

| Course Name : Procedurë Civile I |                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |
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| Course Code                      | Course Type                                                                                                                                                                                                                                                                                                                                                                                         | Regular Semester                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Lecture (hours/week) | Seminar (hours/week) | Lab. (hours/week) | Credits | ECTS |
| LAW 317                          | N/A                                                                                                                                                                                                                                                                                                                                                                                                 | Fall                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 3.00                 | 1.00                 | 0.00              | 3.50    | 6.00 |
|                                  |                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |
| Lecturer                         |                                                                                                                                                                                                                                                                                                                                                                                                     | Ada Güven, PhD                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                      |                      |                   |         |      |
| Assistant                        |                                                                                                                                                                                                                                                                                                                                                                                                     | Vojsava Osmanaj, PhD Candidate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                      |                      |                   |         |      |
| Course language                  |                                                                                                                                                                                                                                                                                                                                                                                                     | Albanian                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                      |                      |                   |         |      |
| Course level                     |                                                                                                                                                                                                                                                                                                                                                                                                     | Program i Integruar                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                      |                      |                   |         |      |
| Description                      |                                                                                                                                                                                                                                                                                                                                                                                                     | Civil procedural law, as one of the parts of the law, studies the rules of the development of the civil process, which make it possible to give justice by guaranteeing both the integrity of the legal order, as well as the subjective material rights of different subjects, whether in their mutual relations , even against the bodies of public power and offering these subjects the legal means for the protection of their legal rights and interests. Through this course, students will acquire knowledge on the principles, issues of competence and jurisdiction, various procedural acts, that is, the trial in the first instance as a whole. |                      |                      |                   |         |      |
| Objectives                       |                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |
| Core Concepts                    |                                                                                                                                                                                                                                                                                                                                                                                                     | Lawfulness Adversarial Legal Security Procedural legitimation Lis Pendens-a Res Iudicata Elements of the lawsuit Jurisdiction                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                      |                      |                   |         |      |
| Course Outline                   |                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |
| Week                             | Topic                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |
| 1                                | Meaning of Civil Procedural Law, Sources, History of Albanian Procedural Civil Law; The relationship of civil procedural law with other branches of law; The power of procedural law in time and space; Interpretation of civil procedural law norms. Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 9-50                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |
| 2                                | Basic principles of civil procedural law: the principle of legality, impartiality of the court; the principle of contradiction; of equality of arms; availability; the principle of the right of defense in the trial; the principle of judgment within a reasonable time; Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 51-80 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |
| 3                                | Basic principles of civil procedural law: the principle of process economy; the principle of non-mediation, Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 80-105                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |
| 4                                | Judicial process and arbitration: The meaning of the civil procedural legal relationship; the elements of the civil procedural legal relationship; Civil judicial process; The parties in the civil judicial process; Procedural and real legitimation. Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 108-140                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |
| 5                                | Judicial process and arbitration: The third person in the civil trial: voluntary, mandatory intervention, the procedural rights of the third person. Procedural institutes related to arbitration. Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 140-180                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |
| 6                                | The lawsuit in the civil judicial process: The general meaning of the lawsuit, the lawsuit in the material and procedural sense, the effects of filing the lawsuit in court, jurisdiction and res iudicata, the transfer of the lawsuit. Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 181-217                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |
| 7                                | Lawsuits in the civil judicial process: types of lawsuits, lawsuits, lawsuits for recognition, insurance lawsuits, enforcement lawsuits. The elements of the lawsuit: the subjects, the object, the cause of the lawsuit. Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 217-273                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |                      |                   |         |      |

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| <b>8</b>                                                                                                                                                                                                    | Midterm Exam                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>9</b>                                                                                                                                                                                                    | The lawsuit in the civil judicial process: The lawsuit as a procedural act; the content of the lawsuit; the behavior and actions of the defendant against the demands of the defendant, the insurance of the claim and the rules for determining the value of the claim. Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 273-325 |
| <b>10</b>                                                                                                                                                                                                   | Jurisdiction and competence: Types of jurisdiction; the relationship of the judicial jurisdiction with other jurisdictions; the principle of perputatio fori' derogation from the Albanian judicial jurisdiction, the opposition of the jurisdiction. Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 329-380                    |
| <b>11</b>                                                                                                                                                                                                   | Jurisdiction and competence: Types of competences, functional, substantive, territorial competences, Lis Pendens-a, opposition to competence Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 386-450                                                                                                                             |
| <b>12</b>                                                                                                                                                                                                   | Procedural acts and deadlines: the forms of the procedural act, the content of the procedural act, different procedural acts. Notification of procedural acts: written, electronic notification. notification of procedural acts of foreign countries Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 460-484                    |
| <b>13</b>                                                                                                                                                                                                   | Procedural acts and deadlines: Invalidity of procedural acts: absolute and relative invalidity; renewal of procedural acts; procedural deadlines, reinstatement on time. Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. -485-522                                                                                                |
| <b>14</b>                                                                                                                                                                                                   | Evidence in the civil judicial process: General meaning of proof, classification of proof, object of proof, burden of proof, types of proof Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 531-572                                                                                                                              |
| <b>15</b>                                                                                                                                                                                                   | Evidence in the civil judicial process: types of evidence in the civil process, examination of persons, objects and examination on the spot and experiment, provision of evidence. Literature: "Civil Procedure" Edition 2, Flutura Kola Tafaj, Asim Vokshi, ALbas Publishing House, Tirana 2018, Pg. 572-600                                                                                       |
| <b>16</b>                                                                                                                                                                                                   | Final Exam                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Prerequisites</b>                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                     |
| The student must attend the course at a minimum rate of 75%.                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Literature</b>                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <ul style="list-style-type: none"> <li>• "Procedure civile" pjesa e pare, Flutura kola Tafaj, Asim vokshi, botimi II, Shtepia botuese ALBAS Tirane</li> <li>• kodi i procedures civile, QBZ 2021</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>References</b>                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <ul style="list-style-type: none"> <li>• Vendime te Gjykates se Larte</li> <li>• Vendime te Gjykates Kushtetuese</li> </ul>                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Course Outcome</b>                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>1</b>                                                                                                                                                                                                    | Studentët do të kenë njohuri të mirëfillta mbi procedurën civile dhe do të njihen me konceptet, parimet dhe rregullat e përgjithshme të procesit civil.                                                                                                                                                                                                                                             |
| <b>2</b>                                                                                                                                                                                                    | Studentët do të jenë në gjendje të kërkojë, analizuar dhe të zgjidhe probleme e çështje teorike apo praktike të së drejtës procedurale civile.                                                                                                                                                                                                                                                      |
| <b>3</b>                                                                                                                                                                                                    | Studentët do të jenë të pajisur me informacione dhe praktikë gjyqësore të mjaftueshme për t'u dhënë zgjidhje çështjeve konkrete që lidhen me elementë procedurale                                                                                                                                                                                                                                   |
| <b>4</b>                                                                                                                                                                                                    | Studentët do të njihen me llojet e ndryshme të provave në procesin civil si dhe me mënyrat e marrjes së tyre.                                                                                                                                                                                                                                                                                       |
| <b>5</b>                                                                                                                                                                                                    | Studentët do të jenë të pajisur me informacione të detajuara në lidhje me ankimin e vendimeve gjyqësore në shkallat përkatëse të gjykimit.                                                                                                                                                                                                                                                          |

| Course Evaluation                                                        |          |                  |               |
|--------------------------------------------------------------------------|----------|------------------|---------------|
| In-term Studies                                                          | Quantity | Percentage       |               |
| Midterms                                                                 | 1        | 50               |               |
| Quizzes                                                                  | 0        | 0                |               |
| Projects                                                                 | 0        | 0                |               |
| Term Projects                                                            | 0        | 0                |               |
| Laboratory                                                               | 0        | 0                |               |
| Class Participation                                                      | 0        | 0                |               |
| Total in-term evaluation percent                                         |          |                  | 50            |
| Final exam percent                                                       |          |                  | 50            |
| Total                                                                    |          |                  | 100           |
| ECTS Workload (Based on Student Workload)                                |          |                  |               |
| Activities                                                               | Quantity | Duration (hours) | Total (hours) |
| Course duration (Including the exam week: 16x Total hours of the course) | 16       | 4                | 64            |
| Study hours outside the classroom (Preparation, Practice, etc.)          | 14       | 4                | 56            |
| Duties                                                                   | 0        | 0                | 0             |
| Midterms                                                                 | 1        | 15               | 15            |
| Final Exam                                                               | 1        | 20               | 20            |
| Other                                                                    | 0        | 0                | 0             |
| Total Work Load                                                          |          |                  | 155           |
| Total Work Load / 25 (hours)                                             |          |                  | 6.20          |
| ECTS                                                                     |          |                  | 6.00          |