

Procedural Law I

Code: 102207
ECTS Credits: 6

Degree	Type	Year	Semester
2500786 Law	OB	3	1

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
Maria Consuelo Ruiz de la Fuente
Santiago Orriols García
Montserrat Carceller Valls

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; all these courses offer basic training in relation to the legal system and without them the contents of Procedural Law I cannot be properly understood nor analysed.

Group 01: Prof. Cristina Riba (catalan)

Group 02: Prof. Manuel Cachón and Prof. Consuelo Ruiz (spanish)

Group 03: Prof. Consuelo Ruiz (spanish)

Group 51: Prof. Montserrat Carceller (catalan)

Group 70: Prof. Santiago Orriols (catalan)

Objectives and Contextualisation

Main objective of this course is a good knowledge and understanding of the basic elements of the Civil Process s

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

Lesson 1: Functions of the process. Sources of the procedural law.

Lesson 2: Jurisdictional organisation. Civil jurisdiction.

Lesson 3: The procedural acts.

Lesson 4: Jurisdiction and competent court.

Lesson 5: Parties in civil process.

Lesson 6: Structure and function of the civil process.

Lesson 7: Period of allegations.

Lesson 8: The trial.

Lesson 9: The sentence.

Methodology

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

1. DIRECTED ACTIVITIES

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

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

In the practical sessions, students, alone or in groups, will carry out activities in the classroom, under the direction of lecturers. This activities may consist in case resolutions, analysis and discussion of court judgements, drafting of legal briefs, oral presentation, etc.

2.SUPERVISED ACTIVITIES

They mainly consist in tutoring sessions between students and lecturers, when necessary for the support of the learning process.

3.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	22.5	0.9	1, 2, 4, 5, 8, 11, 10, 9
practical activities in the classroom	22.5	0.9	1, 2, 3, 4, 6, 5, 8, 11, 9, 7
Type: Autonomous			
students personal work	90	3.6	1, 2, 3, 4, 6, 5, 8, 11, 10, 9, 7

Assessment

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:

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

-For the reevaluation-exam students 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, lecturers will set a date to review the activity for those students that are interested.

FRAUDULENT CONDUCT:

Students who cheats or try to cheat an exam will have a 0 as a grade. Students who submits a paper o practical in which there is evidence of plagiarism will have a 0 as a grade and will receive a warning. In case of repetition, the students will fail the subject.

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%	5	0.2	1, 2, 4, 8, 9
partial exam theory and/or practic	40%	5	0.2	1, 2, 4, 8, 9

Bibliography

BASIC BIBLIOGRAPHY:

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CACHÓN CADENAS, Manuel, *Introducción al Enjuiciamiento Civil*, Atelier, Barcelona, 2021.

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MONTERO AROCA, Juan; GÓMEZ COLOMER, Juan Luís; MONTÓN REDONDO, Alberto; BARONA VILAR, Sílvia; *Derecho Jurisdiccional I Proceso Civil*, Tirant lo Blanch, València, last edition.*

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NIEVA FENOLL, Jordi, BUJOSA VADELL, Lorenzo (Dirs.), *Nociones preliminares de derecho procesal civil*, Atelier, Barcelona, last edition.*

ORMÁZABAL SÁNCHEZ, Guillermo, *Introducción al derecho procesal*, Marcial Pons, Madrid, last edition.

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* Digital version available in the library

Software

No specific software is used