

**Procedural Law I**

Code: 102207  
ECTS Credits: 6

Degree	Type	Year	Semester
2500786 Law	OB	3	1

## Contact

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## Teaching groups languages

You can check it through this [link](#). To consult the language you will need to enter the CODE of the subject. Please note that this information is provisional until 30 November 2023.

## Teachers

María Cristina Riba Trepal

Maria Carmen Navarro Villanueva

Jose Luis Rodriguez Torres

Maria Arantzazu Libano Beristain

Carlos de Miranda Vazquez

## 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:

Theory: Prof. Núria Reynal

Seminar 11: Prof. Carlos de Miranda

Seminar 12: Prof. Lluís Rodríguez

Seminar 13: Prof. Núria Reynal

Group 02:

Theory: Prof. Cristina Riba

Seminar 21: Prof. Arantza Libano

Seminar 22: Prof. Lluís Rodríguez

Seminar 23: Prof. Cristina Riba

Group 51:

Theory: Prof. Arantza Líbano (spanish)

Seminar 511: Prof. Carlos de Miranda

Seminar 512: to determinate

Seminar 513: Prof. Arantza Líbano

Group 70:

Theory: Prof. Carme Navarro

Seminar 70: Prof. Núria Reynal

Seminar 71: Prof. Carlos de Miranda

## Objectives and Contextualisation

Main objective of this course is a good knowledge and understanding of the basic elements of the process system

## 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.

Lesson 3: The procedural acts.

Lesson 4: Constitutional guarantees of the proceeding.

Lesson 5: Criminal prosecution systems. Object of the criminal trial.

Lesson 6: Criminal jurisdiction and competence.

Lesson 7: Parties in the criminal process.

Lesson 8: Ordinary criminal trials.

Lesson 9: Criminal investigation.

Lesson 10: Criminal precautionary measures.

Lesson 11: The trial stage.

Lesson 12: Conclusion of the criminal trial. Judgement. Appeals in criminal trial. Execution.

## **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. They are divided into two typologies:

a) Master classes: In these 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.

b) Seminars: In these sessions, students, alone or in groups, will carry out activities in the classroom, under the direction of lecturers. These activities may consist in case resolutions, analysis and discussion of court judgements, drafting of legal briefs, oral presentation, etc. Attendance at seminars, except in some case of justified reason, will be compulsory for students.

### **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 classes	19.5	0.78	1, 2, 4, 5, 8, 11, 10, 9
seminars	19.5	0.78	1, 2, 3, 4, 6, 5, 8, 11, 9, 7
Type: Autonomous			
assesement	5	0.2	1, 2, 4, 6, 9
students personal work	91	3.64	1, 2, 3, 4, 6, 5, 8, 11, 10, 9, 7

## Assessment

### CONTINUOUS ASSESSMENT MODEL:

-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) group practical activities and participation: 25%

2) two individual practical activities: 25%

3) theoretical and/or practical exam: 50%

-The final grade of de course will be the average grade of the different activities. The mark obtain at the exam must reach, at least, to 5 points in ordeer to average with the other marks.

### REEVALUATION:

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

-Practicat activites will no be re-evaluated.

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

### SINGLE EVALUATION MODEL:

Students will be assessed on the basis of a unique evaluation. This evaluation will include three types of activities:

a) Theoretical exam (50%). The format will be multiple choice. Duration: 60 minutes.

b) Case paper (25%): The question(s) formulated in the case paper will have to be answered. The student can use the Ley de Enjuiciamiento Criminal and the Llei Orgànica del Poder Judicial in this activity. Duration: 60 minutes.

c) Oral presentation (25%) before a University Tribunal: Two sections or subsections of the programme will be offered and the student must select one to present it orally. The student will be given a maximum of 10 minutes to prepare the presentation; next, the student will make the oral defence (5 minutes), and, finally, the student will answer the questions arisen by teaching staff.

To pass the course, the student needs a minimum score of 2,5 points in the exam, 1,25 points in the oral presentation and 1,25 points in the case paper.

Only failed activity will be subject to re-evaluation.

#### 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
exam theory and/or practic	50%	5	0.2	1, 2, 4, 8, 9
group practical activities	25%	5	0.2	2, 3, 6, 5, 8, 11, 10, 9, 7
individual practical activities	25%	5	0.2	2, 3, 6, 5, 8, 11, 10, 9, 7

### Bibliography

#### MANDATORY BIBLIOGRAPHY:

\* CACHÓN, Manuel (2021), *Introducción al enjuiciamiento civil*, Atelier, Barcelona.

\* RAMOS, Francisco (2022), *Enjuiciamiento criminal. 13ª lectura constitucional*, Atelier, Barcelona (available in UAB digital library).

\* NAVARRO, Carmen (2017), *Las recientes reformas de la ejecución de la pena privativa de libertad*, Justicia 2, 275-318.

#### RECOMMENDED BIBLIOGRAPHY:

\* ARMENTA, Teresa (2021), *Lecciones de Derecho Procesal Penal*, Marcial Pons, Madrid.

\* CERVELLÓ, Vicenta (2016), *Derecho penitenciario*, Tirant lo blanch, Valencia (available en UAB digital library).

\*CORTES, Valentín/MORENO, Víctor (2021), *Derecho procesal penal*, Tirant lo blanch, Valencia (available in UAB digital library).

\* GIMENO SENDRA, Vicente (2019), *Derecho procesal penal*, Dykinson, Madrid (available in UAB digital library).

\* MONTERO AROCA, Juan et al (2018), *Derecho jurisdiccional*, vol.III (Proceso penal), Tirant lo blanch, Valencia (available in UAB digital library).

\* NAVARRO, Carmen(2019), *Ejecución de la pena privativa de libertad*, Juruà, Porto (available in UAB digital library).

## **Software**

No specific software is used