

## 27718 - Procedural Law I

### Información del Plan Docente

|                 |                           |
|-----------------|---------------------------|
| Academic Year   | 2016/17                   |
| Academic center | 102 - Facultad de Derecho |
| Degree          | 421 - Degree in Law       |
| ECTS            | 9.0                       |
| Course          | 3                         |
| Period          | First semester            |
| Subject Type    | Compulsory                |
| Module          | ---                       |

### 1. Basic info

#### 1.1. Recommendations to take this course

#### 1.2. Activities and key dates for the course

### 2. Initiation

#### 2.1. Learning outcomes that define the subject

#### 2.2. Introduction

### 3. Context and competences

#### 3.1. Goals

#### 3.2. Context and meaning of the subject in the degree

#### 3.3. Competences

#### 3.4. Importance of learning outcomes

### 4. Evaluation

### 5. Activities and resources

#### 5.1. General methodological presentation

#### 5.2. Learning activities

#### 5.3. Program

### CIVIL PROCEEDINGS SYLLABUS

*Lesson 1 . The jurisdiction. Principles of the jurisdiction.*

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*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* . 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 proceeding 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.

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*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

### **5.4.Planning and scheduling**

### **5.5.Bibliography and recommended resources**