



## 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:** -

**Type of learning:** Classroom-based learning

**Languages in which it is taught:** Spanish

### Lecturer/-s:

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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



## 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



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



## 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<sup>a</sup>) 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<sup>a</sup>) 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<sup>a</sup>) Students must obtain a minimum of 5 points out of 10, both in 1st or 2nd call, to pass the subject.

### MENTION OF DISTINCTION:

According to Article 22 of the Regulations governing the Evaluation and Qualification of UCV Courses, the mention of "Distinction of Honor" may be awarded by the professor responsible for the course to students who have obtained, at least, the qualification of 9 over 10 ("Sobresaliente"). The number of "Distinction of Honor" mentions that may be awarded may not exceed five percent of the number of students included in the same official record, unless this number is lower than 20, in which case only one "Distinction of Honor" may be awarded.



## 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
<b>TOTAL</b>		<b>60,00</b>	<b>2,40</b>

## 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
<b>TOTAL</b>		<b>90,00</b>	<b>3,60</b>





## 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"><li>2.1. The separation of powers, the jurisdictional function and the double constitutional significance of the judiciary.</li><li>2.2. The special constitutional courts.</li><li>2.3. The political principles of the jurisdiction.</li><li>2.4. The judicial people: judges and magistrates (justices).</li><li>2.5. The judicial function.</li><li>2.6. The independent government of the judiciary.</li><li>2.7. The judicial system and its organization.</li><li>2.8. The non judicial people: the support staff and the aide people.</li><li>2.9. The extension and limits of jurisdiction.</li></ul>
BLOCK 3. The action.	<ul style="list-style-type: none"><li>3.1. The theories of action and the right to a fair trial.</li><li>3.2. The free access to Justice and this right.</li></ul>
BLOCK 4. The process.	<ul style="list-style-type: none"><li>4.1. Process and procedure: concept and types.</li><li>4.2. Common principles to all processes.</li><li>4.3. The principles of civil procedure.</li><li>4.4. The principles of criminal procedure.</li><li>4.5. The principles of procedure.</li><li>4.6. Procedural acts and documents: concept, limits, requisites, null and void.</li><li>4.7. Types of procedural acts and documents.</li></ul>
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"><li>5.1. The Procedural Law: meaning.</li><li>5.2. Legal basis.</li><li>5.3. Jurisdictional rules and substantive rules</li><li>5.4. Procedural Law in time and space.</li></ul>



## 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, 2ª Ed., 2022.
- 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, 11ª Ed., 2021.



## Addendum to the Course Guide of the Subject

Due to the exceptional situation caused by the health crisis of the COVID-19 and taking into account the security measures related to the development of the educational activity in the Higher Education Institution teaching area, the following changes have been made in the guide of the subject to ensure that Students achieve their learning outcomes of the Subject.

**Situation 1: Teaching without limited capacity** (when the number of enrolled students is lower than the allowed capacity in classroom, according to the security measures taken).

In this case, no changes are made in the guide of the subject.

**Situation 2: Teaching with limited capacity** (when the number of enrolled students is higher than the allowed capacity in classroom, according to the security measures taken).

In this case, the following changes are made:

### 1. Educational Activities of Onsite Work:

All the foreseen activities to be developed in the classroom as indicated in this field of the guide of the subject will be made through a simultaneous teaching method combining onsite teaching in the classroom and synchronous online teaching. Students will be able to attend classes onsite or to attend them online through the telematic tools provided by the university (videoconferences). In any case, students who attend classes onsite and who attend them by videoconference will rotate periodically.

In the particular case of this subject, these videoconferences will be made through:

☒ Microsoft Teams

☐ Kaltura



## **Situation 3: Confinement due to a new State of Alarm.**

In this case, the following changes are made:

### **1. Educational Activities of Onsite Work:**

All the foreseen activities to be developed in the classroom as indicated in this field of the guide of the subject, as well as the group and personalized tutoring, will be done with the telematic tools provided by the University, through:

☒ Microsoft Teams

☐ Kaltura

Explanation about the practical sessions:

- If there were practical tests (test questionnaires) left to take, these questionnaires won't be done through the UCVnet platform (moodle).



## 2. System for Assessing the Acquisition of the competences and Assessment System

### ONSITE WORK

#### Regarding the Assessment Tools:

☒ The Assessment Tools will not be modified. If onsite assessment is not possible, it will be done online through the UCVnet Campus.

☐ The following changes will be made to adapt the subject's assessment to the online teaching.

Course guide		Adaptation	
Assessment tool	Allocated percentage	Description of the suggested changes	Platform to be used

The other Assessment Tools will not be modified with regards to what is indicated in the Course Guide.

#### Comments to the Assessment System:

- The exam will be done through the UCVnet platform (moodle). It will be possible to use manuals, notes, legislation and jurisprudence.