UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet:	**Metodologija prava**
Course title:	**Methodology in Law**

Študijski program in stopnja **Study programme and level**	**Študijska smer** **Study field**	**Letnik** **Academic year**	**Semester** **Semester**
Pravo - 2. stopnje		1	2
Law - 2nd Degree		1	2

Vrsta predmeta / Course type:	obvezni/ mandatory
Koda predmeta /Course code:	

Predavanja **Lectures**	**Seminar** **Seminar**	**Vaje** **Tutorial**	**Druge oblike študija** **Other type study**	**Samost. delo** **Individual work**	**ECTS**
40	0	0	0	160	8

Nosilec predmeta / Lecturer:		Prof. dr. Matej Avbelj / prof. Matej Avbelj, PhD
Jeziki/Languages:	Predavanja / Lectures:	slovenski jezik / Slovenian
	Seminar / Seminar:	slovenski jezik / Slovenian

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:	**Prerequisites:**
Vsaj 80 % prisotnost na predavanjih in vajah.	At least 80 % attendance at lectures and tutorials.

Vsebina:	**Content (Syllabus outline):**
1. Uvodno o raziskovanju na področju prava 2. Metodologija pisanja zaključnega dela 3. Metodologija pisanja strokovnih in znanstvenih člankov 4. Metodologija pisanja upravnih odločb 5. Metodologija pisanja sodnih odločb 6. Razvoj veščin za opravljanje pravosodnih poklicev 7. UI in raziskovanje v pravu 8. Retorika	1. Introduction to legal research 2. Methodology of writing the thesis 3. Methodology of writing professional and scientific articles 4. Methodology of writing administrative decisions 5. Methodology of writing judicial decisions 6. Development of skills for the legal profession 7. AI and research in law 8. Rhetorical skills

Temeljna literatura in viri / Readings:

1. Jambrek, P. (ur.), Metodologija znanstvenega raziskovanja. 1. izd. Nova Gorica: Nova univerza, 2020.
2. Pravilniki Evro-PF o pripravi in pisanju akademskih besedil.
Dodatna literatura in pripomočki, sporočeni na predavanjih. /Additional literature and tools communicated during lectures.

Cilji in kompetence:	**Objectives and competences:**
Študentje bodo razvili **splošne kompetence**: • Ustrezen metodološki pristop je nujni predpogoj za izdelavo magistrskega dela, ki temelji na načelu od splošnega k posebnemu in posamičnemu. Študenti nadgradijo svoja osnovna metodološka znanja in veščine. • Uporaba različnih metodoloških orodij, tehnik in pristopov omogoča ustrezno raven razumevanja	Students will develop the following **general competences**: • An appropriate methodological approach is a prerequisite for the production of a Master's thesis based on the principle from the general to the specific and particular. Students build on their basic methodological knowledge and skills.

kompleksnosti družbenih procesov in posledično tudi sposobnost analiziranja le-teh. • Uporaba različnih znanj in interdisciplinaren pristop je nekaj, čemur se ni mogoče izogniti, interdisciplinarnost pa zahteva poznavanje osnovnih metod in pristopov na področju pravnih znanosti. • Temeljni cilj je torej zmožnost reševanja kompleksnih teoretičnih in empiričnih problemov na metodološko ustrezen in znanstveno sprejemljiv način.	• The use of different methodological tools, techniques and approaches provides an adequate level of understanding of the complexity of social processes and, consequently, the ability to analyse them. • The use of different skills and an interdisciplinary approach is something that cannot be avoided, and interdisciplinarity requires knowledge of basic methods and approaches in the field of legal science. • The fundamental objective is therefore to be able to solve complex theoretical and empirical problems in a methodologically sound and scientifically acceptable way.
Študentje bodo razvili **predmetno-specifične kompetence**: Študenti pri predmetu spoznajo in nadgradijo družboslovna metodološka orodja. Pridobijo sposobnost pridobivanja, obdelovanja, analiziranja in posredovanja podatkov in informacij. Informacij, ki niso samo obdelani podatki, temveč tudi osnova za znanje, ki temelji na usposobljenosti za interpretacijo. S pomočjo aktivnega sodelovanja in izdelave raziskovalnega projekta bodo pridobili ustrezen strokoven, metodološki in kritičen pogled na sodobne družbene pojave. Sposobnost oblikovanja zahtevnejših raziskovalnih vprašanj in hipotez, izbor raziskovalnih teorij in disciplin. Natančnejše poznavanje različnih metodoloških pristopov, organizacije in izvedbe projekta ter aplikacije v prakso pridobljenih rezultatov. Sposobnost samostojnega raziskovalnega dela na družboslovnem področju ter objave rezultatov v ustrezni znanstveno-strokovni publikaciji. Študenti prav tako razvijejo retorične sposobnosti in specifične veščine pravnega poklica v smislu pisanja upravnih in sodnih odločb. Spoznajo tudi praktične temelje ključnih poklicev v pravosodju ter se seznanijo z najnovejšimi orodji UI na področju prava.	Students will develop the following **course-specific competences:** Students learn and develop social science methodological tools. They acquire the ability to acquire, process, analyse and communicate data and information. Information that is not only processed data, but also the basis for knowledge based on the competence to interpret. Through active participation and the production of a research project, they will acquire an appropriate professional, methodological and critical perspective on contemporary social phenomena. The ability to formulate complex research questions and hypotheses, select research theories and disciplines. A more detailed knowledge of different methodological approaches, project organisation and implementation, and the application of the results obtained in practice. Ability to carry out independent research in the social sciences and to publish the results in an appropriate scientific and professional publication. Students also develop rhetorical skills and specific skills of the legal profession in terms of writing administrative and judicial decisions. They also learn about the practical foundations of key professions in the judiciary. Finally, they also acquaint themselves with the latest AI tools in the field of law.

Predvideni študijski rezultati:
Znanje in razumevanje:

Študent bo: • osvojil ključne metodološke veščine, ki so potrebne za uspešno pisanje zaključnih del, strokovnih in znanstvenih člankov ter za kasnejše opravljanje različnih vrst pravnih poklicev, zlasti v pravosodju.

Intended learning outcomes:
Knowledge and understanding:

Students will: • acquire the key methodological skills necessary for the successful writing of final theses, professional and scientific articles and for the subsequent practice of various types of legal professions, especially in the judiciary.

Metode poučevanja in učenja:

Oblike dela: ☒ Frontalna oblika poučevanja ☐ Delo v manjših skupinah oz. individualno ☒ Samostojno delo študentov ☒ študij s pomočjo IKT tehnologije ☐ drugo (vpišite)

Learning and teaching methods:

Types of learning/teaching: ☒ Frontal teaching ☐ Work in smaller groups or individual work ☒ Independent students work ☒ studies using ICT technology ☐ other

Metode (načini) dela:	Teaching methods:
☒ Razlaga	☒ Explanation
☒ Razgovor/ diskusija/debata	☒ Conversation/discussion/debate
☒ Delo z besedilom	☒ Work with texts
☒ Proučevanje primerov raziskav	☒ Research case studies
☐ Igra vlog	☐ Role-play
☒ Druge vrste nastopov študentov	☒ Different presentation
☐ Reševanje nalog/vaje	☐ Solving exercises/study exercises
☐ Študijski obiski podjetij ipd.)	☐ Field work (e.g. company visits)
☒ Vključevanje gostov iz prakse	☒ Inviting guests from companies
☐ Udeležba na okrogli mizi, na konferenci	☐ Attending round table and conference

Načini ocenjevanja: Način (pisni izpit, ustno izpraševanje, naloge, projekt)	Teža (v %) / Weight (in %)	Assessment: Type (examination, oral, coursework, project)
Sprotno ustno (aktivno sodelovanje pri kontaktnih urah in pri raziskavah)		Oral verification and assessment of knowledge
Sprotno pisno preverjanje znanja (krajši pisni izdelki)		Written verification and assessment of knowledge (short written casework)
Daljši pisni izdelki (seminarska naloga, projektna naloga, raziskovalna poročila)		Longer written casework
Javni nastop in predstavitev lastnega raziskovalnega dela		Public presentation of one's research
Končni ustni izpit		Final examination (oral)
Končni pisni izpit		Final examination (written)
Drugo: Izdelava in ustni zagovor osnutka dispozicije magistrskega dela.	**100**	Other: Preparation and oral defence of the draft layout of the Master's thesis.

Reference nosilca / Lecture's references:

Prof. dr. Matej Avbelj je profesor za evropsko pravo in predstojnik Centra za ustavnost in umetno inteligenco na Novi univerzi. Diplomiral je na Pravni fakulteti Univerze v Ljubljani, magistriral na NYU School of Law v New Yorku ter doktoriral na Evropskem univerzitetnem inštitutu (EUI) v Firencah. Dr. Avbelj je bil prejemnik številnih prestižnih mednarodnih štipendij in je predaval na mnogih tujih univerzah tako v Evropi kot v ZDA. Bil je tudi predstojnik katedre za evropsko pravo, v okviru katere je vodil projekt Jean Monnet Chair, ki mu ga je podelila Evropska komisija. Pri vodilnih domačih in tujih založbah je dr. Avbelj objavil številna znanstvena dela s področja prava EU, ustavnega prava, pravne teorije in varovanja človekovih pravic. Med pomembnejšimi velja omeniti: The Future of EU Constitutionalism (Hart 2023); The Impact of European Institutions on the Rule of Law and Democracy in Slovenia and Beyond (Hart 2020, z Letnar Černičem); The European Union under Transnational law (Hart, 2018); Research Handbook on Legal Pluralism and EU Law (Edward Elgar 2018, so-urednik Gareth Davies); Kadi on Trial: A Multifaceted Analysis of the Kadi Trial (Routledge 2016, sourednika Martinico in Fontanelli); Constitutional Pluralism in the EU and beyond (Hart 2012; sourednik Komarek). Dr. Avbelj je, med drugim, tudi odgovorni urednik Komentarja ustave Republike Slovenije. Ves čas je tudi raziskovalno aktiven, saj je bodisi vodil bodisi sodeloval kot raziskovalec pri več domačih in tujih znanstveno-raziskovalnih projektih. Prav tako se je aktivno udejstvoval v domačih in tujih strokovnih stanovskih združenjih ter bil udeležen v več civilnodružbenih iniciativah. Ukvarja se tudi s svetovanjem s področja prava EU, ustavnega prava in človekovih pravic. Celotna njegova bibliografija obsega več kot 700 del.

Matej Avbelj, PhD is Professor of European Law and director of the Center for Constitutionalism and AI at New University. He graduated from the Faculty of Law of the University of Ljubljana, received his LL.M. from NYU School of Law in New York and his Ph.D. from the European University Institute (EUI) in Florence. Dr. Avbelj has been the recipient of numerous prestigious international scholarships and has lectured at many foreign universities in both Europe and the USA. Between 2022 and 2025 he was the holder of the Jean Monnet Chair awarded by the European Commission. Dr Avbelj has published numerous academic works on EU law, constitutional law, legal theory and human rights protection with leading national and international publishers. The Future of EU Constitutionalism (Hart 2023); The Impact of European Institutions on the Rule of Law and Democracy in Slovenia and Beyond (Hart 2020, with Letnar Černič); The European Union under Transnational law (Hart, 2018); Research Handbook on Legal Pluralism and EU Law (Edward Elgar 2018, co-edited with Gareth Davies); Kadi on Trial: A Multifaceted Analysis of the Kadi Trial (Routledge 2016, co-edited by Martinico

and Fontanelli); Constitutional Pluralism in the EU and beyond (Hart 2012; co-edited by Komarek). Dr. Avbelj is, among others, the editor-in-chief of the Commentary on the Constitution of the Republic of Slovenia. He is also active in research, having either led or participated as a researcher in several national and international scientific research projects. He has also been actively involved in domestic and foreign professional associations and has participated in several civil society initiatives. He also consults in the field of EU law, constitutional law and human rights. His bibliography comprises more than 700 works.