

ANNEX 2 – COURSE DESCRIPTION

<b>Course title</b>	<b>Civil Procedure II</b>			
<b>Course code</b>	<b>LAWG-331</b>			
<b>Course type</b>	<b>Compulsory</b>			
<b>Level</b>	<b>Undergraduate</b>			
<b>Year / Semester</b>	3 <sup>rd</sup> /F			
<b>Teacher's name</b>	Elpis Amoiridou			
<b>ECTS</b>	6	<b>Lectures / week</b>	3 hours per week	<b>Laboratories / week</b>
<b>Course purpose and objectives</b>	<p>The course addresses issues related to the second instance of jurisdiction in civil trials as well as matters arising post-judgment, specifically the mandatory execution process. Therefore, the aim of the course is to present and explain the legal means, their significance and role, as well as the entire procedural process followed before the second instance courts and the Supreme Civil and Criminal Court of Greece (Areios Pagos).</p> <p>Further, the aim is to understand and emphasize the significance of executing a judicial decision and the methods of enforcing such decisions. An analytical study and explanation of the mandatory execution process will be provided, including types of compulsory enforcement and related issues such as writ of execution, seizure of movable and immovable property, garnishment and more.</p> <p>To this end, an analysis will be conducted on the relevant provisions of the Greek Code of Civil Procedure as well as related case law. Additionally, the goal is for students to develop the ability to apply the provisions related to legal means and mandatory execution procedures in combination, and to be capable of solving practical problems concerning the above.</p>			
<b>Learning outcomes</b>	<p>Upon completing the course, students are expected to:</p> <ul style="list-style-type: none"> <li>• Understand the doctrinal foundations and principles of the law of mandatory execution as well as the purpose of legal means.</li> <li>• Be able to distinguish various types of legal means and understand the procedures before second-instance courts and the Supreme Civil and Criminal Court of Greece (Areios Pagos).</li> </ul>			

	<ul style="list-style-type: none"> <li>• Be capable of interpreting and applying, in combination, the relevant provisions of the Greek Code of Civil Procedure.</li> <li>• Develop arguments and critical thinking on complex procedural issues.</li> <li>• Apply the knowledge and techniques acquired from the Civil Procedure I course.</li> <li>• Be able to solve practical problems and apply procedural provisions to real issues.</li> <li>• Have the ability to critically analyze and locate relevant case law.</li> <li>• Form perceptions and critical thoughts on contemporary issues related to legal means and the law of mandatory execution.</li> </ul>		
<b>Prerequisites</b>	Civil Procedure I (LAWG-311)	<b>Required</b>	None
<b>Course content</b>	<ul style="list-style-type: none"> <li>• Legal means. Fundamental rules and distinctions of appellate remedies. Ordinary and extraordinary legal means.</li> <li>• The conditions for admissibility and substantiation of legal means.</li> <li>• Caveat of default judgment. Purpose, distinctions, and admissibility of the caveat of default judgment.</li> <li>• Appeal. Concept, admissibility, and grounds for the appeal. Decisions subject to appeal. Reasons for appeal. Effects of filing an appeal. Counter-appeal. Discussion on the appeal. Decision on the appeal.</li> <li>• Revision. Concept, admissibility, and reasons for revision. Consequences of filing, discussion, and decision on the retrial.</li> <li>• Cassation. Concept, admissibility, and outcomes of a cassation petition. Reasons for cassation. The procedure before Areios Pagos. The decision on the cassation and the subsequent procedures following a cassation.</li> <li>• Caveat. Concept and prerequisites for an caveat. Filing and discussion of the caveat. Consequences of exercising a caveat and the decision regarding the caveat.</li> <li>• Third-party caveat. Concept and forms of third-party caveat. Admissibility of the third-party caveat. Filing of the third-party caveat and the outcomes of its exercise. Discussion and decision on the third-party caveat.</li> <li>• Concept and social function of mandatory execution. Mandatory execution as a form of legal protection. Subjects and agents involved in mandatory execution. The legislative framework governing mandatory execution.</li> </ul>		

	<ul style="list-style-type: none"> <li>• Fundamental principles of mandatory execution.</li> <li>• The prerequisites for mandatory execution. The concept of a writ of execution. The writ.</li> <li>• The process of mandatory execution. Legal remedies and defence in mandatory execution (caveat).</li> <li>• Special section. Types and means of mandatory execution.</li> </ul>
<b>Teaching methodology</b>	Lectures using PowerPoint, assignments, presentations, and active student participation in discussions and dialogue. Analysis of case law, solving practical problems, mock trials, and drafting of legal documents (pleadings).
<b>Bibliography</b>	<p>N. Nikas, Civil Procedure, Volume 3, 2nd ed. (Sakkoulas 2022).</p> <p>P. Yesiou-Faltsi, Handbook of Mandatory Execution, 3rd ed. (Sakkoulas 2022).</p> <p>S.-S. Pantazopoulos, Legal Means and Caveats, 2nd ed. (Sakkoulas 2022).</p> <p>Ch. Apalagaki/St. Stamatopoulos (eds.), The New Code of Civil Procedure, Interpretation by Article, 2 volumes (Nomiki Bibliothiki 2022).</p> <p>K. Kerameus/D. Kondylis/N. Nikas (eds.), Interpretation of the Code of Civil Procedure - Legal Means and Caveats, 2nd ed. (Sakkoulas 2020).</p> <p>St. Karameros/E. Balogianni/P. Rentoulis, Mandatory Execution, 2nd ed. (Nomiki Bibliothiki 2019).</p> <p>St. S. Pantazopoulos, Mandatory Execution, Following Laws 4842/2021 and 4855/2021, 2nd ed. (Sakkoulas 2022).</p> <p>K. Kerameus, Legal Means, 4th ed. (Sakkoulas 2007).</p> <p>P. Yesiou-Faltsi/Ch. Apalagaki/P. Arvanitakis/Ap. Sofialidis, Civil Procedure: From Theory to Practice, 3rd ed. (Sakkoulas 2013).</p> <p>K. Koutsoulelos, Practical Issues in Civil Procedure, 3rd ed. (Nomiki Bibliothiki 2022).</p>
<b>Assessment</b>	<p>Midterm exam: 30%</p> <p>Participation/Presentations: 20%</p> <p>Final Examination: 50%</p>
<b>Language</b>	Greek