

Moot Court

Code: 105067
ECTS Credits: 6

Degree	Type	Year	Semester
2500786 Law	OT	4	1

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: No

Other comments on languages

Knowledge of languages (French or English) is recommended

Teachers

Francisco Javier Puigdollers Noblom

Prerequisites

Ability to teamworking and interest in practicing oratory. Written expression and argumentation skills.

Objectives and Contextualisation

The course is structured in a debate format and therefore has as main objectives:

- 1) Improve the argumentative capacity and orality of the students
- 2) Improve the ability to analyze relevant legal problems in complex situations, from an interdisciplinary perspective
- 3) Encourage teamwork
- 4) Improve the drafting and presentation of legal texts and arguments
- 5) Learn to identify the possible relevant legal strategies in a given case

Competences

- Arguing and laying the foundation for the implementation of legal standards.
- 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 and solving problems.

- Identifying the underlying conflicts of interest in disputes and real cases.
- Managing bibliographic and documentary resources: databases, browsing, etc.
- Planning and organising: managing of time, resources, etc.
- Presenting in front of an audience the problems of a concrete law suit, the applicable legal regulations, and the most consistent solutions.
- Searching, interpreting and applying legal standards, arguing every case.
- Students must be capable of leading a group of people, by using the appropriate methods to guide individuals or groups towards the attainment of a goal.
- 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. Compile a list of applicable legal rulings.
2. Draft specific legal texts for simulated cases.
3. Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
4. Identify and classify the different court documents and writings in the different areas of court practice.
5. Identifying and solving problems.
6. Managing bibliographic and documentary resources: databases, browsing, etc.
7. Plan a court strategy adapted to underlying conflicts of interest in the case study.
8. Planning and organising: managing of time, resources, etc.
9. Present arguments for the application of legal rulings to the peculiarities of the simulated cases.
10. Students must be capable of leading a group of people, by using the appropriate methods to guide individuals or groups towards the attainment of a goal.
11. Undertake public tests of the proposed solutions for a specific court case.
12. Using the legal procedural language.
13. Working in multidisciplinary and interdisciplinary fields.
14. Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

Content

Block 1: General part

- a) Presentation and Introduction to the judicial simulation course
- b) Basic concepts and elements of the legal sectors related to the cases

Block 2: Case analysis

- a) Analysis of the facts of the case
- b) Analysis of the legal problems that arise in the case
- c) Analysis of documents and others items of evidence

Block 3. Litigation strategy

- a) Preparation of the litigation according to the roles: procedural aspects
- b) Preparation of the litigation according to the roles: substantive aspects

Block 4: Judgment and evaluation

- a) Presentation of the written memorials
- b) Oral judgments

c) Joint statement of the course results

Methodology

The students will be divided into 2 groups of approximately 10/12 persons to work on a different case. One focused on patrimonial law (private international law, civil law, commercial law), and another on family law (civil law, administrative law, penal law). In both cases, the litigation perspective (procedural law) will be relevant; and at some point, the two groups will interconnect. The groups will be divided in subgroups each of which will be responsible for the legal defense of a part in conflict.

The two groups will use the same methodology. The subject requires "proactivity" from the students, who will work the contents autonomously with the aim to prepare a strategy to defend a written and oral position.

The work to be done for the adequate learning of the contents of the course requires the realization of two types of activities.

1.- Directed activities. Activities to be carried out in the classroom:

Master classes given by the teacher, in which the basic theoretical contents of the three areas of study will be examined.

Once the fundamental contents have been developed, the cases will be presented; a guide will be prepared for their study and roles will be distributed for their written and oral defense.

2.- Autonomous activities

These activities complement the previous ones with the aim that students work individually and in group on the contents of the subject. These activities are of two types:

Group work of two types:

1. Information research and analysis of the fundamental topics of the case.
2. Information research and analysis of the procedural strategies of the parts in conflict.

Individual work on the topics, readings and preparation of oral presentations.

Simulation of judicial hearings.

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			
Lectures	8	0.32	1, 3, 4, 12
Workshops	28	1.12	9, 1, 6, 8, 7, 11, 5, 2, 10, 14, 13, 12
Type: Autonomous			
Search, analysis and study	104	4.16	1, 3, 6, 4, 8, 7, 5, 2, 13, 12

Assessment

Attendance at class sessions is compulsory, at least 80%.

The evaluation of the 2 groups examining the proposed case will be carried out as follows:

1. Group work on the topic of the case examined (the grade may be individual for each member)(20%).

2. The defense / accusation written statement that each group will draw up (it will be evaluated based on the materials processed collaboratively with the other groups of the case) (30%)
3. The oral presentation made by each group according with the role assigned (with an individual grade for each member) (50%).

Participation in the workshops and preparation of the trial will serve to round the score up to 5%.

The re-evaluation will consist of an oral exam of the case.

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

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Group work specific topics	15%	0	0	1, 3, 6, 4, 8, 11, 2, 14, 13, 12
Legal reports about specific topics (individual)	15%	5	0.2	9, 1, 6, 4, 7, 5, 2, 13
Oral Defense	40%	5	0.2	3, 8, 11, 5, 10, 12
Procedural and extra-procedural writings (in group)	30%	0	0	9, 3, 6, 8, 7, 5, 2, 10, 14, 12

Bibliography

Basic general bibliography:

According to the interdisciplinary nature of the cases and the methodology of the cours, there is no basic manual book for the follow-up of the cours. Students can use the manual books that has been using during the grade.

Throughout the course, specific reading for the resolution of the cases will be provided.

Software

Work will be done with word processors and jurisprudence databases.