

## 30516 - Procedural Law II

### Syllabus Information

**Academic year:** 2024/25

**Subject:** 30516 - Procedural Law II

**Faculty / School:** 102 - Facultad de Derecho

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

**ECTS:** 9.0

**Year:** 4

**Semester:** First semester

**Subject type:** Compulsory

**Module:**

### 1. General information

The main goal of this subject is for the student to

- Learn about the characteristics of the criminal jurisdictional function and the instrument through which the State's right to punish is exercised.
  - Identify and know the principles of process and procedure, forms and constitutional rights and guarantees.
  - Distinguish the scope of the criminal jurisdiction, know the competence criteria of the different organs as well as the distribution of functions with respect to the execution of sentences
  - Know the object of the criminal process and the way in which the different types of criminal process are developed.
  - Know the intervention of the different subjects in the process and the phases in which the criminal process is articulated.
- SDGs met: 10, 16, y 17.

### 2. Learning results

Upon completion of the subject, the student will be able to:

- Know the composition and organization of the criminal courts and tribunals, as well as the rights and guarantees of citizens before the criminal jurisdiction.
- Distinguish criminal jurisdictional protection and its essential features with respect to other types of jurisdictional protection.
- Identify, select and apply in a reasoned manner the legal sources of criminal procedural law.
- Be familiar with Spanish criminal proceedings and their corresponding phases.
- Develop basic procedural strategies in the criminal field.
- Identify and understand forensic writings and write basic forensic writings correctly.

### 3. Syllabus

- The criminal process. Principles of criminal procedure. Sources of the criminal process.
- Criminal jurisdiction. Jurisdiction of the criminal courts.
- The parties in the criminal process.
- The object of the criminal process.
- Criminal procedure models.
- The initiation of criminal proceedings.
- The acts of investigation in the preliminary investigation.
- Precautionary measures.
- The intermediate period.
- The oral trial.
- The criminal sentence.
- Resources.
- The legal effects of the final judgment.
- The criminal review process.
- Special criminal proceedings and criminal proceedings with specialties.
- Enforcement in criminal proceedings.

#### 4. Academic activities

1. Theoretical classes of exposition and systematization of the contents of the program.
2. Practical classes through the presentation of cases to be solved and discussed by the students under the supervision of the teacher. According to the possibilities of planning the term and the development of the subject by the teacher, may project videos of court proceedings, carry out trial simulations, etc.
3. Work on procedural problems, writing of reviews, analysis of jurisprudence, etc. The result of these works may be written or oral in the support indicated by the professor.

#### 5. Assessment system

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Mixed Assessment System.

A) Evaluation of active participation through activities and criteria determined by the professor. It is passed with 1.5 out of 3 points and is maintained in the June call.

B) Final test consisting of two parts:

1. Multiple-choice test with 25 questions. The correct answer scores 0.2, the incorrect one scores -0.1, and unanswered questions score 0. Passing this test (2.5 out of 5 points) is a requirement to pass the subject. If not passed, the grade for the subject will be the test score multiplied by 2.

2. A practical test (worth 2 points). To pass this test, it is necessary to obtain 50% (1 point). If the practical test is not passed, the student's grade will be the sum of the test, the practical exam, and the continuous evaluation; if this result exceeds 5, the grade will be 4.9.

Global Final Assessment System:

If the student does not pass or does not participate in continuous evaluation, they must take the exam through the global final test system, which will consist of two parts:

1. Multiple-choice test with 25 questions, as in the mixed system.

2. Practical test which accounts for 50% of the total grade; it is necessary to obtain at least 2.5; if this score is not achieved and the result exceeds 5, the student's grade will be 4.9.

#### 6. Sustainable Development Goals

10 - Reduction of Inequalities

16 - Peace, Justice and Strong Institutions

17 - Partnerships for the Goals