# DEPARTMENT OF LAW
# COURSE SYLLABUS

| Course Details | | | | |
|---|---|---|---|---|
| **Code** | | **Academic Year** | | **Semester** |
| HUK356 | | 3 | | 6 |
| **Title** | | **T** | **A** | **L** | **ECTS** |
| Civil Procedure Law - II | | 3 | | | 3 |

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|---|---|---|---|---|---|---|
| **Language** | Turkish | | | | | |
| **Level** | **Undergraduate** | **X** | **Graduate** | | **Postgraduate** | |
| **Department / Program** | Faculty of Law | | | | | |
| **Forms of Teaching and Learning** | Bachelor – Face to face | | | | | |
| **Course Type** | **Compulsory** | **X** | **Elective** | | | |
| **Objectives** | The main objective of the course is to determine the material and functional jurisdiction of the courts for the settlement of disputes arising from private law and to establish the relationship between the courts and the parties during the proceedings within the scope of Law no 6100. | | | | | |
| **Content** | Proof and proof means in Civil Procedure Law, obligation to prove by deed, temporary legal protections, costs of trial and judgment, procedural actions of the parties that terminate the case, remedies in HMK No. 6100 and HUMK No. 1086, Res Judicata, alternative dispute resolution methods and arbitration will be examined and practical studies will be utilized in order to better understand these issues. | | | | | |
| **Prerequisites** | | | | | | |
| **Coordinator** | Prof. Dr. Hamide Özden Özkaya- Ferendeci | | | | | |
| **Lecturer(s)** | Prof. Dr. Hamide Özden Özkaya- Ferendeci; Assoc. Prof. Dr. Efe Direnisa; Dr. Anıl Köroğlu | | | | | |
| **Assistant(s)** | Res. Asst. Mikail Bora Kaplan; Res. Asst. Makbule Serra Korkut; Res. Asst. Rabia Şahan; Res. Asst. Merve Güney | | | | | |
| **Work Placement** | | | | | | |

| Recommended or Required Reading | |
|---|---|
| **Books / Lecture Notes** | Pekcanıtez/Atalay/Özekes, Medenî Usûl Hukuku Ders Kitabı, 2022.<br>Atalı/Ermenek/Erdoğan, Medenî Usûl Hukuku, 2021.<br>Arslan/Yılmaz/Taşpınar Ayvaz/Hanağası, Medenî Usul Hukuku, 2021.<br>Kuru/Aydın, Medenî Usul Hukuku Ders Kitabı, 2021. |
| **Other Sources** | |

| Additional Course Material | |
|---|---|
| **Documents** | |
| **Assignments** | |
| **Exams** | |

## Course Composition

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| | | |
|---|---|---|
| **Mathematics und Basic Sciences** | | % |
| **Engineering** | | % |
| **Engineering Design** | | % |
| **Social Sciences** | 100 | % |
| **Educational Sciences** | | % |
| **Natural Sciences** | | % |
| **Health Sciences** | | % |
| **Expert Knowledge** | | % |

## Assessment

| Activity | Count | Percentage (%) |
|---|---|---|
| **Midterm Exam** | 1 | 40 |
| **Quiz** | | |
| **Assignments** | | |
| **Attendance** | | |
| **Recitations** | | |
| **Projects** | | |
| **Final Exam** | 1 | 60 |
| | **Total** | **100** |

## ECTS Points and Work Load

| Activity | Count | Duration | Workload (Hours) |
|---|---|---|---|
| **Lectures** | 14 | 3 | 42 |
| **Self-Study** | 14 | 3 | 42 |
| **Assignments** | | | |
| **Presentation / Seminar Preparation** | | | |
| **Midterm Exam** | 1 | 2 | 2 |
| **Recitations** | 4 | 3 | 12 |
| **Laboratory** | | | |
| **Projects** | | | |
| **Final Exam** | 1 | 2 | 2 |
| | | **Total Workload** | **90** |
| | | **ECTS Points** (Total Workload / 30) | **3** |

## Learning Outcomes

| | |
|---|---|
| **1** | To learn the concept of proof and the means of proof in Civil Procedure Law, |
| **2** | To examine the procedural actions of the parties which put an end to the case |
| **3** | Examine the concept and types of temporary legal protection |

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|---|---|
| **4** | To learn the legal appeals: intermediate appeal, appeal and retrial |
| **5** | To learn the characteristics and types of alternative dispute resolution methods and to understand the arbitration institution within the framework of "Turkish Civil Procedure Code" and "Turkish International Arbitration Law". |
| **Weekly Content** | |
| **1** | Investigation |
| **2** | Proof Law |
| **3** | Evidences 1 |
| **4** | Evidences 2 |
| **5** | Obligation to prove with the deed and the removal of the file from the transaction |
| **6** | Temporary Legal Protections |
| **7** | Judgment, Explanation of the Judgment, Amendment of Final Judgments, and the procedural actions of the parties which put an end to the trial |
| **8** | Res Judicata |
| **9** | Midterm Exam |
| **10** | Introduction to remedies and Appeal |
| **11** | Appeal |
| **12** | Kassation (Revision) |
| **13** | Retrial |
| **14** | Alternative Dispute Resolutions and Arbitration |
| **15** | Final Exam |

**Contribution of Learning Outcomes to Program Objectives (1-5)**

| | P1 | P2 | P3 | P4 | P5 | P6 | P7 | P8 | P9 | P10 |
|---|---|---|---|---|---|---|---|---|---|---|
| **1** | 3 | 4 | 4 | 1 | 1 | 1 | 4 | 3 | 5 | 5 |
| **2** | 3 | 5 | 2 | 1 | 1 | 1 | 3 | 2 | 5 | 3 |
| **3** | 5 | 5 | 4 | 3 | 4 | 2 | 4 | 5 | 5 | 5 |
| **4** | 5 | 5 | 4 | 3 | 5 | 2 | 4 | 5 | 5 | 5 |
| **5** | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 |

| | |
|---|---|
| **Contribution Level** | 1: Low 2: Low-intermediate 3: Intermediate 4: High 5: Very High |
| **https://obs.tau.edu.tr/oibs/bologna/index.aspx?lang=en&curOp=showPac&curUnit=02&curSunit=198** | |
| **Compiled by:** | Department of Civil Procedure, Enforcement and Insolvency Law |
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