Private international law: general section

Academic Year: (2019 / 2020) **Review date: 12-05-2019**

Department assigned to the subject: Social and Private International Law Department

Coordinating teacher: CASTELLANOS RUIZ, ESPERANZA

Type: Compulsory ECTS Credits : 5.0

Year : 5 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Civil Law
Commercial Law
Civil Procedural Law

OBJECTIVES

The goal of this subject is that students can solve the main juridical problems which take places in private international law cases. Thus, students at the end of the semester will be able to:

1. Recognize a private international law case

2.Indentify the private international law rules

3.Establish when a Spanish court has jurisdiction in a private international issue

4.Establish when a European court has jurisdiction in a private international issue

5.Recognize the different kind of rules that exist in the private international law system

6.Learn the juridical problems regarding conflict of laws

7. Identify de legal treatment of foreign law in front of Spanish courts

8.Learn the rules to judgments from European courts can be recognized and executed in Spain

DESCRIPTION OF CONTENTS: PROGRAMME

1. Private International Law: concept, object, content and characters

2. Spanish Private International Law and European private international law.

3. International jurisdiction: general concepts

4. International jurisdiction: international regulation

5. International jurisdiction, domestic production system

6. Regulatory methods and techniques of private international law rules

7. Problems of application of the rule of conflict

8. Judicial aplication of foreign Law

9. Extraterritorial validity of decisions

10.Free circulation of resolutions in the European Union

11.Effectss in Spain of judgments from thrid States

12. Effectss in Spain of other foreign judgments

13. Law applicable to the process

LEARNING ACTIVITIES AND METHODOLOGY

Private International Law General Part, has 5 ECTS credits, taught in 12 weeks with 3 hours of classes a week, spread over a 1.5-hour lecture and an additional class of 1.5 hours practical . The master classes will be taught in large groups and practical sessions in small groups. Lectures will allow the acquisition of skills necessary to understand the subject and to continue the practical classes. The teaching methodology of practical classes is based on case study, problems of interpretation of rules, tutorials for global use, participation in discussion forums, partial discharge of checks and regular tutorials throughout the course. There will be two group tutoring sessions, to be set along the course. Attached is the course schedule detailing the teaching methodology will be applied.

ASSESSMENT SYSTEM

1. Ordinary call.
Continuous assessment.
- Partial controls: 2 partial controls. The students that pass both of them, do not have to do the final exam. In this case, the first partial control is 60% of the final grade and the second partial control is 40% of the final grade. The students that fail some partial control have to do the final exam. For that students, the first partial control is 30% of the final grade and the second partial control is 20% of the final grade.
- Final exam is 50% of the final grade for students that have failed some partial control.

The delivery of practical cases will be assessed as a prerequisite to overcome the continuous assessment.

2. Extraordinary call.
The student will opt between the rating system of the ordinary call and the 100% of the final grade

% end-of-term-examination:	50
% of continuous assessment (assigments, laboratory, practicals…):	50

BASIC BIBLIOGRAPHY

- A. L. Calvo Caravaca/ J. Carrascosa González (eds.), Derecho Internacional Privado, volumen I, 18ª ed.,, Comares, Granada, , 2018.

BASIC ELECTRONIC RESOURCES

- Alfonso Luis Calvo Caravaca . CDT: http://e-revistas.uc3m.es/index.php/CDT
- Javier Carrascosa González . Accursio DIP: http://www.accursio.com/