

UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet: Uvod v civilno procesno pravo
Course title: Introduction to Civil Procedure

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
I. stopnja	Pravo in management infrastrukture in nepremičnin	2	2
I. level	Law and Management of Infrastructure and Real Estate	2	2

Vrsta predmeta / Course type obvezni / mandatory

Univerzitetna koda predmeta / University course code:

Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje work	Druge oblike študija	Samost. delo Individ. work	ECTS
45	0	35	0	0	95	7

Nosilec predmeta / Lecturer: doc. dr. Polona Farmany in doc. dr. Nana Weber

Jeziki / Languages:
Predavanja / Lectures: Slovenski jezik /Slovenian
Vaje / Tutorial: slovenski jezik /Slovenian

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:

Pogoj za vključitev v delo je vpis v 2. letnik študija.

Prerequisites:

Vsebina:

Content (Syllabus outline):

V okviru predmeta se študentke in študente seznanijo s temeljnimi načeli in instituti civilnega procesnega prava. Obravnavana so naslednja temeljna področja:

- Splošni pojmi civilnega pravnega postopka.
- Temeljna načela.
- Procesne predpostavke.
- Procesni subjekti.
- Procesna dejanja.
- Dokazovanje.
- Postopek na prvi stopnji.
- Pravnomočnost.
- Pravna sredstva.
- Posebni postopki.
- Nepravdni postopek.
- Izvršilni postopek.

Within the course, students are introduced to the basic principles and institutes of civil procedural law. The following basic areas are addressed:

- General notions of Civil Procedure.
- Basic principles.
- Procedural prerequisites.
- Courts and parties.
- Procedural acts.
- Evidence.
- Proceedings in the first instance courts.
- Res iudicata.
- Appeals.
- Special proceedings.
- Non-contentious procedure.
- Enforcement procedure.

Temeljni literatura in viri / Readings:

JUHART, Miha, MOŽINA, Damjan, NOVAK, Barbara, POLAJNAR-PAVČNIK, Ada, ŽNIDARŠIČ, Viktorija. *Uvod v civilno pravo*. 1. natis. Ljubljana: Uradni list Republike Slovenije, 2011.

UDE, Lojze: *Civilno procesno pravo*, Uradni list Republike Slovenije, Ljubljana 2002.

Zakon o pravnem postopku (Uradni list RS, št. 73/07 – uradno prečiščeno besedilo, 45/08 in nasl. – ZPP).

Cilji in kompetence:

Študenti/ke bodo pridobili naslednje predmetno specifične kompetence:

Predmet je uvajalni ter študentkam in študentom omogoči osnovni vpogled v civilne sodne postopke (pravdni, nepravdni, izvršilni).

Cilj predmeta je, da se študentke in študentje seznanijo s temeljnimi načeli in instituti civilnega procesnega prava in vsakega od civilnih sodnih postopkov, s poudarkom na civilnem pravnem postopku. Študentke in študentje tako pridobijo ustrezno in zanje uporabno znanje o temeljnih prvinah in pojmi

Objectives and competences:

Students will gain the following subjects specific competences:

The course is introductory and provides students with a basic insight into civil court proceedings (litigation, non-contentious procedure, enforcement procedure).

The aim of the course is that students get acquainted with the basic principles and institutes of civil procedural law and of civil court proceedings, with an emphasis on civil litigation. Students thus acquire relevant and useful knowledge about the basic elements and

civilnih sodnih postopkov, hkrati pa se seznanijo tudi z uporabo tega znanja na konkretnih življenjskih primerih.

Študenti/ke bodo pridobili naslednje splošne kompetence:

Temeljno znanje, ki naj bi ga študent pridobil po uspešno opravljenih obveznostih pri predmetu, je sestavljeno iz poznavanja splošnih institutov civilnega procesnega prava in njihove uporabe v konkretnih primerih. Določena znanja in veščine, ki so sicer osnovna, v določenem obsegu že omogočajo uporabo v konkretnih življenjskih primerih.

Študentkam in študentom bo v učnem procesu omogočeno aktivno sodelovanje. Tako bodo lahko razvijali lastne sposobnosti razmišljanja in raziskovanja ter analiziranja ustrezne literature in sodne prakse.

concepts of civil litigation, and at the same time get acquainted with the application of this knowledge to concrete cases.

Students will gain the following general competences:

The basic knowledge that student should acquire after successfully completed course consists of knowledge of the general institutes of civil procedural law and their application in concrete cases. The knowledge and skills, which are still basic, already enable the use in concrete cases to a certain degree.

Students will be able to actively participate in the learning process. So they will be able to develop their own skills of thinking and researching, as well as analysing relevant literature and case law.

Predvideni študijski rezultati:

Znanje in razumevanje:

– Seznanitev študentov z osnovnimi pojmi in temeljnimi instituti civilnega procesnega prava.

Intended learning outcomes:

Knowledge and understanding:

– Introducing to the basic concepts and institutes of civil procedural law.

Metode poučevanja in učenja:

Oblike dela:

- Frontalna oblika poučevanja
- Delo v manjših skupinah oz. v dvojicah
- Samostojno delo študentov
- e-učenje
- drugo (vpišite) _____

Metode (načini) dela:

- Razlaga
- Razgovor/ diskusija/debata
- Delo z besedilom

Learning and teaching methods:

Types of learning/teaching:

- Frontal** teaching
- Work in smaller groups or pair work
- Independent students work
- e-learning
- other _____

Teaching methods:

- Explanation
- Conversation/discussion/debate
- Work with texts

<input checked="" type="checkbox"/> Proučevanje primera	<input checked="" type="checkbox"/> Case studies
<input type="checkbox"/> Igra vlog	<input type="checkbox"/> Role-play
<input checked="" type="checkbox"/> Druge vrste nastopov študentov	<input checked="" type="checkbox"/> Different presentation
<input checked="" type="checkbox"/> Reševanje nalog	<input checked="" type="checkbox"/> Solving exercises
<input type="checkbox"/> Študijski obiski podjetij ipd.)	<input type="checkbox"/> Field work (e.g. company visits)
<input type="checkbox"/> Vključevanje gostov iz prakse	<input type="checkbox"/> Inviting guests from companies
<input type="checkbox"/> Udeležba na okrogli mizi, na konferenci	<input type="checkbox"/> Attending round table and conference

Delež (v %) /

Načini ocenjevanja:

Weight (in %)

Assessment:

Način (pisni izpit, ustno izpraševanje, naloge, projekt)		Type (examination, oral, coursework, project):
Pisni izpit.	100%	Written examination.

Reference nosilca / Lecturer's references:

Polona Farmany je docentka za področje civilnega in gospodarskega prava na Evropski pravni fakulteti, Nova Univerza. Na Pravni fakulteti Univerze v Ljubljani je diplomirala leta 1999 (z odliko - cum laude). Po opravljenem sodniškem pripravništvu na Višjem sodišču v Ljubljani je leta 2001 opravila pravniški državni izpit. Leta 2006 je na Pravni fakulteti Univerze v Ljubljani pridobila naziv magistrica pravnih znanosti. Leta 2018 je na isti fakulteti z odliko doktorirala in pridobila naziv doktorice znanosti s področja prava. Od leta 2003 dalje je kot svetovalka (višja svetnica) zaposlena na Ustavnem sodišču RS. Sodelovala je pri pripravi vrste pomembnih odločitev Ustavnega sodišča, zlasti s civilnopravnega področja. Objavila je tudi več znanstvenih in strokovnih člankov. Je soavtorica Komentarja Ustave Republike Slovenije, Dopolnitev – A (2011), in Komentarja Ustave Republike Slovenije (2019).

Polona Farmany is Assistant Professor of Civil and Commercial Law at the European Faculty of Law, New University. She graduated from the University of Ljubljana, Faculty of Law, in 1999 (cum laude). After completing her judicial internship at the Higher Court in Ljubljana, she passed the state law exam in 2001. In 2006, she obtained the title of Master of Laws from University of Ljubljana, Faculty of Law. In 2018, she finished her Ph.D. studies (cum laude) at University of Ljubljana, Faculty of Law, and obtained the title of Doctor of Science. Since 2003, she has been working as a Senior Legal Adviser at the Constitutional Court of the Republic of Slovenia. She participated in preparation of a number of important decisions of the Constitutional Court, especially in the field of civil law. She has also published several scientific and professional articles. She is the co-author of the Commentary on the Constitution of the Republic of Slovenia, Supplement - A (2011), and the Commentary on the Constitution of the Republic of Slovenia (2019).

Nana Weber je docentka za civilno in gospodarsko pravo na Evropski pravni fakulteti in docentka za poslovne vede na B2 Visoki šoli za poslovne vede. Leta 2003 je diplomirala na Pravni fakulteti v Ljubljani. Tam je s podiplomskim študijem nadaljevala in leta 2010 magistrirala na področju civilnega in gospodarskega in leta 2013 doktorirala na področju civilnega prava. Leta 2010 je

diplomirala še na Akademiji za glasbo. Poklicno pot v pravu je začela v sodstvu in na različnih stopnjah sodišč, nato je delala na državnem pravobranilstvu, v odvetniški pisarni in v kabinetu ministra za javno upravo. Leta 2016 je začela samostojno pot in danes vodi Odvetniško družbo Weber. Ker si vedno prizadeva za mirno rešitev sporov, je mediatorica v Mediacijskem centru Ljubljana in vpisana na seznamu mediatorjev pri Odvetniški zbornici Slovenije ter Ministrstvu za delo družino, socialne zadeve in enake možnosti.

Na redni bazi piše strokovne članke iz različnih pravnih področij. Med drugim je ena od avtoric Družinskega zakonika (Uradni list, 2019), avtorica uvodnih pojasnil Družinskega zakonika (GV Založba, Lexpera, 2018), in avtorica knjige Prenehanje pogodbe o zaposlitvi, ki je prvi od šestih delov njene strokovne zbirke Vprašanja in odgovori iz delovnega prava (GV Založba, Lexpera, 2020).

Nana Weber is assistant professor for civil and corporate law at the European Faculty of Law New University and assistant professor for business sciences at Ljubljana School of Business. She graduated from the University of Ljubljana Faculty of Law, in 2003. She continued her postgraduate course in the same University and received a Master's degree of Science in 2010 (Civil and Commercial Law), and Doctor's degree of Science in 2013 (Civil Law). In 2010 she graduated in Music Pedagogy at the Musical Arts in 2010. Her professional legal career began at different levels of the court, then she worked at the State's Attorney Office, at lawyer and at Ministry of Public Administration. In the year 2016 she began her independent career and today she runs her own law firm – Odvetniška družba Weber. As law professional she always strives for peaceful resolution of conflicts. She is certified mediator at the Ljubljana Mediation Centre and registered at the Bar Association of Slovenia and at Ministry of Labour, Family, Social Affairs and Equal Opportunities.

On a regular basis she lectures for various institutions, such as the Bar Academy, the Bar Association, Tax-Fin-Lex and Lexpera and writes professional articles in various legal fields. Among other things, she is one of the authors of the Family code (Uradni list 2019), the author of the introductory explanations of the Family Code (GV Založba, Lexpera, 2018) and author of the book Termination of employment contract, which is the first of six volumes of her professional collection Questions and Answers labor law (GV Založba, Lexpera, 2020).