

	<b>DISCIPLINE SYLLABUS</b> <b>" Civil process"</b>
	<b>Degree of higher education - Bachelor</b>
	<b>Specialization – 081 "Law"</b>
	<b>Educational program – Law</b>
	<b>The year of study 3-4, semester – 6-7</b>
	<b>Form of study – Full-time, Part-time</b>
	<b>Number of ECTS credits – 6</b>
	<b>Language of instruction - Ukrainian</b>
	<b>Lecturer course</b> Olena STARCHENKO, PhD in Law, Senior Lecturer at the Department of Civil and Commercial Law
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### **DESCRIPTION OF THE DISCIPLINE**

**Objective:** to develop students' knowledge and practical skills on topical issues of legal regulation of civil procedural relations: procedural status of subjects of civil procedural relations, organizational and legal framework for ensuring civil procedure, procedural aspects of consideration and resolution of civil cases by stages and proceedings, as well as enforcement of court decisions.

**Objectives:** to develop students' practical skills in solving problems related to the implementation of civil procedure legislation, working with regulatory documents and writing procedural documents.

As a result of studying the discipline, students should:

**Know:**

- basic principles of civil procedure;
- the structure of courts of general jurisdiction, their competence, jurisdiction and jurisdiction over civil disputes;
- stages and procedure for resolving civil disputes;
- execution of decisions, rulings, resolutions of the court of general jurisdiction in civil disputes;

**be able to:**

- interpret and apply the norms of the Constitution of Ukraine, civil procedural and substantive law, resolutions of the Plenum of the Supreme Court of Ukraine;
- make informed procedural decisions in disputed procedural situations;
- prepare claims, statements of claim and other procedural documents.

**Acquisition of competencies:**

**General competencies (GC):**

- GC1. Ability to think abstractly, analyze and synthesize.
- GC2. Ability to apply knowledge in practical situations.
- GC3. Knowledge and understanding of the subject area and understanding of professional activities.
- GC4. Ability to communicate in the state language both orally and in writing.
- GC6. Ability to use information and communication technologies.
- GC7. Ability to learn and master modern knowledge.
- GC8. Ability to be critical and self-critical.
- GC9. Ability to work in a team.

GC10. Ability to act on the basis of ethical considerations (motives).

GC11. Ability to exercise their rights and responsibilities as a member of society; awareness of the value of civil (free democratic) society and the need for its sustainable development, the rule of law, human and civil rights and freedoms in Ukraine.

GC12. Ability to realize equal opportunities and gender issues.

GC14. Appreciation and respect for diversity and multiculturalism.

### **Special (professional, subject) competencies (SC):**

SC1. Ability to apply knowledge of the basic theory and philosophy of law, knowledge and understanding of the structure of the legal profession and its role in society.

SC3. Appreciation and respect for human dignity as the highest social value, understanding of its legal nature.

GC4. Ability to apply the Convention for the Protection of Human Rights and Fundamental Freedoms, as well as the case law of the European Court of Human Rights.

SC5. Ability to apply the rules and institutions of public international law and private international law.

SC6. Ability to conduct a comparative analysis of individual legal institutions of the European Union and the Council of Europe and the legal system of Ukraine.

SC7. Ability to apply the norms and institutions of law, at least in the following areas: constitutional law, administrative law and administrative procedure law, civil law and civil procedure law, labor law, criminal law and criminal procedure law.

SC8. Ability to apply legal principles and doctrines.

SC9. The ability to use databases of the judiciary and information technology is necessary in the practice of law.

GC10. Ability to use a variety of information sources to fully and comprehensively establish certain circumstances.

GC11. Ability to determine the relevant and acceptable facts for legal analysis.

GC12. Ability to analyze legal issues and justify legal positions.

GC13. Ability to critically and systematically analyze legal phenomena.

SC14. Ability to advise on legal issues, in particular, possible ways to protect the rights and interests of clients, in accordance with the requirements of professional ethics, proper compliance with the rules on non-disclosure of personal data and confidential information.

PC15. Ability to independently prepare drafts of law enforcement acts.

SC16. Ability to logically, critically and systematically analyze documents, understand their legal nature and significance.

### **Program learning outcomes (PLOs):**

PLO1. Determine the persuasiveness of arguments in the process of evaluating previously unknown conditions and circumstances.

PLO2. To know and understand international human rights standards, the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms, as well as the case law of the European Court of Human Rights.

ELO3. Collect and analyze materials from various sources in an integrated manner.

ELO4. To know and understand the fundamentals of European Union law.

ELO5. To give a brief legal opinion on certain factual circumstances with sufficient reasonableness.

ELO6. Evaluate the disadvantages and advantages of certain legal arguments by analyzing a known problem.

ELO8. Apply the institutions of public international law and private international law.

ELO9. Independently determine the circumstances in which assistance is needed and act in accordance with the recommendations received.

ELO10. Communicate fluently in the state and foreign languages, both orally and in writing, using legal terminology.

PLO11. Have basic rhetorical skills.

ELO12. To convey material on a particular legal issue to the respondent in an accessible and understandable manner.

PO13. To know and understand the peculiarities of implementation and application of substantive and procedural law.

ELO14. Use statistical information obtained from primary and secondary sources for legal activities.

ELO15. Freely use available information technologies and databases for legal activities.

PO16. Use computer programs necessary for legal activities.

PO17. Work in a team, ensuring the fulfillment of team tasks.

PLO18. Apply in professional activities the basic modern legal doctrines, values and principles of the national legal system.

ELO19. Explain the nature and content of basic legal phenomena and processes.

ELO20. Identify and analyze legally significant facts and make reasonable legal conclusions.

ELO21. Prepare drafts of the necessary acts of application of law in accordance with the legal conclusion made in various legal situations.

TI22. Provide advice on possible ways to protect the rights and interests of clients in various legal situations.

## COURSE STRUCTURE

Topic	Hours (lectures/seminars)	Learning outcomes	Objectives	Evaluation
<b>Module 1</b>				
<b>Topic 1: General provisions of civil procedural law</b>	<b>2/2</b>	Know the general provisions civil procedural law	Elaboration of theoretical issues. Solving practical tasks (including in E-learn). Performing independent work	Work on the seminar class - 0 points 0-10 points. Performing tasks of independent work - 0 0-10 points
<b>Topic 2. Principles of civil procedural law</b>	<b>2/2</b>	Be able to apply in practice general and special principles of civil procedural rights	Elaboration of theoretical issues. Solving practical tasks (including in E-learn). Performing independent work	Work on the seminar class - 0 points 0-10 points. Performing tasks of independent work - 0 0-10 points
<b>Topic 3: Civil procedural relations</b>	<b>2/2</b>	Understand features of civil procedural relations	Elaboration of theoretical issues. Solving practical	Work on the seminar in a seminar class 0-10 points

			tasks (including in Elearn)	
<b>Topic 4: Civil jurisdiction jurisdiction</b>	<b>2/2</b>	Apply rules of civil jurisdiction	Elaboration of theoretical theoretical issues. Solving practical tasks (including in E-learn). Performing independent work	Work on the seminar class - 0 points 0-10 points. Performing tasks of independent work - 0 0-10 points
<b>Module 2</b>				
<b>Topic 5. Court as a subject of civil procedural legal relations</b>	<b>2/2</b>	Know procedural position of the court as a subject of civil procedural legal relations	Elaboration of theoretical theoretical issues. Solving practical tasks (including in E-learn). Performing independent work	Work on the seminar class - 0 points 0-10 points. Performing tasks of independent work - 0 0-10 points
<b>Topic 6. Parties in civil proceedings</b>	<b>2/2</b>	Be able to characterize and procedural position of the parties in civil legal proceedings	Elaboration of theoretical theoretical issues. Solving practical tasks (including in Elearn)	Work on the seminar in a seminar class 0-10 points
<b>Topic 7. Third parties in civil proceedings</b>	<b>2/4</b>	Know what property can become the basis for the formation of the authorized capital of a business entity, be able to organize the procedure for the formation of various funds of an entrepreneurial company	Surveys. Problem solving. Testing. Performing independent work, including in eLearn.	Work on the seminar in a seminar class 0-10 points
<b>Topic 8: Civil procedural representation</b>	<b>2/2</b>	Understand the content of the institution civil procedural representation	Elaboration of theoretical theoretical issues. Solving practical	Work on the seminar in a seminar class 0-10 points

			tasks (including in Elearn)	
<b>Topic 9. Participation in the judicial process bodies and persons, who are authorized by law are granted the right to go to court in the interests of other persons</b>	2/2	Analyze forms of participation in judicial in the judicial process of bodies and persons to whom are granted by law the right to apply to the court in the the interests of other persons	Elaboration of theoretical theoretical issues. Solving practical tasks (including in Elearn)	Work on the seminar in a seminar class 0-10 points
<b>Topic 10. Other participants in the court proceedings</b>	2/2	Know procedural position of other participants civil process	Elaboration of theoretical theoretical issues. Solving practical tasks (including in Elearn)	Work on the seminar in a seminar class 0-10 points
<b>Module 3</b>				
<b>Topic 11. Terms of service in civil process</b>	2/2	Distinguish between terms in civil proceedings	Elaboration of theoretical theoretical issues. Solving practical tasks (including in Elearn)	Work on the seminar in a seminar class 0-10 points
<b>Topic 12: Judicial summonses and notifications</b>	2/2	To know the legal nature of judicial summonses and notices	Elaboration of theoretical theoretical issues. Solving practical tasks (including in Elearn)	Work on the seminar in a seminar class 0-10 points
<b>Topic 13. Court costs expenses</b>	2/2	Utilize provisions for court costs and expenses	Elaboration of theoretical theoretical issues. Solving practical tasks (including in Elearn)	Work on the seminar in a seminar class 0-10 points
<b>Topic 14: Evidence and evidence in civil proceedings</b>	2/2	Know the content evidence in civil proceedings	Elaboration of theoretical theoretical issues.	Work on the seminar class - 0 points

			Solving practical tasks (including in Elearn)	0-10 points. Performing tasks of independent work - 0 0-10 points
<b>Topic 15: Liability in civil in civil proceedings. Measures of procedural coercion</b>	<b>2/2</b>	Understand the meaning of responsibility in the civil process and measures procedural coercion	Elaboration of theoretical issues. Solving practical tasks (including in E-learn). Performing independent work	Work on the seminar class - 0 points 0-10 points. Performing tasks of independent work - 0 0-10 points

**Модуль №4**

<b>Topic 16. General characteristic of the claim proceedings</b>	<b>3/3</b>	Be able to utilize in practice provisions of civil procedural legislation regarding the claim proceedings	Elaboration of theoretical issues. Solving practical tasks (including in E-learn). Performing independent work	Work on the seminar class - 0 points 0-10 points. Performing tasks of independent work - 0 0-10 points
<b>Topic 17. Appeals against appeal</b>	<b>2/2</b>	Know the procedure for appeal appeal	Elaboration of theoretical issues. Solving practical tasks (including in E-learn). Performing independent work	Work on the seminar class - 0 points 0-10 points. Performing tasks of independent work - 0 0-10 points
<b>Topic 18. Cassation appeal</b>	<b>2/2</b>	Understand the content of the cassation appeal	Elaboration of theoretical issues. Solving practical tasks (including in E-learn). Performing independent work	Work on the seminar class - 0 points 0-10 points. Performing tasks of independent work - 0 0-10 points

**Module № 5**

<b>Topic 19: Writ proceedings</b>	<b>2/2</b>	Know the content of the writ proceedings	Elaboration of theoretical theoretical issues. Solving practical tasks (including in E-learn). Performing independent work	Work on the seminar class - 0 points 0-10 points. Performing tasks of independent work - 0 0-10 points
<b>Topic 20: Separate proceedings</b>	<b>2/2</b>	Be able to analyze the content of an individual proceedings	Elaboration of theoretical theoretical issues. Solving practical tasks (including in E-learn). Performing independent work	Work on the seminar class - 0 points 0-10 points. Performing tasks of independent work - 0 0-10 points
<b>Topic 21. Proceedings in connection with exceptional and newly discovered circumstances</b>	<b>2/2</b>	Understand the content of the proceedings in connection with exceptional and newly discovered circumstances	Elaboration of theoretical theoretical issues. Solving practical tasks (including in E-learn).	Work on the seminar class - 0 points 0-10 points.
<b>Topic 22. Procedural issues of execution of court decisions. Recognition and enforcement of judgments of foreign courts in Ukraine</b>	<b>2/2</b>	Know procedural issues execution of court decisions, recognition and enforcement of judgments of foreign courts in Ukraine	Elaboration of theoretical theoretical issues. Solving practical tasks (including in E-learn). Performing independent work	Work on the seminar class - 0 points 0-10 points. Performing tasks of independent work - 0 0-10 points
<b>Total for the semester</b>	<b>15/30</b>			<b>70</b>
<b>Examination</b>				<b>30</b>
<b>Total for the course</b>				<b>100</b>

#### **EVALUATION POLICY**

<b>Policy on deadlines and retakes:</b>	Works that are submitted late without valid reasons will be assigned a lower grade. Modules may be retaken only with the permission of the lecturer if there are valid reasons (e.g., a certificate).
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<b>Policy on academic integrity:</b>	Cheating during tests and exams is prohibited (including using mobile devices and other equipment). All papers must have correct textual references to the literature used.
<b>Attendance policy:</b>	Attendance is mandatory. For objective reasons (e.g., illness, international internship, etc.), training can take place individually (online) with the consent of the dean of the faculty.

## STUDENT EVALUATION SCALE

<b>Rating of higher education applicants, points</b>	<b>Evaluation based on the results of exams and tests</b>	
	<b>екзаменів</b>	<b>заліків</b>
90-100	excellent	enrolled
74-89	good	
60-73	satisfactory	
0-59	unsatisfactory	not enrolled

### **Educational and methodological support**

- Methodical recommendations for the preparation for seminars in the discipline "Civil Procedure" for students of the Faculty of Law of the Bachelor's Degree / comp. M. V. Pushkar. - K. : CP "PRINT", 2020. - 180 c.
- Methodical recommendations for preparatory courses for a single professional test and a single entrance exam in the discipline "Civil Procedure" for admission to study for a master's degree in specialty 081 Law / comp. M. V. Pushkar. - K. : CP "PRINT", 2021. - 30 c.

### **Recommended sources of information** **Basic literature**

1. Васильєв С.В. Цивільний процес України: навчальний посібник. Київ: Центр учебової літератури, 2021. 344 с.
2. Немеш П.Ф., Феннич В.П. Курс цивільного процесу: загальна частина: підручник. Ужгород: РІК-У, 2020. 807 с.
3. Васильєв С.В. Цивільний процес: підручник. Київ: Алерта, 2019. 506с.
4. Ізарова І.О., Ханик-Посполітак Р.Ю. Цивільний процес України: навчальний посібник. 3-те вид. Київ: ВД «Дакор», 2019. 274 с.
5. Логінов О.А., Штефан О.О. Цивільний процес України: навчальний посібник. Київ: Юрінком Інтер, 2018. 361 с.
6. Цивільний процес України: підручник / кол. авторів; за ред. В.О.Кучера. Львів: ЛьвДУВС, 2016. 768 с.

### **INFORMATION RESOURCES**

<http://zakon4.rada.gov.ua/laws/main> – інформаційно-пошукова система по законодавству;

<https://court.gov.ua/> – Судова влада України;

<https://supreme.court.gov.ua/supreme/> – Верховний Суд;

<http://www.reyestr.court.gov.ua> – Єдиний державний реєстр судових рішень;  
<https://www.rada.gov.ua/> – Верховна Рада України;  
<http://www.president.gov.ua> – Президент України;  
<http://www.kmu.gov.ua> – Кабінет Міністрів України.