



Information about the subject

Degree: Bachelor of Arts Degree in Law

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 310407 **Name:** Procedural Law III

Credits: 6,00 **ECTS Year:** 4 **Semester:** 1

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:

314A	<u>Maria Del Mar Aranda Jurado</u> (Responsible Lecturer)	mariammar.aranda@ucv.es
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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

Recommended knowledge

To take Procedural Law III, it is recommended to first take Procedural Law I and II, although it is not an essential requirement

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 how to adapt the legal-procedural concepts seen in the general part on jurisdiction, action and process, as well as their constitutional and jurisprudential reading, to their correlatives in matters of civil procedural protection.
- R2 To know the legal jurisdiction, analyzing its courts and competence.
- R3 To know how to analyze the criminal action and its practical development.
- R4 To become familiar with the use of self-composition methods of conflict resolution in the criminal field, especially in relation to conformity and the use of mediation, wherever possible and convenient for the victim.



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



CE3	Ability to use constitutional principles and values as a working tool in the interpretation of the legal system.								X
CE14	Ability to lodge appeals against acts of the different bodies of the various administrations or institutions.								X
CE15	Ability to defend in and out of court the rights of natural and legal persons and institutions.								X
CE20	Mastery of computer techniques in obtaining legal information and communication of legal data (Internet, databases of legislation, jurisprudence, bibliography).			X					
CE21	Ability to read and interpret legal texts.								X
CE22	Ability to make legal arguments.								X
CE23	Ability to write legal texts. Basic knowledge of legal argumentation.								X
CE24	Development of legal oratory. Ability to express oneself appropriately in front of an audience.								X
CE27	Capacity for negotiation and conciliation.								X
CE28	Ability to give legal form to bilateral and multilateral relations of individuals.			X					
CE29	Ability to legally articulate projects, agreements, or disagreements.					X			



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

1st) It is essential to obtain a minimum of 4 out of 10 in the exam (both in the test or theoretical questions and in the test or practical questions) to be able to compute or assess the other two evaluation instruments (on the one hand, "attendance, active participation and favorable attitude in the subject" and, on the other hand, "practical tests") in the 1st call. In the 2nd call, only the exam grade will be taken into account (also made up of a theoretical test or questions and other practical questions, with at least a 4 out of 10 to be obtained in each of said tests), not taking into account the practices delivered, the practical tests or questionnaires carried out in the classroom nor, in principle, the student's attendance and participation throughout the semester.

2nd) In relation to the concept of "attendance, active participation and favorable attitude in the subject" (15%), mere attendance or physical presence in classes will count for a maximum of 5%, while the remaining 10% will derive from the favorable attitude in the subject shown in any of the following ways: 1. The students' interventions in the classes themselves (in-person or online), with the corresponding records or notes. 2. Virtual tutorials through the UCVnet Virtual Campus or online sessions through Teams developed as a group or individual tutorial. 3. Interventions in the forum created on the UCVnet platform to raise and answer questions on the agenda. 4. The emails or messages received raising questions about the subject syllabus.

3rd) Only if the final grade is equal to or greater than 5, the subject will be approved. This both in the 1st and 2nd call. However, if the student obtains a total grade close to the pass mark in the 2nd call, he or she may pass the subject if the teacher considers it correct taking into account outstanding interventions by the student in question throughout the semester.

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, R2, R3, R4	8,00	0,32
Simulations of Judicial Processes with the Representation of the different legal actors. M3	R2, R3	2,00	0,08
Attendance at Real Judicial Processes. M4	R2, R3	4,00	0,16
Theoretical classes. M8	R1, R2, R3	40,00	1,60
Tutorial. M11	R1, R2, R3, R4	4,00	0,16
Assessment M12	R1, R2, R3, R4	2,00	0,08
TOTAL		60,00	2,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M13	R1, R2, R3, R4	2,00	0,08
Individual work. M14	R1, R2, R3, R4	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. The criminal process of statement.	<ul style="list-style-type: none">1.1. La competencia.1.2. Las partes.1.3. El objeto del proceso.1.4. El procedimiento preliminar (la instrucción).1.5. El juicio oral.1.6. Los recursos.1.7. Los efectos del proceso y medios de impugnación de la cosa juzgada
BLOCK 2. The criminal process of execution.	<ul style="list-style-type: none">2.1. Concepto y naturaleza.2.2. La competencia.2.3. Las partes.2.4. El título ejecutivo.2.5. El procedimiento de ejecución de los distintos tipos de pena y del contenido civil de la sentencia.
BLOCK 3. The precautionary criminal process.	<ul style="list-style-type: none">3.1. Regulación y concepto.3.2. Características de las medidas cautelares.3.3. Presupuestos de las medidas cautelares.3.4. Clases de medidas cautelares: a) personales b) patrimoniales3.5. Procedimiento de adopción de la libertad y la prisión provisional.



BLOCK 4. Criminal proceedings special versus criminal proceedings ordinary.

- 4.1. Los procesos penales ordinarios: el procedimiento ordinario, el procedimiento abreviado y el juicio de delitos leves.
- 4.2. Delimitación conceptual: procesos penales especiales y procesos penales ordinarios con especialidades procesales y/o procedimentales.
- 4.3. Los procesos militares.
- 4.4. Los procesos de menores.
- 4.5. La extradición pasiva.
- 4.6. La ejecución de órdenes europeas de detención y entrega.
- 4.7. Los juicios rápidos.
- 4.8. Los procesos ante el Tribunal del Jurado.
- 4.9. El proceso por aceptación de decreto.

Temporary organization of learning:

Block of content	Number of sessions	Hours
BLOCK 1. The criminal process of statement.	16,00	32,00
BLOCK 2. The criminal process of execution.	2,00	4,00
BLOCK 3. The precautionary criminal process.	6,00	12,00
BLOCK 4. Criminal proceedings special versus criminal proceedings ordinary.	6,00	12,00



References

BIBLIOGRAFÍA IMPRESCINDIBLE PARA SUPERAR LA ASIGNATURA:

-GÓMEZ COLOMER, J. L.y BARONA VILAR, S. (Coord.), Proceso Penal Derecho Procesal III, (4ª Ed.), Valencia, Tirant lo Blanch, 2024.

BIBLIOGRAFÍA COMPLEMENTARIA:

- ASENCIO MELLADO, J. M. (Dir.), Derecho Procesal Penal, Valencia, (2ª Ed.), Tirant lo Blanch, 2020.

- GIMENO SENDRA, V., DÍAZ MARTÍNEZ, M. y CALAZA LÓPEZ, S., Derecho Procesal Penal, Tirant lo Blanch, 2021.

- MORENO CATENA, V. y CORTÉS DOMÍNGUEZ, V., Derecho procesal penal, Valencia, Tirant lo Blanch, 10ª Ed., 2021.