

Civil Law I

Code: 102300
 ECTS Credits: 6

| Degree | Type | Year | Semester |
|-------------|------|------|----------|
| 2500786 Law | FB | 1 | 2 |

Contact

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Use of Languages

Principal working language: catalan (cat)
 Some groups entirely in English: No
 Some groups entirely in Catalan: Yes
 Some groups entirely in Spanish: Yes

Teachers

Xavier Cecchini Rosell
 María del Carmen Cueto Faus
 Judith Solé Resina
 Ramon Maria Romeu Consul

External teachers

Maria Planas Ballve
 Mariona Torra Cot

Prerequisites

For a good follow-up to the Civil Law course, it is necessary to have a good knowledge of the bases of Roman law, constitucional law and the history of law. Relevant is also the correct use of legal terminology.

Objectives and Contextualisation

Civil law I is a subject that is taught in the second semester of the first year. This is a subject that is used so that the student acquires basic notions, therefore, is an essential matter within the Grade. Thus, Civil Law I has the academic utility to open the general concepts that will later be developed in the various subjects in charge of the unit of Civil Law. This formative contribution will have a very important impact on other subjects of the degree.

The civil Law I aims to the student to achieve various objectives, among which they stand out particularly:

- Identify the object, sources and fundamental concepts of the general part of Civil Law I.
- Differentiate between the diverse subjects that interact in Civil Law.
- Identify the basic elements of the person's right.

Competences

- Contextualizing the several forms of creation of law in its historical evolution and its current situation.
- Drawing up and formalising works, reports, documents, rulings.
- Identifying, knowing and applying the basic and general principles of the legal system.
- Managing bibliographic and documentary resources: databases, browsing, etc.
- Memorising and utilising legal terminology.
- Properly analysing the issues related to equality between men and women.
- Searching, interpreting and applying legal standards, arguing every case.
- Students must be capable of communicating their points of view in a compelling way.
- Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

Learning Outcomes

1. Analysing the specific institutions of the personal rights.
2. Applying the principles and basic knowledge of the personal rights.
3. Contextualizing the ways of creating law in the current historical moment.
4. Defining the different forms of creation of law.
5. Defining the socio-legal context of the equality discourse.
6. Defining the terms of the civil-legal language.
7. Distinguishing a global view of the legal techniques of the general part of civil law I.
8. Drawing up and formalising works, reports, documents, rulings.
9. Explaining the main concepts in terms of equality.
10. Identifying the socio-legal context where law sources are born.
11. Managing bibliographic and documentary resources: databases, browsing, etc.
12. Presenting the characteristic legal techniques of the general part.
13. Producing oral texts in the several fields of civil law, showing specific communicative abilities.
14. Producing texts using civil-legal terminology.
15. Reproducing the interpretation and implementation regulations of the legal standards.
16. Setting concepts around the plurality of legal systems.
17. Students must be capable of communicating their points of view in a compelling way.
18. Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

Content

UNIT 1. CIVIL LAW AND CIVIL LEGAL SYSTEMS

UNIT 2. SOURCES OF CIVIL LAW

UNIT 3. SCOPE, EFICIENCY AND APPLICATION OF CIVIL LAW

UNIT 4. TIME AND ITS LEGAL EFFECTS IN CIVIL LAW

UNIT 5. THE PERSON. CIVIL OR NATURAL CAPACITY AND LEGAL CAPACITY

UNIT 6. CIVIL STATUTES AND PERSONAL CONDITIONS. CIVIL REGISTRY

UNIT 7. PERSONALITY RIGHTS

UNIT 8. THE RELEVANCE OF AGE IN CIVIL LAW. LEGAL AGE AND MINORITY

UNIT 9. INCAPACITATION AND LIMITATIONS OF CIVIL CAPACITY

UNIT 10. INSTITUTIONS FOR THE PROTECTION OF PERSON RIGHTS

UNIT 11. THE LOCATION OF THE PERSON

UNIT 12. THE "VEÏNATGE CIVIL"

UNIT 13. ARTIFICIAL OR LEGAL PERSON

UNIT 14. FAMILY AND PARENTAL RELATIONS

UNIT 15. SUCCESSION PROCESS

Methodology

The learning process is based on the work of the student, who learns by working, and it is the teacher's mission to help him in this task by providing information and showing the sources where he can get it.

The development of the teaching of the subject and the training of the student is fundamental in the following activities:

1. Directed activities:

1.1 Master classes: on the student assesses the conceptual bases of the material and its legal, normative and jurisprudential mark. The master classes are the activities in which the student is required to be less interactive and are conceived as a fundamentally unidirectional method of transmission of knowledge from the teacher to the student.

1.2. Practical classes: on the students analyse and solve together with the teacher practical cases previously elaborated. In specific cases, the cases will be elaborated in class. The basis of practical work is the understanding and critical application of the regulations and jurisprudence related to the essential contingency explained to the theoretical classes.

2. Supervised activities:

It is about activities that the students carry out in the classroom, with the supervision and support of the teacher. It is about the elaboration of some practical supposition in the classroom, study and oral discussion of legal texts, as well as the realization of schemes of some epigraphs of the subject, of the elaboration of a glossary of concepts. The specific contingency of these activities will be determined by the teacher of each group.

3. Self-employed activities:

3.1. Preparation of documents: these are documents of the practical activities that will be read and analysed in the classroom (see 1.2). Practical cases may be dealt with sufficiently in advance by the extreme professor of court judgements. A partial examination is also proposed as an independent activity, the specific form of which will be determined by each teacher in his or her group.

3.2. Close to bibliography and instrumental jurisprudence for the resolution of practical cases and the preparation of the examination. In some cases the students have to fence the documentation autonomously.

3.3. Comprehensive reading of legal texts: Legal texts can be sentences, journal articles or monographs, in addition to the manual or the recommended manuals. The type of specific legal text is determined by each teacher according to his or her group.

Part of the legal material available to the student is the virtual campus.

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Activities

| Title | Hours | ECTS | Learning Outcomes |
|----------------|-------|------|-------------------|
| Type: Directed | | | |

| | | | |
|-----------------------|-----|-----|---|
| Guided Activities | 45 | 1.8 | 1, 2, 17, 5, 6, 4, 9, 12, 11, 13, 14, 8, 18 |
| <hr/> | | | |
| Type: Supervised | | | |
| <hr/> | | | |
| Supervised Activities | 5 | 0.2 | 16, 8 |
| <hr/> | | | |
| Type: Autonomous | | | |
| <hr/> | | | |
| Autonomous activities | 100 | 4 | 1, 2, 3, 5, 6, 4, 7, 9, 12, 16, 10, 13, 14, 8, 15, 18 |

Assessment

REGULAR EVALUATION AND RATING SYSTEM:

1.1. Continuous evaluation:

The teacher of each group will propose at the beginning of the course the activities that he considers pertinent for the purposes of continuous evaluation. He or she will determine all the activities of the course on a weekly basis. By way of example, these may be:

- Test theoretical knowledge (written/oral) during the course.
- Practical application of theoretical knowledge (practical cases, glossary, diagrams...)
- Commentary on judgments, drafting of documents

The ongoing evaluation will include a minimum of three evaluation activities that will have to be of two different types and must be distributed throughout the course.

In each teaching group, the specific date or week of performance of the evaluable activities will be published on the virtual campus before the start of the teaching, without prejudice to the fact that, exceptionally and due to force majeure, these activities may, with sufficient advance notice, be modified.

1.2. Final Examination:

All students, whether or not they have passed the continuous assessment, may take the final exam. The specific type of examination (oral, written, question development, multiple choice, etc...) will be determined by the teaching team at the beginning of the course. The students are examined in the course programme.

1.3. Qualification of the subject with the evaluation system.

The score obtained in the continuous evaluation will have a value of 50% of the qualification of the subject. The examination score will be 50% of the subject qualification.

The grade of continuous evaluation will be the one obtained or 0 if it has not been done.

The grade of the final exam will be the one obtained in the final exam.

The subject will be passed with a minimum of 5 out of 10, according to the established percentages.

EVALUATION AND RE-EVALUATION SYSTEM: in order to access the re-evaluation, a minimum score of 3 out of 10 must have been obtained between the score of the continuous evaluation and the final exam. Students will be tested on the program of the asignatura.

In the re-evaluation, the grade of the continuous evaluation is not computed.

The final grade will be that of the continuous evaluation if the student presents himself/herself.

2. CALLS

The number of calls established in the rules of permanence.

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Assessment Activities

| Title | Weighting | Hours | ECTS | Learning Outcomes |
|----------------------------|-----------|-------|------|--------------------------|
| Ordinary final examination | 50% | 0 | 0 | 2, 17, 6, 9, 16, 11, 13, |

| | | | | |
|---|------|---|---|--|
| Partial examination+oral exhibition+resolution of practical cases and comments on judgments | 50% | 0 | 0 | 1, 2, 3, 5, 4, 7, 9, 12, 16, 10, 13, 8, 15 |
| Revaluation | 100% | 0 | 0 | 1, 2, 17, 3, 5, 4, 7, 9, 12, 16, 11, 10, 13, 8, 15, 18 |

Bibliography

- Memoria de Derecho civil, Ferran Badosa Coll, Marcial Pons, Barcelona, 2010.
- El nuevo derecho de la persona y de la familia, Martín Garrido Melero, Sergio Nasarre Aznar, ReyesBarrada Orellana, Bosch, Barcelona, 2011.
- Derecho civil de Cataluña. Derecho de sucesiones, Pedro del Pozo Carrascosa, Antoni Vaquer Aloy, Esteve Bosch Capdevila, Marcial Pons, Barcelona/Madrid, 2013.
- Derecho civil de Cataluña. Derecho de familia, Pedro del Pozo Carrascosa, Antoni Vaquer Aloy, Esteve Bosch Capdevila, Marcial Pons, Barcelona/Madrid, 2013