



UNIWERSYTET
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W POZNANIU

Judicial Cooperation in Civil Matters

Educational subject description sheet

Basic information

Study programme European Legal Studies		Didactic cycle 2023/24
Speciality -		Subject code 10ELSS.120N.04871.23
Organizational unit Faculty of Law and Administration		Lecture languages English
Study level First-cycle programme		Course type Obligatory
Study form Full-time		Block Subjects not assigned
Education profile General academic		
Subject coordinator	Katarzyna Woźniak-Boińska, Miłosz Malaga	
Lecturer	Miłosz Malaga	
Period Semester 6	Activities and hours • Classes: 15, Graded credit	Number of ECTS points 2

Goals

Code	Goal
C1	Supplementing the students' knowledge and skills relating to international private law in determining jurisdiction in international civil matters Providing students with knowledge necessary to understand governing jurisdiction as well as recognition and enforcement of judgments in civil matters

Subject learning outcomes

Code	Outcomes in terms of	Learning outcomes	Examination methods
Knowledge - Student:			
W1	understands the basic legal concepts concerning judicial cooperation in civil matters	ELS_K1_W01, ELS_K1_W02, ELS_K1_W05, ELS_K1_W08, ELS_K1_W10	Test
W2	gets familiar with methods of determining jurisdiction in civil matters	ELS_K1_W01, ELS_K1_W02, ELS_K1_W05, ELS_K1_W08, ELS_K1_W10	Test
W3	understands rationale and rules on (mutual) recognition and enforcement of judgments in civil matters	ELS_K1_W01, ELS_K1_W02, ELS_K1_W05, ELS_K1_W08, ELS_K1_W10	Test
W4	is able to identify the specific areas in judicial cooperation in civil matters and explain the difference between them and general rules on jurisdiction	ELS_K1_W01, ELS_K1_W02, ELS_K1_W05, ELS_K1_W08, ELS_K1_W10, ELS_K1_W14	Test
W5	is able to identify practical aspects of the judicial cooperation in civil matters	ELS_K1_W01, ELS_K1_W02, ELS_K1_W05, ELS_K1_W08, ELS_K1_W10	Test
Skills - Student:			
U1	understands the basic legal concepts concerning judicial cooperation in civil matters	ELS_K1_U02, ELS_K1_U03, ELS_K1_U05, ELS_K1_U06, ELS_K1_U07, ELS_K1_U08, ELS_K1_U10	Test
U2	gets familiar with methods of determining jurisdiction in civil matters	ELS_K1_U02, ELS_K1_U03, ELS_K1_U05, ELS_K1_U06, ELS_K1_U07, ELS_K1_U08, ELS_K1_U10	Test
U3	understands rationale and rules on (mutual) recognition and enforcement of judgments in civil matters	ELS_K1_U02, ELS_K1_U03, ELS_K1_U05, ELS_K1_U06, ELS_K1_U07, ELS_K1_U08, ELS_K1_U09, ELS_K1_U10	Test
U4	is able to identify the specific areas in judicial cooperation in civil matters and explain the difference between them and general rules on jurisdiction	ELS_K1_U02, ELS_K1_U03, ELS_K1_U05, ELS_K1_U06, ELS_K1_U07, ELS_K1_U08, ELS_K1_U09	Test

Code	Outcomes in terms of	Learning outcomes	Examination methods
U5	is able to identify practical aspects of the judicial cooperation in civil matters	ELS_K1_U02, ELS_K1_U03, ELS_K1_U05, ELS_K1_U06, ELS_K1_U07, ELS_K1_U08, ELS_K1_U09, ELS_K1_U10	Test
Social competences - Student:			
K1	understands the basic legal concepts concerning judicial cooperation in civil matters	ELS_K1_K01	Test
K2	gets familiar with methods of determining jurisdiction in civil matters	ELS_K1_K01	Test
K3	understands rationale and rules on (mutual) recognition and enforcement of judgments in civil matters	ELS_K1_K01	Test
K4	is able to identify the specific areas in judicial cooperation in civil matters and explain the difference between them and general rules on jurisdiction	ELS_K1_K01	Test
K5	is able to identify practical aspects of the judicial cooperation in civil matters	ELS_K1_K01	Test

Study content

No.	Course content	Subject learning outcomes	Activities
1.	Introduction: basic definitions and concepts of judicial cooperation in civil matters	W1, U1, K1	Classes
2.	EU legislation governing judicial cooperation in civil matters	W1, U1, K1	Classes
3.	Jurisdiction: prorogation, general, special and exclusive jurisdiction	W1, W2, W4, U1, U2, U4, K1, K2, K4	Classes
4.	Recognition and enforcement	W3, W5, U3, U5, K3, K5	Classes
5.	European order for payment procedure	W2, W3, W4, U2, U3, U4, K2, K3, K4	Classes
6.	European small claims procedure	W2, W3, W4, U2, U3, U4, K2, K3, K4	Classes
7.	Matrimonial matters and the matters of parental responsibility	W2, W4, U2, U4, K2, K4	Classes
8.	Service of documents	W5, U5, K5	Classes
9.	Taking of evidence	W5, U5, K5	Classes
10.	Legal aid and mediation	W4, W5, U4, U5, K4, K5	Classes

Additional information

Activities	Teaching and learning methods and activities
Classes	Discussion, Work with text, Case study, Classes method, Workshop method

Activities	Credit conditions
Classes	<p>excellent (A ; 5,0):</p> <p>a) excellent knowledge of all matters regarding judicial cooperation in civil matters under EU law as discussed in the classes</p> <p>b) very good background for broad and in-depth understanding and application of judicial and material aspects regarding application of private international law, as regulated in EU law</p> <p>very good (B+; 4,5):</p> <p>c) very good knowledge of most of the matters regarding judicial cooperation in civil matters under EU law as discussed in the classes</p> <p>d) very good background for broad and in-depth understanding and application of judicial and material aspects regarding application of private international law, as regulated in EU law</p> <p>good (B ; 4,0):</p> <p>a) good knowledge of most of the matters regarding judicial cooperation in civil matters under EU law as discussed in the classes</p> <p>b) good background for broad understanding and application of judicial and material aspects regarding application of private international law, as regulated in EU law</p> <p>average (C+,3,5)</p> <p>a) average knowledge key matters regarding judicial cooperation in civil matters under EU law as discussed in the classes</p> <p>b) average background for understanding and application of judicial and material aspects regarding application of private international law, as regulated in EU law</p> <p>satisfactory (C; 3,0):</p> <p>a) satisfactory knowledge basic matters regarding judicial cooperation in civil matters under EU law as discussed in the classes</p> <p>b) satisfactory background for understanding of judicial and material aspects regarding application of private international law, as regulated in EU law</p> <p>unsatisfactory (D ; 2,0):</p> <p>a) unsatisfactory knowledge of matters regarding judicial cooperation in civil matters under EU law as discussed in the classes</p> <p>c) unsatisfactory background for understanding of judicial and material aspects regarding application of private international law, as regulated in EU law</p>

Literature

Obligatory

1. Cross-Border Litigation in Europe, Beaumont P. i in. (ed.), Hart Publishing 2018 Hartley T.C., Civil Jurisdiction and Judgments in Europe, Oxford University Press 2017 Judicial cooperation in civil matters in the European Union. A guide for legal practitioners, Directorate General for Justice (European Commission), 2015 Shúilleabháin M.N., Cross-Border Divorce Law, Oxford University Press 2010 Storskrubb E., Civil Procedure and EU Law. A Policy Area Uncovered, Oxford University Press 2008

Calculation of ECTS points

Activities	Activity hours*
Classes	15
Reading the indicated literature	15
Preparation for the assessment	15
Preparation for classes	15

Student workload	Hours 60
Number of ECTS points	ECTS 2

* academic hour = 45 minutes

Efekty uczenia się dla kierunku

Kod	Treść
ELS_K1_U01	The graduate is ready to critically appraise his or her knowledge, particularly in the context of the changing acquis on the regulation and critical assessment of the acquired knowledge, especially in view of the changing acquis on the regulation and application of law
ELS_K1_U02	The graduate can use the basic theoretical knowledge and independently procure data to analyse individual processes and social phenomena (cultural, political, legal and economic) within legal science
ELS_K1_U03	The graduate can analyse the causes and course of individual processes and social phenomena (cultural, political, legal and economic) within legal science
ELS_K1_U05	The graduate can use basic EU normative systems and selected norms, rules and regulations (legal, professional, moral) to solve a specific task
ELS_K1_U06	The graduate can use the knowledge gained to resolve dilemmas at work arising during their professional career as well as throughout pursued lifelong learning
ELS_K1_U07	The graduate can identify and analyse selected solution of specific individual problems and propose relevant resolutions
ELS_K1_U08	The graduate can identify and analyse the basic phenomena that occur in legal sciences and are related to European integration
ELS_K1_U09	The graduate can prepare and present (individually or as a member of a team) standard oral presentations on specific and detailed aspects of European law, using for that basic theoretical approaches and different source materials
ELS_K1_U10	The graduate can read with understanding, and be capable of preparing, standard texts in English on European Union law, pertaining to detailed issues or specific subjects, using basic theoretical approaches and source materials
ELS_K1_W01	The graduate knows and understands the foundations of the science of law and its relation to other sciences, including the processes of internalisation and regionalisation
ELS_K1_W02	The graduate knows and understands the basic assumptions of integration processes analysed on the example of the European Union, in the social, cultural and economic context
ELS_K1_W05	The graduate knows and understands the structure of the European law system against the background of its relations with international and national legal orders
ELS_K1_W08	The graduate knows and understands a deepened understanding of the competences (policies) of the European Union including the principles of the EU single market
ELS_K1_W10	The graduate knows and understands EU private law regulations, both substantive and procedural, in selected sectors
ELS_K1_W14	The graduate knows and understands general principles of creating and developing different forms of individual entrepreneurship, including cross-border forms specific for the EU internal market