status. Hypothetical reservation on the application of the Law of Georgia on Public Service to notary mediators will be interesting in that this reservation will strengthen the status of the notary mediator and ensure the effectiveness of the development of alternative dispute resolution. Despite the positive outlook, there is a danger that any interference with the status of a notary will become a precondition for further imposition of budgetary-financial, legal or social restrictions (Turava, 2016: 12-13). Therefore, the legal institution of notarial mediation, found and regulated in the face of the dilemma of differences of opinion, is suppressed by the influence of the notary status imperative. Hypothetical public purposes of remuneration of notary-mediator activities is radically separate from the effective financing rule; therefore, the changes into rules of financing will have only negative and not positive impact.

---

[3] Georgian Law on Public Service, Article 4, 2015.

[4] Georgian Law on Notary, Article 4, Clause 9, 2009.

[5] Georgian Law on Mediation, Article 1, 2019.

Legal Framework of Regulating Notary Mediator Status on the Basis of Notary and Challenges in Considering Notary a Public Servant

Notarial mediation was established on the legal basis of Georgian notary. The status of the notary mediator and the form of activity were clearly related to the status of the notary. The form of legislative regulation of notaries and public servants has shown that these two statuses see the issue of the effective functioning of a legal institution at this stage in the existence of a direct boundary between them, which does not mean abandoning state control or introducing a new standard of institutional independence.[6] The history of notaries in respect of the legal form of activity in the Georgian reality establishes the right to operate as a legal entity under public law.

For the issue of effective functioning of legal institutions, it is vital that the authorized person implementing this institution take / develop all the necessary means to ensure the functioning of his / her status and carry out his / her activities without hindrance. The Law of Georgia on Civil Service creates: a positive social-legal background, a cooperative form of regulation, the basis for further stability and harmonization, for which the Civil Service Bureau takes care that this achievement is appropriated and implemented in accordance with the law. It is true that there are problems, stereotypes or other radical views (Shengelia, 2015: 357), but this should not hinder the relationship of status-based professional officials, even temporarily - as part of a separate reform. It should be noted that the issue of considering a notary public a public servant is mostly complicated not by the notary mediation component, but by the opinions related to the notary status (Sukhitashvili, 2012: 13-14). The hypothetical possibility posed within the research topic is mainly perceived as interference and a radical form of indirect regulation.

The history of the introduction of alternative dispute resolution in Georgia counts decades. During this time, separate forms of alternative dispute resolution were established on the legal basis of various legal institutions or in the form of independent self-regulation, and from 2019, with the adoption of the Law of Georgia on Mediation, the scope of this law and other forms of mediation were separated.

Today, maintaining and encouraging the viability of the legal institution of mediation is on the agenda of mutual cooperation. The working format implies the improvement of the existing regulation. The search for alternative human rights remedies has been linked to the problem of judicial overload, which has been highlighted over the years by the need for and importance of alternative dispute resolution.

Notarial mediation is not a necessary component of the implementation of activities defined at the legislative level, but rather represents accepting and granting it, and promoting, developing, and structuring such opportunity is a great development for notaries. However, questions about status, responsibility and remuneration arise, which is related to concept of professional activity – defining notary-mediator as a public servant (Bondy, Doyle, 2011:12).

Therefore, the delay in the development of notarial mediation has led to a lack of interest on the part of citizens and the state. In some cases, certain opinions have been expressed about the abolition of notarial mediation. We consider that the abolition of notarial mediation is not an end in itself to determine the results to be achieved in the future. It is important to revise the existing form under the existing status of notary and by harmonizing principles of one of the forms of alternative dispute resolution and status of implementing entity at the legislative level (Milton G. Valera, 1999:953-954). That is why a notary mediator at the junction of public and private law

---

[6] Compare: Decision №1/1/107 dated January 25, 2000, of Constitutional Court of Georgia, Paragraph III.

systems is considered not a mediator but a person carrying out notarial activities, which poses a threat of overlapping the principles of mediation with the principles of notarial law.

German Model for Regulating the Status and Activities of a Notary Mediator

The federal arrangement of the German state and the system of separation of powers form a multifunctional platform for the relationship between public administration and notarial activities. Notary status and form of activity can be discerned by general state requirements and narrow requirements for decentralization of territories (lands). Passing the state exam is an essential component of an interested person's desire to become a notary.[7] Notaries mainly carry out notarial activities in their own offices, on a self-financing basis, although the Baden-Württemberg land is known for a notary being employed in this area receives remuneration from the state budget. Consequently, the quantitative distribution of notaries throughout the state varies according to the population density. The first paragraph of the German Law on Notaries defines a notary as an authorized person holding public power, who is appointed to perform tasks in the field of legal aid.

The status of a notary is determined in accordance with the requirements of German law within the legal framework of competence and authority - with a reservation accompanying the content of the notarial activity and not a priority. Therefore, the implementation of mediation by a notary in a broad sense, is the conduct of notarial mediation by a mediator in compliance with the principles of notarial mediation. A notary is not considered a person with a basic status who performs the notarial function, but is considered a notary mediator operating in the field of official activity. In this case, the primary task of the notary mediator is to ensure the principles of notarial mediation, which does not imply the possibility of violating the norm or basic principles of notarial law. It is interesting to change the status of the lawyer, the lawyer-representative in the mediation process and the notary within the framework of separate proceedings.

Transformation of notary status into a category with the professional discern of mediator status does not lead to a conflict of interest on the issue of impartiality towards the parties.[8] The basis for the existence of different spheres of notary activity is the basis for the various structures of the subsequent transformation of notary status. In the mediation process, the notary can, as a notary-attorney, provide advice / consultation within the professional status of an objective advisor or mediator outside the profession and within the professional status. It is noteworthy that the introduction of mediation into German legal reality has gone through a certain history of terminological formation in terms of understanding notarial mediation. For example, mediation was differentiated as an independent process of notarial mediation, as well as a legal element included / attached at the stage of performing the notarial function.[9]

---

7 Federal Code for Notaries (2017). The National Rules and Regulations for German Notaries. ["Bundesnotarordnung" (BNotO)]. Retrieved August 12, 2021 from http://www.gesetze-im-internet.de/englisch_bnoto/index.html Par. 1.

8 Lawyers in Germany. (2019). Notary Services in Germany, Retrieved August 12, 2021 from https://www.lawyersgermany.com/notary-services-in-germany

9 National Notary Association. (2011). Why Notarization Is More Relevant and Vital Than Ever. p. 4-5. Retrieved September 4, 2021 from https://www.nationalnotary.org/file%20library/nna/knowledge%20center/special%20reports/white_paper_importance_of_notarization.pdf

Finally, the flexible notary status mechanism linked the issue of notarial mediation to the will of notaries and the possibility of changing positions. In this regard, the notary can also be considered a public servant, taking into account the notarial function of each specific example.

To better understand the issue, let us give a hypothetical example: a citizen referred to a notary of one of the German cities regarding the issue of inheritance proceedings, requesting the issuance of an inheritance certificate. [10] The notary found that the address of the citizen and the address of the inheritance are different addresses, while the citizen confirms the identity of himself and the address of the inheritance. The citizen also has a dispute with another legal heir over the acquisition of a share of the inheritance. In this case, the notary acts within the framework of the primacy of the notarial function, as a person holding public power - with the primacy of the notary, with the prospect of combining the status of an associated public servant and mediator. The transfer of such powers in Georgia turns out to be confusing and ambiguous, because in the Georgian socio-legal reality, it is not the lack of implementation of any activity, but the sharpness of the control mechanism, which exceeds the truth of establishing the norms of activity law. It should be noted that the legal basis for notarial mediation, which in its essence refers to the decentralization of acts defining the activities of a public authority in German reality: German Law on Notaries, directives adopted by the German government, Directorates of the Notary Chamber, German Land Authorities Recommendation of the Federal Notary Chamber.

The functioning of notarial mediation is based on the effective management of public order and openness of public administration in Germany, including the status of an EU member state, which sets a high standard of activity for German notaries. Especially noteworthy is the trust of state institutions in notaries when handing over a legislative package of powers. The components providing and stimulating notarial mediation are generated both under federal law and land regulation, including under EU directives and legislation, leaving the legal space open and transparent. There is a mechanism with several stages of elimination and prevention of problems related to the functioning of notarial activities, which is primarily reflected in the diversity of the legal basis for the implementation of notarial mediation.

With the fulfillment of the obligations under the Association Agreement and harmonization with the EU legislation, the issue of regulation of the status and activities of the notary mediator becomes urgent. Based on the study of the German legislative example, the national and general regulation of the status of a notary mediator is clear, however, in the Georgian reality, the development of the status of a notary mediator should not end only with the establishment and generation of a notary. In the Georgian reality, the views on the harmonization of the status of a notary mediator and the inadmissibility of being considered a public servant are problematic, but pining away over time. The lack of interest of the citizens puts the viability of the institute in question. It is desirable that the harmonization of the status of the institutions and authorized persons introduced in the process of fulfillment of the obligations under the Association Agreement coincide with the establishment of new legal institutions so that one does not exclude the other from the current legislation.

Conclusions and Recommendations

It is clear that over a period of time a class of status-shaped professional servant of legal institutions has formed, which had a heterogeneous legislative character of development and common social features. Also, the current political, social, cultural or other events in the state

[10] German Civil Code [BGB], Par. 925.

have filled the types of legal institutions / status-based professional employees with non-legal aspects (Kharitonashvili, 2019: 26-27). The notary is hindered from considering the issue of determining the status and form of activity of a mediator within the framework of the regulation of the Law of Georgia on Public Service, along with legal challenges, social prejudices and negative perceptions of individuals. Despite the challenges, the possibility of such a reservation is indicated by the extension of this law to the staff of the Board of the Notary Chamber of Georgia, but questions the probable possibility of specifying the status of a notary and notary mediator. In practical terms, there may be not two but one basic status - the primacy of a notary professional. As a recommendation, we can formulate the following mechanism for regulating the problematic challenge:

Regarding the means of alternative dispute resolution, it is desirable for the authorized persons to conduct a legal study on the effectiveness and functioning of mediation, notarial mediation and other legislative forms. To determine the legality of the existing forms and the possibilities of developing uniformity of the form of regulation. Based on the legislative research, determine the evaluation of the results of the research on alternative dispute resolution. To establish the conceptual compatibility of notarial mediation between them by forming a legal institution and taking into account the specific aspects of regulation.

Based on the Law of Georgia on Mediation, the Law of Georgia on Civil Service and the Legislative Regulation №71 of the Minister of Justice, it is desirable to develop clear and effective positions regulating the status and activities of a notary mediator. Especially with regard to the issue of harmonization of notary mediator status, which may be reflected in the planning of individual actions after the acquisition of status and the encouragement of the notarial mediation process (Schwachtgen, 2002: 5). Plan a new stage in the development of notarial mediation and processes of departmental competence. Notarial mediation and the current versions of the civil service legislation should be combined in the form of a specific reform (Kardava, 2019: 168-169), with a sharp starting point for cooperation. (Sukhitashvili, 2012: 13). For example, in a more compatible way, the issue of advising, consulting and assisting a citizen by a notary public and a municipal official within the framework of land registration reform should be encouraged, not for the same status, but to encourage cooperation . Including the presumption of being considered a public servant.

Quantitative indicators of the implementation of mandatory and voluntary forms of notarial mediation may be categorized in order to study statistical data, as the development of alternative dispute resolution tools is of constitutional importance. Therefore, in assessing the legal norms of regulatory and applicable law, the best interest worthy of protection for the parties involved in mediation should be identified.[11] The importance of notarial mediation in assessing complex legal issues is still overlooked, as citizens and authorities involved in notarial litigation have less preference for separate means of alternative dispute resolution. Such an attitude is directly proportional to the increase in the number of litigation and the problem of overload.

Notarial mediation has been functioning in Georgia since 2012. In 2019, the Law of Georgia on Mediation was adopted.[12] The enactment of the Law of Georgia on Civil Service on October 27, 2015, introduced a new meaning for the functioning of public administration and institutions in

---

[11] National Notary Association. (2021). The Enduring Benefits of Interstate Recognition of Notarial Act Laws. p. 6. Retrieved September 4, 2021 from https://www.nationalnotary.org/file%20library/nna/knowledge%20center/special%20reports/white_paper_importance_of_notarization.pdf

[12] Georgian Law on Mediation, Article 2, 2019

the legal space, which, within the framework of the obligations under the Association Agreement, implies the compatibility of national legislation with existing EU legislation.

Noteworthy are the legislative innovations, which with the intensity of regulation follow the challenges of the past experience. Various forms of professional cooperation often hamper legal institutions in general and authorized persons in a narrow sense. Inwardness of the activities of persons defined by professional mark, together with the experience of the epoch and after independence, is one of the main challenges (Sukhitashvili, 2012: 5-7).

Goals and Objectives of the Civil Service Bureau I think, in turn, aim to strengthen and bring closer the cooperation of the persons implementing the legal institutions defined by the professional background. The fulfillment of the obligations under the Association Agreement guarantees the legal clarity of the named issue.

The challenges related to the issue of notarial mediation turned out to be interesting, considering the study of both Georgian and German legal regulations. The research revealed different perceptions of trust and professional openness, including the sharpness of the need for a control mechanism in the Georgian reality. Especially the influence of the rule of state organization on the issue of determining the legal institution and status. Realizing the comprehensive nature of the research, I have developed certain features of the status and activities of a notary mediator in Georgian law as a precondition for inadmissibility (based on a comparative legal analysis of the German legislative form) as a public servant.

The issue of legislative perspectives and the formation of preconceived notions still considers notarial mediation in the Georgian reality a sub-component of notarial activities, while the rigidity of the status hinders the legal possibilities of thinking of it as a public servant.[13] Georgian legal reality, there are separate legal institutions in the field of legal aid based on the citizen's appeal, however, they do not yet have a clear basis for cooperation with each other on legal issues - in terms of status and activities in each case.

Bibliography

Law of Georgia on Notaries, 2009.
Law of Georgia on Public Service, 2015.
Law of Georgia on Mediation, 2019.
Minister of Justice of Georgia Order №71 "On Approval of Instructions for Notarial Act Performannce Procedure", 2010.
Ordinance of the Government of Georgia, Resolution №627, Civil Service Reform Concept, 2014.
Decision of the Constitutional Court of Georgia of 25 January 2000, №1/1/107.
Gogoladze, M., Mariamidze G. (2016). Notary Law. Tbilisi, Publisher: "World of Lawyers".
Gogoladze, M. (2019). From the History of Notary Development. Journal of Young Lawyers, Part One, Tbilisi, Young Lawyers Publication.
Sukhitashvili, D. (2012). Notary law. Tbilisi. Publishing House "Tbilisi".
Sukhitashvili, D. (2012). Jurisdiction of the Law Suit on Notary Act. *Journal of "Justice and Law"*, №3, Tbilisi, Publishers: The Supreme Court of Georgia and the Georgian Judges Association.
Turava, P. (2016). General Administrative Law. Tbilisi, Publishing House "Lawyers' World".
Kardava, E. (2019). *Sergo Jorbenadze 90*, Jubilee Collection. Tbilisi, Sulkhan-Saba Orbeliani University Press.

[13] Georgian Law on Notary, Article 2, 2009.

Shengelia, E. (2012). *Roman Shengelia 70*, Jubilee Collection: Problems of Law. Tbilisi, Publishing House "Law".
Shengelia, R. Shengelia, E. (2015). Family and Inheritance Law. Tbilisi. Meridian Publishing House.
Schwachtgen, A. (2002). Activities of a Notary for the Benefit of Civil Society, Translator. Maka Tkebuchava, *Scientific-Practical Journal of the Notary Chamber of Georgia*, Notary of Georgia, №3-4, Tbilisi, Publication of the Notary Chamber of Georgia.
Tsertsvadze, G. (2013). Perspectives of Legal Regulation of Mediation in Georgia. Tbilisi, Tbilisi State University Press.
Kharitonashvili, N. (2019). Mediation in Georgian Notary Law. *Journal of "Alternative Dispute Resolution - Yearbook 2018-2019"*, Special Edition, Tbilisi, Tbilisi State University Publishing House.
Bondy, V., Doyle M. (2011). Mediation in Judicial Review: A Practical Handbook for Lawyers. London, The Public Law Project, p. 12.
Dingle, J., Kelbie, J. (2013). The Mediation Handbook 2013 – 2014. London, London School of Mediation, p. 14-15.
Federal Code for Notaries. (2017). The National Rules and Regulations for German Notaries ["Bundesnotarordnung" (BNotO)]. Retrieved August 12, 2021 from http://www.gesetze-im-internet.de/englisch_bnoto/index.html
German Civil Code [BGB].
Gassen, D. (2011). German Civil Law Notaries and the Commercial Register. Königswinter, BNotK, p. 1-2.
Gnoffo, V. (1997). Notary Law and Practice for the 21st Century: Suggested Modifications for the Model Notary Act. *The John Marshall Law Review 1063*. Vol. 30, Issue 4, p. 1068.
Lawyers in Germany. (2019). Notary Services in Germany. Retrieved August 12, 2021 from https://www.lawyersgermany.com/notary-services-in-germany
Macmillan, R. (2016). A Practical Guide for Mediators. London, Macmillan Keck Attorneys & Solicitors, p. 13.
Milton G. Valera. (1999). New Technology and a Global Economy Demand That American Notaries Better Prepare for the Future: Upgrading the Current Common Law System May mean Establishing a New Class of Cyber Professional. *John Marshall Law Review*. Vol. 32, p. 953-954.
National Notary Association. (2011). Why Notarization Is More Relevant and Vital Than Ever. p. 4-5. Retrieved September 4, 2021 from https://www.nationalnotary.org/file%20library/nna/knowledge%20center/special%20reports/white_paper_importance_of_notarization.pdf
National Notary Association. (2021). The Enduring Benefits of Interstate Recognition of Notarial Act Laws. p. 6. Retrieved September 4, 2021 from https://www.nationalnotary.org/file%20library/nna/knowledge%20center/special%20reports/white_paper_importance_of_notarization.pdf
Notaries of Europe (2017-2018). Mediation for Notaries Notaries for Mediation – Practical Guide. Retrieved September 4, 2021 from http://www.notaries-of-europe.eu/files/publications/guide-m%C3%A9diation-en-min.pdf
Padilla, A. (2020). Notary Public Handbook. Sacramento, Secretary of State Notary Public Section, p. 6.