

**UČNI NAČRT PREDMETA / COURSE SYLLABUS**

<b>Predmet:</b>	<b>Uvod v civilno procesno pravo</b>
<b>Course title:</b>	<b>Introduction to Civil Procedure</b>

<b>Študijski program in stopnja Study programme and level</b>	<b>Študijska smer Study field</b>	<b>Letnik Academic year</b>	<b>Semester Semester</b>
Pravo in management infrastrukture in nepremičnin – 1. stopnja		2	1
Law and Management of Infrastructure and Real Estate – 1st degree		2	1

**Vrsta predmeta / Course type** obvezni / mandatory

**Univerzitetna koda predmeta / University course code:**

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

**Nosilec predmeta / Lecturer:** doc. dr. Nana Weber

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

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

Pogoj za vključitev v delo je vpis v 2. letnik študija.  
Vsaj 80% prisotnost na predavanjih in vajah.

**Prerequisites:**

Enrollment in the 2nd year of study.  
At least 80% attendance at lectures and tutorials.

**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.

#### **Temeljna 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).

Contentious Civil Procedure Act, Official Gazette of RS, no. 73/07- officially consolidated text and next

GALIČ, Aleš: *Civil Procedure in Slovenia*, Wolters Kluwer, 2020.

#### **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

#### **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

civilnem pravnem postopku. Študentke in študentje tako pridobijo ustrezno in zanje uporabno znanje o temeljnih prvinah in pojmih 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.

proceedings, with an emphasis on civil litigation. Students thus acquire relevant and useful knowledge about the basic elements and 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.		Written examination.
V primeru manjšega števila prijavljenih študentov si nosilka pridržuje pravico, da izvede ustne izpite.	<b>100%</b>	<b>In case of a low number of students, the right to conduct oral examinations is reserved.</b>

**Reference nosilca / Lecturer's references:**

Nana Weber je docentka za civilno in gospodarsko pravo na Evropski pravni fakulteti, docentka za delovno pravo na MLC Fakulteti za management in pravo Ljubljana 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 pravo 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, pri Odvetniški zbornici Slovenije in Ministrstvu za delo družino, socialne zadeve in enake možnosti, poleg tega pa je izvajalka izvensodnega reševanja potrošniških sporov pri Ministrstvu za gospodarski razvoj in tehnologijo.

Je tudi članica državne izpitne komisije za pravniški državni izpit (področje civilnega materialnega in procesnega prava).

Na redni bazi piše strokovne in znanstvene 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 zbirke Vprašanja in odgovori iz delovnega prava (GV

Založba, Lexpera), v okviru katere sta doslej izšli knjigi Prenehanje pogodbe o zaposlitvi (2020), in Ko delavca ni na delu (Dopust, regres in druge odsotnosti z dela (2021)).

She is also a member of the State Examination Board for the State Lawyers' Examination (civil substantive and procedural law).

Nana Weber is assistant professor for civil and corporate law at the European Faculty of Law New University, assistant professor for labour law 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, as 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 a law professional she always strives for peaceful resolution of conflicts.

She is certified mediator at the Ljubljana Mediation Centre, the Bar Association of Slovenia and at Ministry of Labour, Family, Social Affairs and Equal Opportunities and the provider of out-of-court settlement of consumer disputes at Ministry of Economic Development and Technology.

On a regular basis she writes professional and scientific articles. 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 professional collection Labour Law Questions and Answers (GV Založba, Lexpera), in which so far the book Termination of employment contract (2020) and the book When the worker is not at work (Annual leave, payment for annual leave, and other absences from work) (2021) were published.