



## Information about the subject

**Degree:** Bachelor of Arts Degree in Law

**Faculty:** Faculty of Legal, Economic and Social Sciences

**Code:** 310406 **Name:** Procedural Law III - Bankruptcy and other special processes

**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:** -

**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 - Bankruptcy and other special processes	6,00	4/1

## Recommended knowledge

To study Procedural Law III, it is recommended to take Procedural Law I and II before, although it is not essential requirement to have passed Procedural Law I.

## 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 criminal 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



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ory. Ability to express oneself n audience.			X
nd conciliation.			X
o bilateral and multilateral relations of	X		
projects, agreements, or disagreements.		X	



## Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
R1, R2, R3, R4	50,00%	Practical tests
R1, R2, R3, R4	15,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
R1, R2, R3, R4	35,00%	Written theoretical tests

### Observations

1ª) 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).

2ª) 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 compute a maximum of 5%, while the remaining 10% 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.

3ª) 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, 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
<b>TOTAL</b>		<b>60,00</b>	<b>2,40</b>

## LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M13		2,00	0,08
Individual work. M14	R1, R2, R3, R4	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. The criminal process of declaration.	<ul style="list-style-type: none"><li>1.1. The jurisdiction.</li><li>1.2. The parties.</li><li>1.3. The object of the process.</li><li>1.4. The preliminary procedure.</li><li>1.5. The oral trial.</li><li>1.6. Appeals.</li><li>1.7. The effects of the process and means of challenging the res iudicata.</li></ul>
BLOCK 2. The criminal execution process.	<ul style="list-style-type: none"><li>2.1. Concept and nature.</li><li>2.2. The jurisdiction.</li><li>2.3. The parties.</li><li>2.4. The executive title.</li><li>2.5. The procedure for the enforcement of the different types of penalties and the civil content of the sentence.</li></ul>
BLOCK 3. The precautionary criminal process.	<ul style="list-style-type: none"><li>3.1. Regulation and concept.</li><li>3.2. Characteristics of precautionary measures.</li><li>3.3. Requirements of precautionary measures.</li><li>3.4. Types of precautionary measures:<ul style="list-style-type: none"><li>a) personal</li><li>b) economic</li></ul></li><li>3.5. Procedure for the adoption of freedom and provisional detention.</li></ul>





BLOCK 4. Special criminal processes versus Ordinary criminal processes.

- 4.1. Ordinary criminal proceedings: the ordinary procedure, the abbreviated procedure and the trial of minor offenses.
- 4.2. Conceptual delimitation: special criminal proceedings and ordinary criminal proceedings with procedural and/or procedural specialties.
- 4.3. The military processes.
- 4.4. The processes with minors.
- 4.5. The passive extradition.
- 4.6. The execution of European arrest and delivery orders.
- 4.7. The quick judgments.
- 4.8. The processes before the Jury.
- 4.9. Judicial decision on summons to the proceedings.

## Temporary organization of learning:

Block of content	Number of sessions	Hours
BLOCK 1. The criminal process of declaration.	16,00	32,00
BLOCK 2. The criminal execution process.	2,00	4,00
BLOCK 3. The precautionary criminal process.	6,00	12,00
BLOCK 4. Special criminal processes versus Ordinary criminal processes.	6,00	12,00



## References

### BASIC:

-GÓMEZ COLOMER, J. L.y BARONA VILAR, S. (Coord.), *Proceso Penal Derecho Procesal III*, (3ª Ed.), Valencia, Tirant lo Blanch, 2023..

### COMPLEMENTARY:

- ASECIO 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.



## 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:



## 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
Attendance, active participation and favourable attitude in the subject	15	Active participation and favourable attitude in the subject = 15%	UCVnet, Microsoft Teams

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

#### Comments to the Assessment System:

- Class attendance will have not value.

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



Universidad  
**Católica de  
Valencia**  
San Vicente Mártir

# Course guide

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