

Academic Year: (2023 / 2024)

Review date: 21-04-2023

Department assigned to the subject: International Law, Ecclesiastical Law and Philosophy of Law Department

Coordinating teacher: ASIS ROIG, RAFAEL FERNANDO DE

Type: Electives ECTS Credits : 3.0

Year : Semester :

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

There is no concrete subject that have expected to be completed prior to the course.

OBJECTIVES

1. Students will know and assess the relationship between ethics and moral in the practice of legal professions.
2. Students will understand the different models of ethics in relation to professional activities.
3. Students will analyze and reason on decision making and problem solving from an ethical point of view.
4. Students will acquire the motivations for a social responsible behaviour.
5. Students will know how to face ethical issues related to legal professional activities, mainly those of the judges, lawyers and prosecutors.
6. Students will develop an ethical commitment with the implications derived from the professional activity.
7. Students will develop an ethical commitment to human rights and democratic values of the Social and Democratic Rule of Law.

The subject Ethics and deontology of legal professions is important in the formation of the graduate in Law, since it not only allows students to better knowledge of the meaning and implications of their future professional activity in the Social and Democratic Rule of Law, but also provides them with tools from which to critically analyze their own approaches and the professional activity to be performed, being able, according to them, to find solutions to the problems that this activity has to face. Thus, this subject, largely oriented to the practical activity, allows to develop skills and abilities that are not obtained in other disciplines and contribute to foster the critical spirit of the students; enabling students to know the meaning and scope of Ethics, Morals, values and constitutional principles and ethical standards that should govern professional performance, according to freedom, social function and the responsibility with which they must act.

DESCRIPTION OF CONTENTS: PROGRAMME

Lecture 1. Ethics and Moral. Metaethics and normative ethics. Ethics, Economics and Law.

Lecture 2. Fundamental rights and professional activity. The correlation between constitutional principles and values of the Social and Democratic Rule of Law to citizens, public powers and professionals.

Lecture 3. Concept and functions of professional deontology. Ethics and Professional Deontology. Self-regulation and hetero-regulation in professional activity.

Lecture 4. The professional deontology of the judges. On judicial ethics. The principles of judicial ethics of the General Council of the Judiciary.

Lecture 5. The professional deontology of lawyers. The social function of the Advocacy. The General Statute of the Advocacy. Relations with the client, the opposing party, the College and other professionals.

Lecture 6. The professional deontology of other legal professions. Meaning, function and ethics of the profession of Prosecutor. Meaning, function and ethics of the profession of Attorney.

LEARNING ACTIVITIES AND METHODOLOGY

1. Learning activities

- Theoretical classes.
- Practical classes.
- Tutorials.
- Student individual and/or in a group work.

2. Methodology

- Lectures by the teacher with support of computer and audiovisual media, in which the main concepts of the subject are developed and the bibliography is provided to complement the students' learning.
- Viewing of audiovisual material and critical reading of provided texts by the teacher of the subject (press articles, reports, manuals and/or academic articles), either for further discussion in class, or to expand and consolidate the knowledge of the subject.
- Resolution, in writing and/or with oral presentations, of practical cases and themes raised by the teacher individually or in groups.
- Class discussion of the themes dealt with in practical classes.

ASSESSMENT SYSTEM

The final grade will be achieved as follows: 40% continuous evaluation; 60% final exam.

The teacher will indicate the criteria and modalities of both the continuous evaluation and the final exam.

Independently of the percentages ascribed to continuous assessment and the final exam, the students have to get a minimum mark of 3 points in the final exam (being 10 points the maximum mark) to pass the course.

For the exam of the extraordinary call, the grade of the continuous evaluation will be kept or 100% of the exam will be counted, depending on the option that favors the students the most.

% end-of-term-examination:	60
% of continuous assessment (assignments, laboratory, practicals...):	40

BASIC BIBLIOGRAPHY

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- SALAS, MINOR E. ¿Es el Derecho una profesión inmoral? Un entremés para los cultores de la ética y de la deontología jurídica, DOXA, Cuadernos de Filosofía del Derecho, 30, 2007
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ADDITIONAL BIBLIOGRAPHY

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- ASÍS ROIG, R. DE El juez y la motivación en el derecho, Dykinson, 2005
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