

Procedural Law II

Code: 102206
ECTS Credits: 9

Degree	Type	Year	Semester
2500786 Law	OB	3	2

The proposed teaching and assessment methodology that appear in the guide may be subject to changes as a result of the restrictions to face-to-face class attendance imposed by the health authorities.

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

Manuel-Jesús Cachón Cadenas
Cristina Riba Trepas
Francisco Ramos Romeu
Albert Fauria Planas
Carlos de Miranda Vazquez
Santiago Orriols García
Nuria Reynal Querol

Prerequisites

For attending this course previous enrollment in Constitutional Law, Civil Law and Criminal Law is recommended during 1st and 2nd years of the Degree of Law, as well as Procedural Law I; all these courses offer basic training in relation to the legal system and without them the contents of Procedural Law II cannot be properly understood nor analysed.

Group 01: Cristina Riba Trepas (Catalan)

Group 02: Manuel Cachón Cadenas + Francisco Ramos Romeu (Spanish+Spanish)

Group 03: Santiago Orriols Garcia + Francisco Ramos Romeu (Catalan+Spanish)

Group 51: Albert Fauria Planas + Carlos de Miranda Vázquez (Catalan+Spanish)

Group 70: Núria Reynal Querol (Catalan)

Objectives and Contextualisation

Main objective of this course is a good knowledge and understanding, on the one hand, of the appeal-, precautionary

Competences

- Acquiring the basic knowledge from the several legal dogmas and presenting them in public.
- Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
- Drawing up legal texts (contracts, judgements, sentences, writs, rulings, wills, legislation...).
- Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
- Identifying, knowing and applying the basic and general principles of the legal system.
- Memorising and utilising legal terminology.
- Working in multidisciplinary and interdisciplinary fields.
- 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. Defining the basic procedural concepts.
2. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
3. Distinguishing the procedural and non-procedural documents of the several procedural fields.
4. Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
5. Identifying the arisen procedural problems and looking for a solution for them in the several sources and resources studied.
6. Identifying the procedural issues presented in every practical case.
7. Managing the sources and resources needed in order to find the solutions to the practical cases.
8. Relating the basic procedural concepts to the rest of legal disciplines.
9. Using the legal procedural language.
10. Working in multidisciplinary and interdisciplinary fields.
11. Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

Content

CIVIL PROCEDURAL LAW

Lesson 1: Costs of the proceedings

Lesson 2: Evidence in civil trials

Lesson 3: Appeals en civil trials

Lesson 4: Civil procedural enforcement

Lesson 5: Civil precautionary measures

Lesson 6: Special civil trials

CRIMINAL PROCEDURAL LAW

Lesson 1: Constitutional guarantees and principles of the criminal proceeding

Lesson 2: Criminal prosecution systems

Lesson 3: Criminal jurisdiction and competence

Lesson 4: Object of the criminal trial

Lesson 5: Parties in the criminal process

Lesson 6: Ordinary criminal trials

Lesson 7: Criminal investigation

Lesson 8: The trial stage

Lesson 9: Conclusion of the criminal trial

Lesson 10: Criminal precautionary measures

Lesson 11: Appeals in criminal trial

Methodology

Students' learning process in this course is organised around two types of activities:

1. DIRECTED ACTIVITIES

Directed activities are performed in classroom during class-hours under the direction of the lecturer. Directed activities are theoretical activities and practical activities.

In theoretical sessions the lecturer, based on the applicable Law, explains different contents of the course. It is necessary that all students have an updated compilation of procedural normative.

Practical sessions can, among others, consist of case-resolutions, analysis and discussion of court-judgements, oral presentations, debates, etc. Students, alone or in little groups, carry out these activities.

2. AUTONOMOUS ACTIVITIES

In these activities students, alone or in group, organise their time and effort autonomously.

Autonomous activities include, among others, search and study of bibliography, elaboration of drafts or summaries, search of case-law and preparation of scored activities afterwards in classroom corrected.

In this course most of the autonomous activities are connected to the following-up of theoretical classes, elaboration of practical activities and preparation for the exam.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
master class	33.75	1.35	1, 2, 4, 5, 8, 10, 9, 7
practical activities in the classroom	33.75	1.35	1, 2, 3, 4, 6, 5, 8, 11, 10, 9, 7
Type: Autonomous			
personal work of the student	147.5	5.9	1, 2, 3, 4, 6, 5, 8, 11, 10, 9, 7

Assessment

-The student who cheats or tries to cheat in an exam will be given a 0 as a mark. The student who submits a paper or a practical exercise in which evidence of plagiarism can be identified will be given a 0 as a mark and will receive a warning. In case of repetition, the student will fail the subject.

CONTINUOUS ASSESSMENT:

-There will be 3 scored activities, distributed throughout the course.

-At the beginning of the course, the lecturer of each group will indicate the specific date for these scored activities.

-The 3 scored activities are stated below and have the following weighting in the final grade:

1) theoretical and/or practical exam of part of the subject: 40%

2) theoretical and/or practical exam of part of the subject: 40%

3) activities: case-studies, oral presentations, case-law essays, assistance and participation at class, etc: 20%

-At the discretion of each teacher, a minimum grade in each of the evaluable activities may be required to pass the continuous assessment.

REEVALUATION:

-The student who does not pass the continuous assessment may be eligible for the reevaluation-exam.

-For the reevaluation-exam the student must at least have a 3 (out of 10) in the average grade of the course.

REVIEWING PROCESS:

-After the elaboration and qualification of every scored activity, the lecturer will set a date to review the activity for any student interested.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
activities	20%	5	0.2	2, 3, 6, 5, 8, 11, 10, 9, 7
partial exam theory and/or practic	40%	2.5	0.1	1, 2, 4, 8, 9
partial exam theory and/or practic	40%	2.5	0.1	1, 2, 4, 8, 9

Bibliography

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CORTÉS DOMÍNGUEZ, Valentín; MORENO CATENA, Víctor, *Derecho procesal civil*, Tirant lo Blanch, València, last edition. Available at the UAB digital library.

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Software

The subject does not require any specific software.