



Information about the subject

Degree: Bachelor of Arts Degree in Law

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 310206 **Name:** Procedural Law I

Credits: 6,00 **ECTS Year:** 2 **Semester:** 2

Module: Procedural Law

Subject Matter: Procedural Law **Type:** Compulsory

Field of knowledge: Social and Legal Sciences

Department: Public Law

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

312	<u>Diana Marcos Francisco</u> (Responsible Lecturer)	diana.marcos@ucv.es
312B	<u>Diana Marcos Francisco</u> (Responsible Lecturer)	diana.marcos@ucv.es



Module organization

Procedural Law

Subject Matter	ECTS	Subject	ECTS	Year/semester
Procedural Law	18,00	Procedural Law I	6,00	2/2
		Procedural Law II	6,00	3/1
		Procedural Law III	6,00	4/1



Learning outcomes

At the end of the course, the student must be able to prove that he/she has acquired the following learning outcomes:

- R1 To know the basic procedural concepts, the different procedural acts and documents and to develop the skills for their practical application by the different professionals in the world of law (judges, lawyers, etc.) and, where appropriate, to detect their invalidity or inefficiency.
- R2 To know and become familiar with a culture of non-litigation, adopting mediating and conciliatory positions, as well as the differences between the judicial and arbitral process.
- R3 To understand the importance of a genuine division of powers, of constitutional principles governing the judiciary's organization and of constitutional principles that integrate the personal status of judges and magistrates in order to guarantee in practice a true judicial independence, being able to identify and use the legal mechanisms at their disposal for their protection.
- R4 To recognize and assimilate the functions of judges and other non-judicial personnel who assist or collaborate with the justice system, the way of accessing the judicial career and the other legal-procedural bodies and professions, and the cases in which the State-judge is responsible for the assets.
- R5 To learn about the judicial system and organization, its governing bodies, and the specific courts or tribunals competent to hear the different matters, differentiating between ordinary and special constitutional courts.
- R6 To know the meaning and scope of the fundamental right to obtain effective judicial protection and free access to justice in the light of constitutional case law, as well as the procedural mechanisms for its defence and recognition.



Competencies

Depending on the learning outcomes, the competencies to which the subject contributes are (please score from 1 to 4, being 4 the highest score):

GENERAL	Weighting			
	1	2	3	4
CG1 Knowledge of the Science being studied, in this case of the science of Law, fundamentally of the most practical branches, with their international and economic implications and their specialized language.				X
CG2 Analysis and synthesis capacity			X	
CG3 Capacity for organization and planning			X	
CG4 Problem-solving capacity.				X
CG8 Ethical commitment to information management.			X	
CG9 Oral and written communication skills in their native language in relation to the Science of Law.				X
CG11 Professional relationships: be able to establish and maintain relationships with other relevant professionals and institutions.			X	
CG12 To be able to develop audiovisual presentations.	X			
CG13 Information management capacity.			X	
CG15 Ability to work in interdisciplinary teams.	X			
CG16 Ability to develop and maintain one's own competencies, skills and knowledge according to the standards of the profession.			X	
SPECIFIC	Weighting			
	1	2	3	4



Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
	50,00%	Practical tests
	15,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
	35,00%	Written theoretical tests

Observations

1^a) Students must obtain a minimum of 4 points out of 10 in the theoretical exam and in the practical exam to make the average and to be able to sum the other assessment instruments. However, in the 2nd call, the practices presented throughout the course will not be taken into account, neither the assistance and participation. The student must do a practical questionnaire and a theoretical questionnaire the same date of the official exam. The mark obtained in said tests will represent 100% of the final grade (50% theoretical and 50% practical).

2^a) In relation to the concept of "attendance, active participation and a favourable attitude in the subject" (15%), the mere attendance or physical presence at classes will not compute anything: the 15% will derive from the favourable attitude in the subject. The assessment will be made through the records of attendance and the quality of the participation.

3^a) Students must obtain a minimum of 5 points out of 10, both in 1st or 2nd call, to pass the subject.

According to article 9 of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, the continuous evaluation system is the preferred evaluation system at the UCV. The art. 10 allows, however, for those students who, in a justified and accredited manner, express their inability to attend in person (or to synchronous communication activities for virtual and/or hybrid teaching modalities), their evaluation on an extraordinary basis in the so-called single evaluation. Said single evaluation must be requested within the first month of each semester to the Dean of Faculty through the Vice-Deaneries or Master's Directorates, with the express decision on the admission of said request from the student concerned being the responsibility of the latter.

The evidence to be presented and/or the test/s to be carried out in the single evaluation by the student will be the same as for the rest of the students, although the percentages awarded to the different evaluation instruments will be the following: 50% practical tests and 50% theoretical written tests.



CLASS ATTENDANCE IN FACE-TO-FACE DEGREES

In accordance with the development guidelines of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, in face-to-face degrees, class attendance with a minimum of 80% of the sessions of each subject will be required as a requirement to be evaluated. This means that, if a student does not attend the sessions of each subject, in a percentage greater than 20%, he/she will not be able to be evaluated, neither in the first nor in the second call, unless the person responsible for the subject, with the approval of the person responsible for degree, in view of duly justified exceptional circumstances, exempt from the minimum attendance percentage. The same criterion will be applicable for hybrid or virtual degrees in which teachers must maintain the same percentage in the requirement of "presence" in the different training activities, if any, even if these are carried out in virtual environments.

MENTION OF DISTINCTION:

The mention of "Honors" may be awarded to students who have obtained a grade equal to or greater than 9.0. Their number may not exceed five percent of the students enrolled in a group in the corresponding academic year, unless the number of students enrolled is lower.

Learning activities

The following methodologies will be used so that the students can achieve the learning outcomes of the subject:

- M1 Group work sessions supervised by the teacher. Study of legal cases, both true and fictitious. Significant construction of knowledge through student interaction and activity. Critical analysis of values and social commitment.
- M3 Sessions where the students defend an assumption from different points of view. Various roles are played, such as lawyer, judge, prosecutor, court clerk, etc.
- M4 The students, guided by the teachers, must attend real trials, as long as they can be accessed following the existing legislation.
- M8 Exposition of contents by the teacher, analysis of competences, explanation and demonstration of capacities, skills and knowledge in the classroom.
- M11 Personalised attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the aim of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc.
- M12 Set of written and/or oral tests used in the initial, formative or summative evaluation of the student.



- M13 Group preparation of readings, essays, resolution of problems, seminars, papers, dossiers, etc., to be presented or delivered in theory classes, practical classes, and/or small group tutorials.
- M14 Student's study: individual preparation of readings, essays, problem-solving, seminars, works, reports, etc. to present or deliver in the theoretical classes, practical classes and/or small group tutorials.

IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Practical cases. M1	R1, R3, R4, R5, R6	16,00	0,64
Attendance at Real Judicial Processes. M4	R1, R4, R5	5,00	0,20
Theoretical classes. M8	R1, R2, R3, R4, R5, R6	33,00	1,32
Tutorial. M11	R1, R2, R3, R4, R5, R6	4,00	0,16
Assessment M12	R1, R2, R3, R4, R5, R6	2,00	0,08
TOTAL		60,00	2,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M13	R5	2,00	0,08
Individual work. M14	R1, R2, R3, R4, R5, R6	88,00	3,52
TOTAL		90,00	3,60



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block	Contents
BLOCK 1. Introduction: evolution of the subject.	Evolution of the subject.
BLOCK 2. The judiciary.	<ul style="list-style-type: none">2.1. The separation of powers, the jurisdictional function and the double constitutional significance of the judiciary.2.2. The special constitutional courts.2.3. The political principles of the jurisdiction.2.4. The judicial people: judges and magistrates (justices).2.5. The judicial function.2.6. The independent government of the judiciary.2.7. The judicial system and its organization.2.8. The non judicial people: the support staff and the aide people.2.9. The extension and limits of jurisdiction.
BLOCK 3. The action.	<ul style="list-style-type: none">3.1. The theories of action and the right to a fair trial.3.2. The free access to Justice and this right.
BLOCK 4. The process.	<ul style="list-style-type: none">4.1. Process and procedure: concept and types.4.2. Common principles to all processes.4.3. The principles of civil procedure.4.4. The principles of criminal procedure.4.5. The principles of procedure.4.6. Procedural acts and documents: concept, limits, requisites, null and void.4.7. Types of procedural acts and documents.
BLOCK 5. The Procedural Law: meaning, legal basis, jurisdictional rules and substantive rules and law in time and space.	<ul style="list-style-type: none">5.1. The Procedural Law: meaning.5.2. Legal basis.5.3. Jurisdictional rules and substantive rules5.4. Procedural Law in time and space.



Temporary organization of learning:

Block of content	Number of sessions	Hours
BLOCK 1. Introduction: evolution of the subject.	1,00	2,00
BLOCK 2. The judiciary.	16,00	32,00
BLOCK 3. The action.	3,00	6,00
BLOCK 4. The process.	9,00	18,00
BLOCK 5. The Procedural Law: meaning, legal basis, jurisdictional rules and substantive rules and law in time and space.	1,00	2,00

References

BASIC:

- GÓMEZ COLOMER, J. L.; BARONA VILAR, S., ESPARZA LEIBAR, I.; ETXEBERRÍA GURIDI, J. F.; MARTÍNEZ GARCÍA, E. y PLANCHADELL GARGALLO, A., Introducción al Derecho Procesal. Derecho Procesal I, Valencia, Tirant lo Blanch, 3ª Ed., 2023.
- ORTELLS RAMOS, M., MASCARELL NAVARRO, M. J., CÁMARA RUIZ, J., JUAN SÁNCHEZ, R., BONET NAVARRO, J., BELLIDO PENADÉS, R., CUCARELLA GALIANA, L. A., MARTÍN PASTOR, J. y ARMENGOT VILAPLANA, A., Introducción al Derecho Procesal, Thomson-Reuters Aranzadi, 10ª Ed., 2020.

COMPLEMENTARY:

- AAVV, ASECIO MELLADO, J. M. (Dir.), Introducción al Derecho Procesal, Tirant lo Blanch, 1ª Ed., 2019.
- GIMENO SENDRA, V.; DÍAZ MARTÍNEZ, M. y CALAZA LÓPEZ, S., Introducción al Derecho Procesal, Valencia, Tirant lo Blanch, 1ª Ed., 2020.
- MORENO CATENA, V. y CORTÉS DOMÍNGUEZ, Introducción al Derecho Procesal, Valencia, Tirant lo Blanch, 12ª Ed., 2023.