

## SUBJECT TEACHING GUIDE

G461 - Procedural Law I

Degree in Law

Academic year 2017-2018

1. IDENTIFYING DATA					
Degree	Degree in Law			Type and Year	Compulsory. Year 3
Faculty	Faculty of Law				
Discipline	Third Year Subjects Topic: Procedural Law				
Course unit title and code	G461 - Procedural Law I				
Number of ECTS credits allocated	6	Term	Semester based (1)		
Web					
Language of instruction	Spanish	English Friendly	No	Mode of delivery	Face-to-face

Department	DPTO. DERECHO PUBLICO				
Name of lecturer	VICTORIA LUISA ORTEGA BENITO				
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Other lecturers	JUAN ANTONIO BERDEJO VIDAL				

### 3.1 LEARNING OUTCOMES

- Acquisition of knowledge and understanding of theoretical knowledge typical of the subject matter of the course.
- Identifying procedural and procedural norms and institutions program and manage complex forensic terminology.
- Application so practical and operational knowledge acquired to real situations.

### 4. OBJECTIVES

Acquire knowledge of the essential concepts of Civil Procedural Law, in connection with the structure of the system of judicial protection of rights under Spanish legislation.

6. COURSE ORGANIZATION	
CONTENTS	
1	INTRODUCTION. Civil Procedural Law.
2	The preliminary hearing. Concept and content.
3	THE EVIDENCE. 1. Concept and nature. 2. Types of test. 3. The burden of evidence in the Civil Procedure. 4. The problem of illegal evidence. 5. evidentiary procedure.
4	EVIDENCE. 1. The interrogation of the parties; 2. Proof of documents; 3. Opinion of experts; 4. The judicial recognition; 5. The examination of witnesses; 6. Instruments reproducing sound; 7. Presumptions
5	CLOSURE OF THE PROCEDURE. Conclusions and sentence. Procedural crisis. The costs.
6	THE VERBAL TRIAL. 1. Concept; 2. Scope; 3. Procedure.
7	Legal remedies. 1. Concept and classes; 2. The appeal; 3. Extraordinary appeal for procedural infringement and appeals; 4. The revision; 5. Hearing the rebel.
8	THE EXECUTION. 1. Levy of execution; 2. The title of execution; 3. Opposition to implementation; 4. The provisional execution; 5. Executions do not do or give anything; 6. The cash execution.
9	PRECAUTIONARY TUTELAGE. 1. The precautionary measures. Concept and classes. 2. Estimates for adoption. 3. Procedure.

## 7. ASSESSMENT METHODS AND CRITERIA

Description	Type	Final Eval.	Reassessn	%
Evaluation of the theoretical knowledge acquired	Written exam	No	Yes	60,00
Assessment of the practical application of the theoretical knowledge acquired	Written exam	Yes	Yes	30,00
Participation in laboratory activities	Laboratory evaluation	No	No	5,00
Assessment of the knowledge acquired in the seminars	Written exam	Yes	No	5,00
<b>TOTAL</b>				<b>100,00</b>

### Observations

#### a) .- Theoretical

The system of continuous assessment applies only to the theoretical part of the course and will consist of conducting two follow-up tests throughout the course, which, the first, will be held in week 9 and the second, on the date to be established in the period reserved for exams in February.

These tests shall be deemed superseded when obtained at each at least five note.

The mark obtained in the continuous assessment, which will be the average obtained in the above tests, provided that they have been overcome, will represent 60% of the individual student's final grade in the course.

Screening tests that have not been overcome could be recovered in the recovery period provided for this purpose, in September, before the start of next year.

Failure to pass this test recovery, or failure to submit to it, will mean failing the entire subject.

#### b) .- Practical part.

To overcome the practical part of the course will need to obtain a grade of 5 (out of 10) in the test to be held on the date established in the period reserved for exams in February.

The mark obtained in this test will account for 30% on the individual student's final grade in the course.

If the practice test has not been overcome part may be recovered in the recovery period provided for this purpose, in September, before the start of next year.

Failure to pass this test recovery, or failure to submit to it when you have not overcome this part, will mean failing the entire subject.

#### c) .- Participation in other activities

External activities in student participation in at least 75% of such activities will be assessed, reaching such an assessment to represent 5% of the individual student's final grade in the course.

The non-participation of students in the aforementioned activities, and since this is a non-recoverable activity, means that the student may not add up to 5% expected their individual final grade.

#### d) .- Seminars

Each student must participate in two seminars offered, having overcome, on schedule for the final exam of the subject, a test that will be a 5% of the individual student's final grade in the course.

This test must be assessed with a score from 0 to 10 and means overcome if a note of it, at least you get 5.

If this part of the course was not surpassed the student may not add 5% to the individual final note.

The non-participation of students in any of the two seminars offered, since repetition is impossible, involves not overcome them, so that the student, in this case, you can not add 5% expected to individual endnote.

### Observations for part-time students

In the case of students under a part-time position, and given that the subject there are no groups modalities of blended teaching or other alternatives that allow the student part-time regular participation in classroom teaching, the student may undergo a single assessment process.

In such cases of a single assessment, the grade obtained in that one test will be the final grade of the student.

## 8. BIBLIOGRAPHY AND TEACHING MATERIALS

### BASIC

ARMENTA DEU, T., Lecciones de Derecho Procesal Civil, Marcial Pons, Madrid, última edición.

MONTERO AROCA, J / GOMEZ COLOMER, J.L / MONTON REDONDO, A., BARONA VILAR, S., Derecho Jurisdiccional II. Proceso Civil, Tirant Lo Blanch, Valencia, Última edición.

MORENO CATENA, V / CORTES DOMINGUEZ, V., Derecho Procesal Civil. Parte General, Tirant Lo Blanch, Valencia, Última edición.

DE LA OLIVA SANTOS, A.,

. Derecho Procesal Civil: El proceso de declaración, Centro de Estudios Ramón Areces, Última edición.

. Derecho Procesal Civil. Ejecución Forzosa, Procesos Especiales, Centro de Estudios Ramón Areces, Última edición.

ORTELLS RAMOS, M., Derecho Procesal Civil, 8ª edición, Thomson-Aranzadi, Navarra, última edición..

PEREZ-CRUZ MARTÍN, A., Derecho Procesal Civil, Andavira, Santiago de Compostela, última edición.

RAMOS MENDEZ, F., Enjuiciamiento Civil. Como gestionar los litigios civiles, Atelier, Barcelona, última edición.