



Information about the subject

Degree: Official Master's Degree in Law and procure

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 1810002 **Name:** Criminal Law and Practice of the Criminal Process

Credits: 9,00 **ECTS Year:** 1 **Semester:** 1

Module: Criminal Law and Criminal Procedure Practice

Subject Matter: Criminal Law and Criminal Procedure Practice **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:

ABOGA	<u>Francisco De Asis Silla Sanchis</u> (Responsible Lecturer)	fda.silla@ucv.es
	<u>Beatriz Maria Sarrion Marti</u>	beatriz.sarrionm@ucv.es
	<u>Herminia Luisa Rangel Lorente</u>	hl.rangel@ucv.es
	<u>Jaime Cussac Grau</u>	jaime.cussac@ucv.es
	<u>Jesus Angel Bonilla Correa</u>	ja.bonilla@ucv.es
	<u>Jose Oliveros Rossello</u>	jose.oliveros@ucv.es
	Luis Javier Jordan Ligorit	lj.jordan@ucv.es



ABOGA	<u>Maria Pilar Est Rojo Beltran</u>	mpe.rojo@ucv.es
ABOGB	<u>Francisco De Asis Silla Sanchis</u> (Responsible Lecturer)	fda.silla@ucv.es
	<u>Beatriz Maria Sarrion Marti</u>	beatriz.sarrionm@ucv.es
	<u>Herminia Luisa Rangel Lorente</u>	hl.rangel@ucv.es
	<u>Jaime Cussac Grau</u>	jaime.cussac@ucv.es
	<u>Jesus Angel Bonilla Correa</u>	ja.bonilla@ucv.es
	<u>Jose Oliveros Rossello</u>	jose.oliveros@ucv.es
	Luis Javier Jordan Ligorit	lj.jordan@ucv.es
	<u>Maria Pilar Est Rojo Beltran</u>	mpe.rojo@ucv.es
ABOGPRC	<u>Francisco De Asis Silla Sanchis</u> (Responsible Lecturer)	fda.silla@ucv.es
	<u>Beatriz Maria Sarrion Marti</u>	beatriz.sarrionm@ucv.es
	<u>Herminia Luisa Rangel Lorente</u>	hl.rangel@ucv.es
	<u>Jaime Cussac Grau</u>	jaime.cussac@ucv.es
	<u>Jesus Angel Bonilla Correa</u>	ja.bonilla@ucv.es
	<u>Jose Oliveros Rossello</u>	jose.oliveros@ucv.es
	Luis Javier Jordan Ligorit	lj.jordan@ucv.es
	<u>Maria Pilar Est Rojo Beltran</u>	mpe.rojo@ucv.es
	<u>Silvia Sempere Faus</u>	silvia.sempere@ucv.es



Module organization

Criminal Law and Criminal Procedure Practice

Subject Matter	ECTS	Subject	ECTS	Year/semester
Criminal Law and Criminal Procedure Practice	9,00	Criminal Law and Practice of the Criminal Process	9,00	1/1

Recommended knowledge

Bachelor or Degree in Law



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 Demonstrate knowledge of the rights of persons deprived of their liberty in their dealings with the police and the courts.
- R2 Know the measures that may be required at any given time for the immediate protection of the interests of the victims of the crime.
- R3 Students can discern the urgent claims of those who are not, despite the situations of pressure in which the lawyers may be subjected by their clients.
- R4 Students can provide a quick reparation of the interest of the victim who has been disturbed can be demanded.
- R5 Prove knowledge of the rights of suspects, accused persons, detainees and defendants in the conduct of investigation and evidence proceedings and the intervention of lawyers in such proceedings.
- R6 Correct and complete drafting of complaints and accusations.
- R7 Correct action before the judicial bodies and the issuing of oral reports.
- R8 Propose evidence and know the consequences of the proof.
- R9 Know each of the phases of the process and the obstacles that hinder the speeding up of its processing.
- R10 Know of the procedural obligations of those involved in the process and the consequences of failure to comply with them.
- R11 Intervene fluently in the practice of the evidence of interrogation of parties and witnesses knowing the consequences of the results of such evidence.
- R12 Know the appeals against the judicial resolutions, their writing and reasoning, time and place of presentation.
- R13 Know how to execute judicial resolutions and to urge them in those matters in which it is convenient for the interests of the defendants.
- R14 Defend the parties before the specialized criminal bodies, knowing the specific competences of each of them.



- R15 Know the limits of the deprivation of rights of the convicted person and maintaining his defence regardless of the crime for which he has been convicted.
- R16 Know the exercise of popular action and intervention of individuals in the administration of justice.



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
B6	Students have abilities to understand knowledge that provides a basis or opportunity to be original in the development and/or application of ideas, often in a research context.		X		
B7	Students can apply their acquired knowledge and problem-solving skills in new or unfamiliar environments within broader (or multidisciplinary) contexts related to their area of study.			X	
B8	Students integrate knowledge and deal with the complexity of making judgements based on incomplete or limited information, including reflections on the social and ethical responsibilities linked to the application of their knowledge and judgements.				X
B9	Students communicate their findings and the ultimate knowledge and reasons behind them to specialist and non-specialist audiences in a clear and unambiguous manner.			X	
B10	Students develop the learning skills that will enable them to continue studying in a largely self-directed or autonomous manner.			X	
GENERAL		Weighting			
		1	2	3	4
G1	Students can find and select information and relevant sources for problem solving, development of action strategies and advice to clients.			X	
G2	Prepare and handle the writings, reports and procedures of action most suitable for the problems raised.			X	
G3	Relate the instruments to be able to plan, order and channel activities in such a way that unforeseen events are avoided as much as possible, possible problems are foreseen and minimized, and their solutions are anticipated.				X



G4	Apply a set and take into account the different aspects and implications in the different aspects of the decisions and options adopted, knowing how to choose or advise the most convenient within the ethics, legality and values of social convenience .				X
G5	Demonstrate working in professional and multi-professional teams with efficacy and efficiency reproducing real contexts and contributing and coordinating one's own knowledge with that of other branches and participants.	X			
G6	Provide individual decisions and actively contribute to collective decision making.	X			
G7	Project and incorporate new technologies to the professional practice.	X			
G8	Control contradictory information and provide a critical judgment on it.		X		
G9	Relate and relate cases, problems or situations and provide and defend possible solutions through different techniques of presentation - oral, written, presentations, etc.				X
G10	Students assume the legal profession as a social and solidarity function, beyond the strict free justice.		X		

SPECIFIC		Weighting			
		1	2	3	4
E1	Possess skills that allow applying the specialized knowledge acquired in the bachelor's degree or degree to the exercise before courts or public authorities, as well as in advisory functions.			X	
E2	Know the techniques aimed at establishing the facts in the different types of proceedings, especially the production of documents, interrogations and expert evidence. x				X
E5	Know the procedural techniques and be able to execute as many acts as are entrusted to them or for which they are authorized to carry out in the different jurisdictional orders , with special attention to deadlines, acts of communication, execution and means of enforcement.			X	



E6	Develop the skills and abilities necessary for the correct and effective performance of communication acts to the parties in the process, and for effective collaboration with the courts in the execution of judicial decisions, knowing and differentiating the private interests that it represents from those of a public nature whose execution the Law and the courts allow entrust.			X
E7	Know and know how to apply professional deontological rights and duties in the relations of the person exercising the law or the procurement with clients, other parties, courts or public authorities and among other persons practicing law or the procurement, as well as with other professionals.			X
E9	Know and apply the techniques aimed at the identification and liquidation of customs duties, tax obligations, of constitution of judicial deposits and of attention of all the expenses and costs that are necessary to guarantee the effective guardianship court of the rights of those they represent.		X	
E10	Know how to identify conflicts of interest and know the techniques for their resolution, establish the scope of professional secrecy and confidentiality, and preserve the independence of criteria.		X	
E11	Know how to identify the delivery and organizational requirements that are decisive for legal advice and procedural representation.			X
E12	Know and know how to apply in practice the organizational, management and commercial environment of the legal profession, as well as its associative, tax, labor and personal data protection legal framework.		X	
E13	Develop skills and abilities to choose the correct strategy to defend the rights of clients taking into account the demands of the different fields of professional practice.			X
E14	Develop the ability to choose the most appropriate means offered by the legal system for the performance of a quality technical representation.		X	
E15	Develop the skills and abilities necessary for the use of procedures, protocols, systems, and judicial applications, which require the acts of communication and cooperation with the Administration of Justice with special attention to those of an electronic, computer and telematics nature.		X	



Assessment system for the acquisition of competencies and grading system

Observations

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 Exposition of contents by the teacher, analysis of competencies, explanation and demonstration of capacities, skills and knowledge in the classroom. Specific instructions about group and individual work on each topic.
- M2 Group work sessions in groups supervised by the teacher. Study of legal cases, both true and fictitious, diagnostic analysis, problems, field study, computer room, visits, data search, libraries, network, Internet, etc. Significant construction of knowledge through student interaction and activity.
- M3 Application of interdisciplinary knowledge.
- M4 Personalized attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the objective of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc.
- M5 Set of oral and/or written tests used in the initial, formative or summative evaluation of the student.
- M6 Group preparation of readings, assumptions and problem solving to present, discuss or deliver in the classes or tutorial.
- M7 Student's study: Individual reading preparation, study of practical cases, jurisprudence. Writing of writings and papers to present or deliver in classes or tutorials.



IN-CLASS LEARNING

IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Face-to-face lessons. M1, M2, M3, M4, M5, M6, M7	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16	30,00	1,20
Practice class. M1, M2, M3, M4, M5, M6, M7	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16	55,00	2,20
Seminar. M1, M2, M3, M4, M5, M6, M7	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16	5,00	0,20
Presentations of group work. M1, M2, M3, M4, M5, M6, M7	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16	10,00	0,40
Tutorial. M4, M7	R3, R4, R7	10,00	0,40
Evaluation. M3, M5	R1, R2, R3, R4, R5, R8, R9, R10, R12, R13, R14, R15, R16	2,50	0,10
TOTAL		112,50	4,50

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M3, M4, M6, M7	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16	36,50	1,46
Individual work. M3, M5, M7	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16	76,00	3,04
TOTAL		112,50	4,50



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block	Contents
Stat	Acts of initiation of the procedure. Particular procedures. Competencies
The investigation	Police. Judicial. Procedures that affect the rights of article 18 of the Constitution
The intervention of the lawyer in the investigation proceedings, in the instruction and in the evidence in the oral trial	Advance evidence, constituted evidence. Right of defense, contradiction and immediacy. Assistance to the detainee and the prisoner.
Precautionary measures to protect the victim and ensure the process.	Restraining and protection orders. Prison and provisional release. Insurance of civil liability.
The legal entity	Legal status as investigated and accused. Representation, Performance before the Court. Criminal and civil liability.
The lawyer and the Court on duty.	Participation in criminal proceedings and in the urgent proceedings of article 42 of Regulation 1/2005 of the General Council of the Judiciary
The intermediate phase	Preparation of the oral trial. Dismissals. Qualifications. Provisional conclusions. Writing of writings. Articles of prior pronouncement. Preliminary questions.
Compliance	Urgent errands. 770.1-5 ^a of the LECrim. At the oral trial
The oral trial.	Suspensions, interruptions. Evidence. Ratings and reports.
Trials for minor crimes	Legal assistance. Accusatory principle. Presence. Renunciation, forgiveness and absence of accusation.



The resources

Ordinary, extraordinary. Against final and interlocutory resolutions.

Participation of citizens in the administration of justice.

The jury court. Competences. Initiation. The preliminary hearing and constitution of the jury. The oral trial, verdict and sentence.

Violence against women courts.

Competencies. . Protection measures. Sentences and resources.

Men's criminal law.

The right of the minor to legal assistance. Civil and criminal powers. Procedures and measures.

The military procedure.

Organization, plant, skills. Right of defense. Peculiarities.

Protection of the victim.

In the complaint. During the process.

The consequences of the crime.

Penalties, security measures, effects, civil responsibilities. Execution, suspensions.

Activities of lawyers and attorneys in the process.

Civil, disciplinary and criminal responsibilities.

FMP

Seminar

The investigation

Police. Judicial. Procedures that affect the rights of article 18 of the Constitution

The intervention of the lawyer in the investigation proceedings, in the instruction and in the evidence in the oral trial

Advance evidence, constituted evidence. Right of defense, contradiction and immediacy. Assistance to the detainee and the prisoner.

The legal entity

Legal status as investigated and accused. Representation, Performance before the Court. Criminal and civil liability.

The lawyer and the Court on duty.

Participation in criminal proceedings and in the urgent proceedings of article 42 of Regulation 1/2005 of the General Council of the Judiciary

The intermediate phase

Preparation of the oral trial. Dismissals. Qualifications. Provisional conclusions. Writing of writings. Articles of prior pronouncement. Preliminary questions.



Compliance	Urgent errands. 770.1-5ª of the LECrim. At the oral trial
The oral trial.	Suspensions, interruptions. Evidence. Ratings and reports.
Trials for minor crimes	Legal assistance. Accusatory principle. Presence. Renunciation, forgiveness and absence of accusation.
The resources	Ordinary, extraordinary. Against final and interlocutory resolutions.
Participation of citizens in the administration of justice.	The jury court. Competences. Initiation. The preliminary hearing and constitution of the jury. The oral trial, verdict and sentence.
Violence against women courts.	Competencies. . Protection measures. Sentences and resources.



Temporary organization of learning:

Block of content	Number of sessions	Hours
Stat	2,00	4,00
The investigation	3,25	6,50
The intervention of the lawyer in the investigation proceedings, in the instruction and in the evidence in the oral trial	6,00	12,00
Precautionary measures to protect the victim and ensure the process.	7,00	14,00
The legal entity	2,00	4,00
The lawyer and the Court on duty.	3,00	6,00
The intermediate phase	4,00	8,00
Compliance	3,00	6,00
The oral trial.	3,00	6,00
Trials for minor crimes	3,00	6,00
The resources	2,00	4,00
Participation of citizens in the administration of justice.	2,00	4,00
Violence against women courts.	4,00	8,00
Menoos criminal law.	2,00	4,00



The military procedure.	2,00	4,00
Protection of the victim.	2,00	4,00
The consequences of the crime.	3,00	6,00
Activities of lawyers and attorneys in the process.	2,00	4,00
FMP	1,00	2,00
The investigation		0,00
The intervention of the lawyer in the investigation proceedings, in the instruction and in the evidence in the oral trial		0,00
The legal entity		0,00
The lawyer and the Court on duty.		0,00
The intermediate phase		0,00
Compliance		0,00
The oral trial.		0,00
Trials for minor crimes		0,00
The resources		0,00
Participation of citizens in the administration of justice.		0,00
Violence against women courts.		0,00



References

Given the multiple procedural and criminal reforms that have taken place in recent years, it is essential to know how to quickly handle all updated and current legal texts, and recent jurisprudence, as well as knowing the effects of intermediate laws; Therefore, in addition to legal texts, articles from specialized magazines on the latest reforms should be delved into.