

30510 - Procedural Law I

Syllabus Information

Academic Year: 2019/20

Subject: 30510 - Procedural Law I

Faculty / School: 102 - Facultad de Derecho

Degree: 432 - Joint Law - Business Administration and Management Programme

ECTS: 9.0

Year: 3

Semester: First semester

Subject Type: Compulsory

Module: ---

1.General information

1.1.Aims of the course

1.2.Context and importance of this course in the degree

1.3.Recommendations to take this course

2.Learning goals

2.1.Competences

2.2.Learning goals

2.3.Importance of learning goals

3.Assessment (1st and 2nd call)

3.1.Assessment tasks (description of tasks, marking system and assessment criteria)

4.Methodology, learning tasks, syllabus and resources

4.1.Methodological overview

4.2.Learning tasks

4.3.Syllabus

Lesson 1. The jurisdiction. Principles of the jurisdiction

Lesson 2. The action

Lesson 3. The proceeding: its guarantees, principles and forms

Lesson 4. Organization of the jurisdiction. The governing of the judiciary

Lesson 5. Court procedures and its requirements. Types of court procedures

Lesson 6. The jurisdiction as a requirement of the proceeding. The competence: objective competence and functional competence. The territorial competence

Lesson 7. The parties in civil proceedings. Capacity to be a party. Appearance in Court and representation. Capacity to sue. Procedural representation and technical defence.

Lesson 8. Multiplicity of parties. Optional and necessary joint litigation. Intervention.

Lesson 9. Costs and expenses. legal aid system

Lesson 10. The object of declaratory proceedings. Joinder of actions and joinder of proceedings

Lesson 11. Civil proceedings: ordinary proceedings and oral trial

Lesson 12. Declaratory proceedings: preliminary proceedings, claims

Lesson 13. Evidence in civil process. Purpose of evidence. Burden of proof. The different ways of taking evidence and its assessment

Lesson 14. The conclusion of the proceeding. The judgement. Ending of the proceeding without judgement or with non-adversarial judgement. Crisis of the proceeding.

Lesson 15. The remedies. The appeals

Lesson 16. The effects of the judgement. *Res iudicata* effect. The review of a final judgement

Lesson 17. The particular enforcement and its requirements. Enforcement titles. Parties in the enforcement

Lesson 18. Proceeding of monetary enforcement. Dispatch of enforcement. Opposition to enforcement

Lesson 19. Monetary enforcement. The attachment of the assets. Realisation of pledged assets

Lesson 20. Non- monetary enforcement

Lesson 21. The provisional enforcement

Lesson 22. Injunctions: requirements and proceeding

Lesson 23. Special proceedings. Proceedings regarding kinship, capacity, marriage and minors. Judicial division of estates. On the order for payment and negotiable instruments procedures

Lesson 24. Alternative dispute resolution. Arbitration, mediation and other means to solve disputes

Lesson 25. Voluntary jurisdiction procedures

4.4.Course planning and calendar

4.5.Bibliography and recommended resources