SYLLABUS

1. Course title:

Civil extrajudical and executive procedure law

2. Code:

3. Cycle of study:

1

4. ECTS credits:

6

5. Type of course:

(●) Mandatory ( ) Elective

6. Prerequisites:

None

7. Class restrictions:

None

8. Duration / semester:

1 8

9. Weekly contact hours:

9.1. Lectures: 4

9.2. Seminars: 1

9.3. Laboratory/Practice classes: 0

10. Faculty:

Faculty of Law

11. Department/study program:

GENERAL COURSE - LAW

12. Lecturer:

Mirela Čokić - Džinić, pHD

13. Lecturer's e-mail:

mirela.cokic@untz.ba

14. Web site:

www.untz.ba

15. Course aims:

- Adoption of scientific knowledge, academic skills and practical skills of interpretation, analysis and application of legislation in the field of civil extra-judicial and executive procedure law; - Develop creative skills and the application of methods, procedures and processes of research and application of the principles, concepts and institutes in the field of civil extra-judicial and executive procedure law; - Developing personal responsibility and creating preconditions competence of future judicial office holders in the field of non-litigation and enforcement procedures.

16. Learning outcomes:

After successful completion of learning activities and commitments is expected that students will be able to: - Valid analyze / interpret / problematize legal sources and institutes in the field of civil extra-judicial and executive procedure law; - With the above offer appropriate solutions and positive examples of case law in the practical application of the norms of civil extra-judicial and executive procedure law.

17. Course content:

1st Extra-judicial and executive procedural law: concept, funkicija, characteristics and legal nature of civil extra-judicial and executive procedure law (4); 2. Place of extra-judicial process rights, entities, principles and development processes / procedures (4); 3. Decisions, remedies and validity (4); 4. Special extra-judicial procedures: arranging personal status / removal and return of legal capacity (2), keeping mentally ill person in the health institution (2); 5th Announcement of missing persons for the dead and proof of death (2) Maintenance of family relations / extension-termination of parental rights (2); Sixth subtraction-return parental rights (2), for permission to marriage (2); 7th Arrangement of status-property relations / probate (2) Determination of fees for expropriate property (1), management and use of common items (1); 8th Division of things and real estate in co-ownership (2) land borders (2); 9. Other non-contentious procedures: preparation and verification of documents (3), storing the documents (1); 10th Charge documents and judicial deposit (4); 11th Executive procedural law: Execution of judicial function (2), ratio of the execution procedure to other forms of execution (2); 12. Principles of the execution procedure (2), the nature and execution procedure bodies (2); 13 Conditions for enforcement (2), decisions and remedies in the enforcement procedure (2); 14th enforcement clause (1) Opposition objection and complaint (2) types of execution (1)

18. Learning methods:

The most significant learning methods in the course are: - Lectures using multimedia resources, techniques of active learning and with the active participation and discussion of students - the emphasis is on interactive teaching procedure / lectures; - Exercises - simulated trial and court cases; - Analysis of judicial practice and case studies; - Regular consultation with the students on the occasion of ambiguity in solving practical and theoretical cases and cases of judicial practice or misunderstanding regarding certain institutes of civil extra-judicial and executive procedure law;
- In addition to the organization of the responsible teacher activities of all the students in groups to court in order to create better conditions for theoretical and practical understanding of the subject / legal institutions / Civil extra-judicial and executive procedure law.

19. Assessment methods:

After half of the semester, students take the writing test (the first written / partial exam), which includes previously treated topics with lectures and exercises. The test consists of tasks, defining the basic institutes, rounding / no / exact selection with a combination of essay assignments, as well as the practical part of the task that makes a separate unit / share. Each correct answer depending on the type of questions is scored with a maximum of 2 points (depending on the type of weight / questions), while a student at this test can achieve a maximum of 40 points. After the end of the semester students take the written final exam (second written exam), which covers the prepared topics with lectures and exercises in the second part of the semester. The test consists of tasks, defining the basic institutes, rounding / no / exact selection with a combination of essay assignments, as well as the practical part of the tasks which makes a separate entity. Each correct answer counts with a maximum of 2 points (depending on the type / weight issues), while a student at the written examination can achieve a maximum of 30 points. Both tests taken by all students in the course at the same time thereby achieving uniformity of the level of knowledge that is being tested, as well as the conditions under which the student takes the exam. As part of the pre-exam students are required individually or as a group to go to trial in Municipal Court Tuzla to create a predisposition and a sense of practical teaching that takes place both in class and on the exercise of civil extra-judicial and executive procedure law. In this way, trying to create the best possible knowledge and feel for the unification of what a student learns in theory, to translate into practical in this case to court. For done part of the obligations that the student has the keeping of the diary in which records all the visits and daily activities at the trials, a student can earn 0-5 points. The previously entered with the obligation of the student to go on trial at least one time for what gets 1 point, and up to max. 5 times during the semester with a personal or group engagement. / This term paper instead of /. Also, for continuous activity on the lectures and exercises throughout the semester, the student can achieve from 0 to 5 points. In order for the student to pass the subject examination, must on both the written exam to win at least 50% of estimated points, and a total of 54 points.
Generally, through a written assessment (two written exams), and other prerequisites given (presence, activity, visits and follow-up trial in court) a student can earn a maximum of 85 points. A student who is the previously described test activities achieved at least 54 points (ie. Passed the exam), but is not satisfied with the achieved number of points, can access the oral entrance exam / oral exam. The maximum number of points a student can achieve at the oral exam is 46th

20. Assessment components:

Rating exam is based on the total number of points student earned by completing pre-exam requirements and exams, according to the quality of the acquired knowledge and skills, and contains a maximum of 100 points, and is determined according to the following scale: Obligations Student Body Presence in classes 7 Presence exercises 2 Judicial visit - 5 trials first written exam 40 Total pre-exam 54 Final exam 46 percentage points on a scale from 0-100 Descriptive rating: 10 ten - 94 - 100 points excellent - an extraordinary success with minor errors 9 nine 84-93 points outstanding - above average, but with some mistakes 8 eight - 74-83 points Vrlodobar - generally good work, but with certain errors 7 seven - 64-73 points good - solid, but with significant shortcomings 6 six - 54 - 63 points sufficient - meets the minimum criteria five 5 - 0 to 53 points; does not meet - need extra work for passing or much more work to end obligations. Note: The student is required to attend lectures regularly - at least 10 times - justified absence can be up to max. 5 times.

21. Required reading list:

1. Mulabdić, S., Građansko procesno pravo, "Grin" Gračanica, Tuzla, 2010. 2. Čalija, B., Omanović, S.,Građansko procesno pravo, Pravni fakultet Sarajevo, Sarajevo, 2003. 3. Triva, Dika, M., Građansko parnično procesno pravo, Zagreb, 2004. 4. Palačković: Parnično procesno pravo, Kragujevac, 2004.
5. Rajović, Ţivanović, Momčilović, Građansko procesno pravo, Banja Luka, 2001. 6. Čizmović, Đuričin, Građansko procesno pravo, Podgorica, 1997. 7. Zakon o vanparničnom postupku, („Službene novine Federacije BiH“, broj 2/98, 39/04). 8. Zakon o izvršnom postupku, ("Sl. novine FBiH" broj 32/03.) Preporučena - šira literatura: 9. Omanović, S., Glossarium uz novi Zakon o izvršnom postupku FBiH, Sarajevo, 2005. 10. Omanović, S., Institucije vanparničnog procesnog prava, Univerzitet u Tuzli - Pravni fakultet Tuzla, Tuzla, 2006/2007. 11. Čokić Džinić, M., Postupak reorganizacije stečajnog dužnika u legislativi BiH i zemljama Common /Civil Law pravnog sistema, Off Set, Tuzla, 2015.

22. Web sources:

23. Applicable starting from the academic year:

2016/17

24. Adopted in the Faculty/Academy session: