

## Syllabus Information

**Academic year:** 2023/24

**Subject:** 60750 -

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

**Degree:** 522 - Master's in Legal Practice

**ECTS:** 3.0

**Year:** 2

**Semester:** First semester

**Subject type:** Optional

**Module:**

### 1. General information

The purpose of the subject is for the student to know the modalities of the expert evidence, to identify the cases in which they can resort to the practice of such evidence, knowing the form, terms and means to invoke it and provide it, in order for it to have full effects in the process, as well as to know the most commonly used expert evidence in the Courts.

The acquisition of these resources will allow the student, as a professional, to have reasonable confidence in their chances of success and to act with confidence in the performance of their work. In short, it is intended that students learn about judicial practice and acquire a minimum initial experience to begin their professional practice with a specific background that is not acquired in undergraduate or graduate studies.

These approaches and goals are aligned with the following Sustainable Development Goals (SDGs) of the United Nations Agenda 2030, so that the acquisition of the learning results of the subject provides skills and competence to contribute to some extent to their achievement:

Goal 4: Quality education (2.2.)

Goal 10: Reduction of inequalities (2.1.)

Goal 16: Peace, justice and strong institutions (2.3)

### 2. Learning results

The student, after taking the subject, will be able to:

CO\_01: To know the techniques aimed at ascertaining and establishing the facts in the different types of procedure, especially the production of documents, interrogations and expert evidence.

HA\_01: To know how to apply the specialized knowledge acquired in the degree to professional practice before courts or public authorities, as well as in advisory functions, respecting democratic principles and values and the Sustainable Development Goals.

HA\_09: To know how to develop skills that allow them to improve the efficiency of their work and enhance the overall functioning of the team or institution in which they work through access to information sources, knowledge of languages, knowledge management and the use of applied techniques and tools.

HA\_11: To know how to develop professional work in specific and interdisciplinary teams.

CP\_01: To execute all acts entrusted to them or for whose execution they are empowered in the different jurisdictional orders, with special attention to deadlines, acts of communication, execution and means of enforcement.

CP\_06: To choose the most appropriate means offered by the legal system for the performance of a quality technical representation.

CP\_08: Teamwork: To actively collaborate with a group of people to achieve a common goal by pooling different talents.

### 3. Syllabus

BLOCK I. Expert evidence in the different jurisdictional orders

1. Expert evidence in the civil order - Verbal and ordinary trial. Special and family proceedings.
2. Expert evidence in the contentious-administrative order - Abbreviated and ordinary proceedings.
3. Expert evidence in the criminal order - The forensic medical expert.
4. Expert evidence in the commercial order - Specialties in corporate proceedings.
5. Expert evidence in the social order.

BLOCK II. Most commonly used expert evidence

1. Medical expert evidence - Forensic expert evidence.
2. Expert evidence of construction damages.

3. Expert evidence in family law. Psychosocial report.
4. Computer expert evidence.
5. Economic expert evidence.
6. Other most commonly used expert evidence.

#### **4. Academic activities**

The activities of the subject consist of presentations by teachers, lawyers and judges on the practice of expert evidence in different jurisdictions and instances.

On the other hand, the experts will explain how they carry out the different expert tests, in which cases they are used and how it is necessary to practice the test in the process for the best defence of the interests that have been entrusted to them.

Students will intervene in relation to the issues raised. This includes participation in the discussions among the different possible solutions that the students will argue for.

#### **5. Assessment system**

The evaluation will be continuous and in order to pass the subject in this way students must attend, at least 80% of the subject sessions and submit a written assignment. The work will consist of the exposition of a real case that must be searched and accessed through jurisprudential search and/or news in which the practice of an expert evidence has been or is considered relevant . They must state the factual assumption, search for the information of the same in the different sources, identify the applicable jurisdiction or jurisdictions, state the opportune procedural moment to carry out the expertise and justify the timeliness of the same as well as establish the conclusions in relation to the usefulness of the practice of the expert evidence.

Students who have not opted for the continuous evaluation system or have not passed the subject through this system may take a global test. This single test will consist of the written resolution of a questionnaire of multiple choice questions on the contents of the subject and the completion of a case study.

In all the activities and exercises, in addition to the technical correctness in the solution of the assumptions, the argumentative and critical reflection capacity, the expository clarity, the argumentative coherence and linguistic correctness , the search and extent of the information, as well as the respect to the basic criteria in the elaboration of academic works (absence of plagiarism, etc.) will be taken into consideration. In order to avoid plagiarism, at the teacher's discretion, the oral defence of written work may be requested.