

Criminal Litigation

Code: 45034
ECTS Credits: 9

Degree	Type	Year	Semester
3500070 Legal Profession and Legal Representation	OB	1	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

Juan Carlos Gavara de Cara

Fermin Morales Prats

Maria Jesus Garcia Morales

Josep Riba Ciurana

Jaume Antich Soler

Antoni Cardona Barber

Abel del Carmelo Andrade Ortiz

External teachers

Elena Contreras

Enric Bertolín Ponsa

Jordi Puigvert Terra

Josep Maria Torras Coll

Mercedes de la Peña Oliete

Mónica Aguilar Romo

Pilar López Fondón

marc perez bou

oriol rusca nadal

Prerequisites

No special requirements, except to have a basic knowledge of Criminal and Procedural Law.

Objectives and Contextualisation

To gain specific skills on the subject matter of special interest for the legal practice.

Learning Outcomes

- KA02 (Knowledge) Determine the most suitable judicial solution to represent the interests of the client before criminal jurisdiction.
- KA03 (Knowledge) Identify the most suitable jurisdictional instance, action and criminal procedure for the professional defence of the client's rights.
- SA07 (Skill) Understand the techniques for defending the client at police headquarters and before a magistrate's court.
- SA08 (Skill) Understand the techniques used in investigation and to establish the facts in the different types of criminal proceedings, especially the production of procedural documents, in interrogations and in giving expert evidence, with special attention to the gender perspective.
- SA09 (Skill) Properly apply procedural techniques in criminal jurisdiction with special attention to deadlines and form.
- SA10 (Skill) Understand the different petitions that can arise in criminal proceedings.
- SA11 (Skill) Draft appeals against the verdicts of criminal courts.
- SA12 (Skill) Present facts in writing and orally and use arguments to extract legal consequences, while paying attention to the context and addressee, in keeping with the standards of each procedural area.

Content

I. EFFECTIVE JUDICIAL PROTECTION

Maria Jesús García Morales

II. GENERAL PRINCIPLES AND CONCEPTS ON CRIMINAL LAW

Fermín Morales Prats

III. INTRODUCTION TO CRIMINAL PROCEDURAL LAW

Oriol Rusca Nadal

IV. INITIATION OF CRIMINAL PROCEEDING AND INVESTIGATION OF THE CRIMINAL OFFENCE

Marc Pérez Bou

V. PRECAUTIONARY MEASURES

Jaume Antich Soler

VI. CONSTITUTIONAL PROTECTIONS DURING THE INVESTIGATION OF THE CRIMINAL OFFENCE

Juan Carlos Gavara de Cara

VII. THE INTERMEDIATE PHASE OF THE PROCEDURE

Jaume Antich Soler

VIII. ORAL TRIAL (I): PRELIMINARY DEFENCES

Enric Bertolín Ponsa

IX. ORAL TRIAL (II): THE BURDEN OF PROOF AND EVALUATION OF THE EVIDENCE

Pilar López Fondón

X. ORAL TRIAL (III): FINAL REPORT AND JUDGEMENT

Jordi Puigvert Terra

XI. COURT'S DECISIONS AND JUDICIAL REMEDIES

Josep Maria Torras Coll

XII. CASSATION APPEAL

Mercedes de la Peña Oliete

XIII. ANNULMENT OF THE PROCEEDINGS AND "AMPARO" TO THE CONSTITUTIONAL COURT

Abel Andrade Ortiz

XIV. EXECUTION OF SENTENCE AND PAROLE

Blanca Ruiz-Zorrilla Cruzate

XV. SPEEDY TRIALS

Jordi Puigvert Terra

XVI. PROCEDURE AGAINST MINOR OFFENCES

Jordi Puigvert Terra

XVII. THE JURY

Elena Contreras

XVIII. CIVIL LIABILITY AND CONFISCATION OF GOODS

Gonzalo Quintero Olivares

XIX. RESPONSABILITY AND CRIMINAL PROCEEDINGS OF MINORS.

Josep Riba Ciurana

Methodology

The teaching method combines theory and practice.

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			
Case studies	19	0.76	
theoretical lessons	38	1.52	
Type: Supervised			
evaluation of case studies	12	0.48	
Type: Autonomous			
Readings	106	4.24	
exam preparation	32	1.28	

Assessment

The teacher will value theoretical knowledge (50%) and practical skills (50%), according to the instructions that will be presented to the student at the beginning of the course.

The student has the possibility of a second retake opportunity of the exam on theoretical contents.

Single evaluation

Those who opt for the single evaluation system will be examined taking into account the following items:

- Test exam of 50 questions (50 % of the mark).
- Completion of 2 procedural documents (appeal, lawsuit, complaint, denunciation, etc.) (50 % of the mark).

The second test will have a duration of between 4 and 5 hours, and will be carried out in the timetable specifically established by the coordination of this module. For the realization of this second test legislation may be consulted, but computer resources may not be accessed.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Case law and drafting of procedural writs	50%	16	0.64	KA02, KA03, SA07, SA08, SA09, SA10, SA11, SA12
test	50%	2	0.08	KA02, KA03, SA09, SA10

Bibliography

Basic literature:

CUGAT/BAUCELLS/AGUILAR (coords.), *Manual de Litigación penal. Materiales para la prueba de acceso a la profesión de abogado*, 2ª edición, Tirant lo Blanch, Valencia, 2022.

Complementary literature:

GIMENO SENDRA, V., *Derecho procesal penal*, 2015, Castillo de luna.

QUINTERO OLIVARES, G. (dir.), *Compendio de la Parte especial del Derecho penal. Adaptada al programa de ingreso en las carreras judicial y fiscal*, Aranzadi, 2016.

QUINTERO OLIVARES, G./MORALES PRATS, F., *Parte general del Derecho penal. Adaptada al programa de ingreso en las carreras judicial y fiscal*, Aranzadi, 2015.

RAMOS MÉNDEZ, F., *Enjuiciamiento criminal: undécima lectura constitucional*, Atelier, 2014.

Links:

www.boe.es

www.fiscal.es

www.poderjudicial.es

Software

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