



Information about the subject

Degree: Bachelor of Arts Degree in Law

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 310311 **Name:** Procedural Law II

Credits: 6,00 **ECTS Year:** 3 **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:

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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

Procedural Law I should be studied before Procedural Law II, although this is not essential.

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 civil jurisdiction, analyzing its courts and competence.
- R3 To know how to analyze civil action and its practical development.
- R4 To become familiar with the use of out-of-court methods of conflict resolution (Alternative Dispute Resolution) under private law (civil and commercial), especially mediation as a self-composing mechanism and arbitration as a heterocomposing method.



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	
CG13	Information management capacity.			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
R1, R2, R3	50,00%	Practical tests
R1, R2, R3, R4	15,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
R1, R2, R4	35,00%	Written theoretical tests

Observations

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

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	12,00	0,48
Simulations of Judicial Processes with the Representation of the different legal actors. M3	R1, R2, R3	8,50	0,34
Theoretical classes. M8	R1, R2, R4	35,00	1,40
Tutorial. M11	R1, R2, R3, R4	3,00	0,12
Assessment M12	R1, R2, R3, R4	1,50	0,06
TOTAL		60,00	2,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M13	R1	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. Declarative civil procedure.	<ol style="list-style-type: none">1.1. The jurisdiction.1.2. The parties.1.3. The object.1.4. Pre-trial (non judicial) activities.1.5. General rules.1.6. The first Court.1.7. The appeals.1.8. The effects of the procedure and the challenge of res iudicata.
BLOCK 2. Executive civil procedure.	<ol style="list-style-type: none">2.1 The enforcement order.2.2. The jurisdiction.2.3. The parties.2.4. The object.2.5. The provisional execution.2.6. The definitive execution.2.7. Procedural mechanisms to protect the third.
BLOCK 3. Precautionary civil procedure.	<ol style="list-style-type: none">3.1. Regulation and concept.3.2. Characteristics of precautionary measures.3.3. Requirements of precautionary measures.3.4. Kinds of precautionary measures.3.5. Procedure to adopt precautionary measures.3.6. The effects of termination and suspensión of the main process in relation to precautionary measures taken.
BLOCK 4. Special civil procedures.	<ol style="list-style-type: none">4.1. Inquisitive proceedings.4.2. To divide heritages.4.3. For the protection of credit.4.4. The bankruptcy process.



Temporary organization of learning:

Block of content	Number of sessions	Hours
BLOCK 1. Declarative civil procedure.	18,00	36,00
BLOCK 2. Executive civil procedure.	6,00	12,00
BLOCK 3. Precautionary civil procedure.	2,00	4,00
BLOCK 4. Special civil procedures.	4,00	8,00

References

BASIC:

- AAVV, GÓMEZ COLOMER, J. L. y BARONA VILAR, S. (Coords.), *Proceso Civil. Derecho Procesal II*, Valencia, Tirant lo Blanch, 3ª Ed., 2023.

COMPLEMENTARY:

- AAVV, ASENCIO MELLADO, J. M. (Dir.), *Derecho procesal civil. Parte general*, Valencia, Tirant lo Blanch, 1ª Ed., 2019.

- CORTÉS DOMÍNGUEZ, V. y MORENO CATENA, V., *Derecho Procesal Civil. Parte especial*, Valencia, Tirant lo Blanch, 12ª Ed., 2023.

- GIMENO SENDRA, V., *Derecho procesal civil. T. I: El proceso de declaración. Parte general*, Madrid, Ediciones Jurídicas Castillo de Luna, 2ª Ed., 2017.

- AAVV, ORTELLS RAMOS, M. (Dir.), *Derecho procesal civil*, Cizur Menor (Navarra), Thomson Reuters Aranzadi, 20ª Ed., 2022.