

30516 - Procedural Law II

Syllabus Information

Academic year: 2023/24

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

Mixed assessment system.

a- Assessment of active participation through the activities and criteria determined by the teacher. It is passed with a 1.5 out of 3 points and is maintained in June/July.

b- Final two-part test:

-Test of 25 multiple-choice questions. Correct answer 0.2, wrong answer -0.1, no answer 0. Passing this test (2.5 out of 5 points) is a requirement to pass the subject.

-A practical test (out of 3 points).

If the continuous evaluation is passed, but not the final test, the numerical grade will be the one obtained in the final test, If the student does not pass or does not take the continuous assessment, he/she will have to take the test by the global final test system.

In order to pass the subject, students must have passed both the active participation in class (1.5 out of 3 points) and the final exam (3.5 out of 7 points, provided that they have passed the test as indicated above)

Global final test system:

It consists of two tests; a multiple-choice test and a practical test. Each one will have a value of 50% of the total grade, the passing the test is essential to pass the subject.