

Degree programme	Type	Course
Law	OB	3

Contact lecturer

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Teaching staff

Francisco Ramos Romeu

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Albert Fauria Planas

Santiago Orriols Garcia

Montserrat Carceller Valls

Group languages

You can consult this information at the [end](#) of the document.

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.

The teaching of the subject will be developed taking into account the perspective of the Sustainable Development Goals.

Group 01: Consuelo Ruiz de la Fuente (spanish)

Workshops:

11 Miryam Olivera Oliva (cat/spanish)

12 Laura Cachón Marinello (catalan)

13 Consuelo Ruiz de la Fuente (spanish)

Group 02: Santiago Orriols García (catalan)

Workshops:

21 Cristina Riba Trepas (catalan)

22 Albert Fauria (catalan)

23 Santiago Orriols García (catalan)

Group 51: Josefina Huelmo (spanish)

Workshops:

511 Montserrat Carceller Valls (spanish)

512 Josefina Huelmo (spanish)

513 Lluís Pérez Losa (spanish)

Group 70: Francisco Ramos Romeu (spanish)

Workshops:

71 Francisco Ramos Romeu (spanish)

72 Josefina Huelmo (spanish/catalan)

Objectives

Main objective of this course is a good knowledge and understanding of the Civil Process. Its phases of allegation

Learning outcomes

1. Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
2. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
3. Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.
4. Working in multidisciplinary and interdisciplinary fields.
5. Defining the basic procedural concepts.
6. Relating the basic procedural concepts to the rest of legal disciplines.
7. Identifying the procedural issues presented in every practical case.
8. Managing the sources and resources needed in order to find the solutions to the practical cases.
9. Using the legal procedural language.
10. Distinguishing the procedural and non-procedural documents of the several procedural fields.
11. Identifying the arisen procedural problems and looking for a solution for them in the several sources and resources studied.

Contents

Lesson 1: Civil process general structure

Lesson 2: Pre-process activities

Lesson 3: Civil Jurisdiction

Lesson 4: Procedural parties

Lesson 5: Allegation phase: plaint, reply, counterclaim, counterclaim's reply.

Lesson 6: Prior hearing

Lesson 7: Evidence in civil trials

Lesson 8: Trial

Lesson 9: Final judgement

Lesson 10: End of the civil process by alternative vías.

Lesson 11: Costs of the proceedings

Lesson 12: Appeals en civil trials

Lesson 13: Civil procedural enforcement

Lesson 14: Preliminary civil measures

Lesson 15: Special civil trials

Learning activities and methodology

Title	Hours	ECTS	Learning outcomes
workshops	22	0.88	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
Evaluation	5	0.2	2, 3, 5, 7, 8, 9, 10, 11
Master class	41.5	1.66	1, 2, 4, 5, 6, 8, 9, 11
personal work of the student	151.5	6.06	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11

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 the master classes 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.

The workshops 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.

Assessment

Continuous assessment activities

Title	Weight	Hours	ECTS	Learning outcomes
partial exam theory and/or practic	30%	1	0.04	1, 2, 5, 6, 9
partial exam theory and/or practic	30%	1	0.04	1, 2, 5, 6, 9
activities	40%	3	0.12	2, 3, 4, 6, 7, 8, 9, 10, 11

CONTINUOUS ASSESSMENT:

-There will be the following 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 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: 30%

2) theoretical and/or practical exam of part of the subject: 30%

3) practical activities: there are 2 practical individual scored activities during the course: 10% per each.

4) practical activities in the classroom: case-studies, oral presentations, case-law essays, assistance and participation at class, etc: 20%

-In order to pass the continuous assessment, students must get as a minimum grade a 5,0 in the average of both partial exams, and a grade of 3,0 in each evaluated practical activities to be considered.

-To be evaluated students must carry out several activities, that in global must represent at least 2/3 of the final qualification. If students do not reach that limit, teachers may consider the student as non-assessable.

REEVALUATION:

-The student who does not pass the continuous assessment may be eligible for the reevaluation-exam. The reevaluation-exam will consist in a theoretical-practical exam. The practical activities carried out in the workshops cannot be recovered.

-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.

SINGLE ASSESMENT:

The single assesment is composed od three parts: 1) An theorethical/practical test exam of 30 questions (50%); 2) Resolution of 2 case studies (without any materials) (25%); 3) An oral exposition of a topic chosen randomly within the contests of the subject in fron of a court composed al least by 2 teachers (25%).

The duration of the single assesment will be 4 hours aprox, in the data settled by the teachers.

Students should exceed the total score of 5,0 to aprove the single assesment. Students that doesn't aprove the single assesment may be eligible for the reevaluation-exam, if they have obtained a grade of 3,0 in the single assesment.

The same criteria of non-assessable will be applied as for continous assesment.

USE OF AI

For this subject, the use of Artificial Intelligence Technologies (AI) is allowed exclusively in support tasks such as bibliographic or informations search, text corrections, translations or audiovisual activities support.

The student will have to clearly identify which part has been generated with this technology, specify the tools used and include a critical reflexion on how these have influenced the process and the final result of the activity.

The non transparency in the use of AI in these avaluable activity will be considerd lack of academic honesty and may lead to partial or total penalty in the grade of the activity, or greater penalties in serious cases.

IMPORTANT: If a student cheats, commits plagiarism, or is found in possession of a prohibited device during

any assessment activity, the lecturer will assign a grade of 0 for that assessment and will notify the Dean's Office of the Faculty by submitting a report detailing the circumstances and evidence of the incident, with a view to requesting the initiation of possible disciplinary proceedings against the student. This assessment activity cannot be retaken. If more than one irregularity occurs in the assessment activities of the same course, the final grade for the course will be 0.

Bibliography

BASIC BIBLIOGRAPHY:

CACHÓN CADENAS, Manuel, *Introducción al enjuiciamiento civil*, Atelier, Barcelona, last edition.

CACHÓN CADENAS, Manuel, *Esquemas de Derecho Procesal I*, Editorial Uno, Bellaterra, last edition.

CACHÓN CADENAS, Manuel, *Esquemas de Derecho Procesal II*, Editorial Uno, Bellaterra, last edition.

RECOMMENDED BIBLIOGRAPHY:

ARMENTA DEU, Teresa, *Lecciones de Derecho Procesal Civil*, Marcial Pons, Barcelona, last edition.

ASENCIO MELLADO, José María, *Derecho procesal civil*, Tirant lo Blanch, València, last edition. Available at the UAB digital library.

CACHÓN CADENAS, Manuel, *La ejecución procesal civil*, Atelier, Barcelona, last edition.

CÁMARA RUIZ, Juan; CUCARELLA GALIANA, Luís Andrés; ORTELLS RAMOS, Manuel, *Derecho procesal civil*, Aranzadi, Navarra, last edition. Available at the UAB digital library.

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

DE LA OLIVA SANTOS, Andrés; DÍEZ-PICAZO GIMÉNEZ, Ignacio; VEGAS TORRES, Jaime, *Derecho procesal civil*, Centro de Estudios Ramón Areces, Madrid, last edition.

DE LA OLIVA SANTOS, Andrés, *Curso de Derecho Procesal Civil I. Parte general, II. Proceso Civil*, Centro de Estudios Ramón Areces, Madrid, last edition.

GIMENO SENDRA, Vicente, *Derecho procesal I. El proceso de declaración. Parte General*, Castillo de Luna, Madrid, last edition.

GIMENO SENDRA, Vicente, *Derecho procesal civil II. Los procesos especiales*, Castillo de Luna, Madrid, last edition.

MARTÍN OSTOS, José, *Materiales de derecho procesal*, Tecnos, Madrid, last edition.

MONTERO AROCA, Juan; GÓMEZ COLOMER, Juan Luis; BARONA VILAR, Silvia; CALDERÓN CUADRADO, M.^a Pía, *Derecho Jurisdiccional II. Proceso Civil*, Tirant lo Blanch, València, last edition. Available at the UAB digital library.

NIEVA FENOLL, Jordi, *Derecho Procesal II. Proceso Civil*, Tirant lo Blanch, València, last edition. Available at the UAB digital library.

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

RAMOS MÉNDEZ, Francisco, *Juicio Civil*, Atelier, Barcelona, last edition.

RAMOS MÉNDEZ, Francisco, *Enjuiciamiento Civil*, 2 vols, Atelier, Barcelona, last edition.

Software

The subject does not require any specific software.

Course groups and languages

The information provided is provisional until November 30. After this date, you will be able to consult the language of each group through this [link](#). To access the information, you will need to enter the course CODE

Type of teaching	Group	Language	Semester	Shift
(TE) Theory	1	Spanish	second semester	morning-mixed
(TE) Theory	2	Catalan	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	11	Catalan	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	12	Catalan	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	13	Spanish	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	21	Catalan	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	22	Catalan	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	23	Catalan	second semester	morning-mixed
(TE) Theory	51	Spanish	second semester	afternoon
(TE) Theory	70	Spanish	second semester	morning-mixed
(SEM30) Seminaris (30 estudiants per grup)	511	Spanish	second semester	afternoon
(SEM30) Seminaris (30 estudiants per grup)	512	Spanish	second semester	afternoon
(SEM30) Seminaris (30 estudiants per grup)	513	Spanish	second semester	afternoon
(SEM30)	701	Spanish	second	morning-mixed

Seminaris (30 estudiants per grup)		semester		
(SEM30) Seminaris (30 estudiants per grup)	702	Catalan/Spanish	second semester	morning-mixed