



Information about the subject

Degree: Licenciatus in Iure Canonico

Faculty: Faculty of Canon Law

Code: 1280514 **Name:** CIC Book VII: Procedural Law I

Credits: 6,00 **ECTS Year:** 5 **Semester:** 1

Module: Libro VII del CIC

Subject Matter: Libro VII del CIC: Derecho Procesal I **Type:** Compulsory

Department: Canon Law

Type of learning: Classroom-based learning

Languages in which it is taught:

Lecturer/-s:



Module organization

Libro VII del CIC

Subject Matter	ECTS	Subject	ECTS	Year/semester
Libro VII del CIC: Derecho Procesal I	6,00	CIC Book VII: Procedural Law I	6,00	5/1
Libro VII del CIC: Derecho Procesal II	6,00	CIC Book VII: Procedural Law II	6,00	5/2
Procesos Especiales	3,00	Special processes	3,00	5/2

Recommended knowledge

None



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 R-1. Conocer los conceptos procesales básicos, los diferentes actos y documentos procesales y desarrollar las habilidades para su aplicación práctica por los distintos profesionales del mundo del Derecho (jueces, abogados, etc.) y, en su caso, detectar su invalidez o ineficacia.
- R2 R-2. Deben conocerse, interpretarse y manejarse con soltura las fuentes y normas jurídicas procesales y aplicarlas a los diferentes tipos de procesos.
- R3 R-3. Como regla preferente del ordenamiento procesal canónico, el alumno debe conocer y familiarizarse con los instrumentos de prevención de litigios y los métodos alternativos para la solución de los conflictos eclesiales
- R4 R-4. Entender la importancia de la función jurisdiccional, en el contexto del principio constitucional de la unidad de potestad de régimen, cuyo ejercicio se encomienda a los Jueces y Tribunales, de los principios constitucionales que rigen el poder judicial, su organización y la garantía de la independencia judicial.
- R5 R-5. Conocer y asimilar las funciones de los jueces y demás miembros del Tribunal
- R6 R-6. El alumno debe conocer las normas reguladoras de la Jurisdicción eclesiástica, así como los criterios de distribución de competencia, así como de los procedimientos para su control.
- R7 R-7. Deben familiarizarse con el uso de bases de datos y la búsqueda informática de normas jurídicas, jurisprudencia, bibliografía y selección de textos de Derecho procesal
- R8 R-8. Debe conocerse el sistema y la organización judicial, sus órganos de gobierno, y los concretos tribunales
- R9 R-9. Debe conocerse el sentido y alcance del derecho fundamental del fiel a obtener una tutela judicial efectiva, del derecho a la defensa, así como los mecanismos procesales para su defensa y reconocimiento.
- R10 R-10. Deben conocerse los principios esenciales comunes a todo proceso y procedimiento
- R11 R-11. Deben ser capaces de redactar escritos procesales y defenderlos en juicios simulados



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):

BASIC		Weighting			
		1	2	3	4
CB1	CB1 - That students have demonstrated knowledge and understanding in an area of study from a background of general secondary education, theological studies or the field of law.			X	
CB2	CB2 - That students know how to apply their knowledge to their vocation and mission in a professional manner and possess the competencies that are typically demonstrated through the development and defense of arguments and problem solving within their area of study.			X	
CB3	CB3 - That students have the ability to gather and interpret relevant data to make judgments that include reflection on relevant ecclesial, social, scientific or ethical issues.			X	
CB4	CB4 - That students can transmit information, ideas, problems and solutions to both specialized and non-specialized audiences.			X	
CB5	CB5 - That students have developed those learning skills necessary to undertake further studies with a high degree of autonomy.			X	
GENERAL		Weighting			
		1	2	3	4
CG1	GC1 - Knowledge of the Science being studied, in this case the science of canon law, fundamentally of the historical and contemporary branches and in its practical dimension, with its implications in the life and ecclesial mission.			X	
CG7	GC7 - Cultivate and develop critical reasoning in the analysis of information.			X	
CG12	CG12 - Information management skills.			X	
CG14	GC14 - Ability to work in interdisciplinary teams.			X	



SPECIFIC	Weighting			
	1	2	3	4
CE1 CE1 - Understand and assume that canon law is the ecclesial legal system, with its principles and institutes, in the sphere of the universal Church and the local Church.			X	
CE2 SC2 - Understanding the different forms of creation of law in its historical evolution and in its current reality.			X	
CE13 CE13 - Acquisition of a critical conscience in the analysis of the juridical order and acquisition of theological and ethical values and principles.			X	
CE16 SC16 - Ability to read, write and interpret legal texts and to argue juridically.			X	
CE18 SC18 - Assumption of the necessary interdisciplinary vision of legal problems.			X	



Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11	70,00%	Theoretical written tests in which the theoretical knowledge acquired will be presented.
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11	15,00%	Practical tests by means of written tests and with the attendance and presentation of the different practices that will be proposed to the student throughout the course (the reviews of seminars or conferences that have been attended connected with this branch of knowledge and indicated by the professor in each case will also count (without the attendance to the seminars, seminars, or conferences the reviews or memory of the same ones will not be evaluated).
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11	15,00%	Attendance and active participation in class sessions and seminars. Their evaluation will be done by means of attendance tracking records by the professor.

Observations

In accordance with the regulations governing the assessment and grading of subjects in force at UCV, the distinction of "Matrícula de Honor" (Honours with Distinction) may be awarded to students who have achieved a grade of 9.0 or higher. The number of "Matrículas de Honor" (Honours with Distinction) may not exceed five percent of the students enrolled in the group for the corresponding academic year, unless the number of enrolled students is fewer than 20, in which case a single "Matrícula de Honor" (Honours with Distinction) may be awarded. Exceptionally, these distinctions may be assigned globally across different groups of the same subject. Nevertheless, the total number of distinctions awarded will be the same as if they were assigned by group, but they may be distributed among all students based on a common criterion, regardless of the group to which they belong. The criteria for awarding "Matrícula de Honor" (Honours with Distinction) will be determined according to the guidelines stipulated by the professor responsible for the course, as detailed in the "Observations" section of the evaluation system in the course guide.



Learning activities

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

- M1 Presentation of content by the teacher, analysis of competencies, explanation and demonstration of skills and knowledge in the classroom, skills and knowledge in the classroom.
- M2 Group work sessions in groups supervised by the teacher. Case studies, diagnostic analysis, problems, field study, computer classroom, visits, data search, libraries, on the net, Internet, etc. Meaningful construction of knowledge through student interaction and activity.
- M3 Personalized and small group attention. Period of instruction and/or orientation by a tutor with the objective of reviewing and discussing the materials and topics presented in the classes, seminars, readings, assignments, etc.
- M4 A set of oral and/or written tests used in the initial, formative or additive evaluation of the student.
- M5 Group preparation of readings, essays, problem solving, seminars, papers, reports, etc. to present or deliver in lectures, practical classes and/or small group tutorials. Work done on the university platform (<https://campusvirtual.ucv.es/>).
- M6 Student study: Individual preparation of readings, essays, problem solving, seminars, papers, reports, etc. to present or deliver in theory classes, practical classes and/or small group tutorials. Work done on the university platform (<https://campusvirtual.ucv.es/>).



IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Theoretical Classes M1	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11	48,00	1,92
Tutoring M3	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10	8,00	0,32
Assessment M4	R1, R2, R3, R4, R5, R6, R7, R9, R10, R11	4,00	0,16
TOTAL		60,00	2,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Work in groups M5	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11	30,00	1,20
Individual work M6	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11	60,00	2,40
TOTAL		90,00	3,60



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block	Contents
TOPIC I	General notions: 1) Introduction to procedural law; The procedural reform of Pope Francis M.P. "Mitis Iudex Dominus Iesus" 2) Introduction to canonical procedural law; 3) procedural terminology; 4) The types of process; 5) Legal nature of the process; 6) Application of procedural laws; 7) The procedural budgets.
TOPIC II	Jurisdictional budgets: 8) Jurisdiction and judicial power; 9) Competition: notion and division; 10) The competition titles; 11) Ways of determining competition.
TOPIC III	Structural budgets: 12) Degrees and types of courts; 13) The territorial courts; 14) Personal courts; 15) The apostolic tribunals
TOPIC IV	Structural budgets: 12) Degrees and types of courts; 13) The territorial courts; 14) Personal courts; 15) The apostolic tribunals
TOPIC V	Disciplinary budgets: 23) The procedural principles; 24) The exercise of the judging office; 25) Order, time and place of the process.



Temporary organization of learning:

Block of content	Number of sessions	Hours
TOPIC I	5,00	10,00
TOPIC II	7,00	14,00
TOPIC III	7,00	14,00
TOPIC IV	7,00	14,00
TOPIC V	4,00	8,00

References

Bibliografía básica y, en su caso, complementaria.

a) Manual: M. J. ARROBA CONDE, *Diritto processuale canonico*, Ediurcla, Roma, 2006 (5 ed.)

b) Bibliografía complementaria: J. J. GARCÍA FAILDE, *Nuevo Tratado de Derecho Procesal Canónico*, Madrid, 2018 (2ª ed.).

C. MORÁN BUSTOS - C. PEÑA GARCÍA, *Nulidad de matrimonio y proceso canónico*, Madrid 2008. CARMELO DE DIEGO-LORA Y RAFAEL RODRÍGUEZ-OCAÑA, *Lecciones de Derecho Procesal Canónico*, Pamplona, 2012 c) Comentarios de los cc. 1400-1500: J. L. ACEBAL, Sub cc. 1400-1500, in L. Echevarria (ed.), *Código de Derecho canónico*, Bac, Madrid, 1988; M. J. ARROBA CONDE, Sub cc. 1400-1500, in A. Benlloch Poveda (ed.), *Comentario al código de derecho canónico*, Edicep, Valencia, 1995 (6 ed.); C. DE DIEGO - L. DEL AMO, Sub cc. 1400-1500, in P. Lombardia-J. I. Arieta (dir.), *Código de Derecho Canónico*, Eunsa, Pamplona, 2010; AA. VV., *Comentario exegético al código de derecho canónico*, vol. IV/1, Eunsa, Pamplona, 1996.