

Course Description

University: Matej Bel University in Banská Bystrica	
Faculty: Faculty of Law	
Code: 2d-MCPen	Course name: International Civil Procedure
Type, extent and method of instruction: Form of instruction: Lecture / Seminar Course type: A (A - Compulsory courses, B - Compulsory elective courses, C - Elective courses) Recommended number of periods: 26 / 26 Method of study: combined	
Number of credits: 5	
Recommended semester/trimester: 2.	
Level: II.	
Prerequisites:	
Course completion conditions: The prerequisite for passing the course is attendance at seminars (max. 2 absences are allowed) and active participation of students in class. The evaluation is in accordance with the classification scale according to the Study Regulations of Matej Bel University. a) continuous assessment: Continuous evaluation is not performed. b) final assessment: Final assessment in the form of a written paper (test, open questions).	
Learning objectives: After completing the course, students are able to identify a legal regulation (statute, international convention, EU regulation), which determines the jurisdiction of the Slovak court in the crossborder matter, can assess whether there are obstacles to jurisdiction or whether there is a possibility to transfer jurisdiction to another EU court. The graduate of the course masters the procedure for performing procedural acts abroad and is able to assess whether the presented foreign decision, public deed or arbitral award may cause effects in the territory of the Slovak Republic, and how to proceed with the enforcement of such a decision.	
Brief outline of the course: Jurisdiction of the slovak and european courts in cross-border matters: civil and commercial matters, matrimonial matters and parental responsibility, maintenance, succession and others. Taking of evidence and service of documents abroad. International cooperation in family law matters. The european summary proceedings (european payment order, european small claims procedure). Recognition and enforcement of foreign judgements.	
Recommended literature: BOGDAN Michael, PETERGÁS SENDER Marta Perte. Conside Introduction go EU Private International Law. 4 ed. Groningen: Europa Law Publishing, 2019, ISBN 9789089522085; - regulations, judgments of the ECJ, assignments and tasks in the subject's e-learning course in https://lms.umb.sk/course/view.php?id=2259 Thomas KADNER GRAZIANO 50 Years of the 1971 Hague Traffic Accident Convention – Time to Say Goodbye, In: Yearbook of Private International Law, Vol. XXIII, 2021-22, pp. 59-80	

Vito BUMBACA The Hague Convention on the Protection of Adults – Plea for and Practice of an “Adult” Approach In: Yearbook of Private International Law, Vol. XXIII, 2021-22, pp. 365-392

Cristina GONZÁLEZ BEILFUSS What’s New in Regulation (EU) No 2019/1111? In: Yearbook of Private International Law, Vol. XXII, 2020/2021, pp. 95 -116

Máire NÍ SHÚILLEABHÁIN An Overview of the Principal Reforms in Regulation (EU) 2019/1111 In: Yearbook of Private International Law, Vol. XXII, 2020/2021, pp. 117-138

Pietro FRANZINA Jurisdiction in Matters Relating to Property Regimes under EU Private International Law In: Yearbook of Private International Law, Vol. XIX, 2017/2018, pp. 159 -194

Dagmar COESTER-WALTJEN Connecting Factors to Determine the Law Applicable to Matrimonial Property Regimes In: Yearbook of Private International Law, Vol. XIX, 2017/2018, pp. 195-212

Language of instruction:

english language

Notes:student time load:

Course assessment

The final number of assessed students: 0

A	B	C	D	E	FX(0)	FX(1)
0.0	0.0	0.0	0.0	0.0	0.0	0.0

Instructor: JUDr. Elena Júdová, PhD.

Last changed: 23.05.2024

Approved by:

Course Description

University: Matej Bel University in Banská Bystrica	
Faculty: Faculty of Law	
Code: 2d-EPIL	Course name: European Private International Law
Type, extent and method of instruction: Form of instruction: Lecture / Seminar Course type: B (A - Compulsory courses, B - Compulsory elective courses, C - Elective courses) Recommended number of periods: 13 / 13 Method of study: combined	
Number of credits: 3	
Recommended semester/trimester: 2.	
Level: II.	
Prerequisites:	
Course completion conditions: The prerequisite for passing the course is attendance at seminars (max. 2 absences are allowed) and active participation of students in class. The evaluation is in accordance with the classification scale according to the Study Regulations of Matej Bel University. a) continuous assessment: Continuous evaluation is not performed. b) final assessment: Final assessment in the form of a written paper (test, open questions).	
Learning objectives: After completing the course, students have a broader overview of the spatial scope and interpretation of acts of Community law governing cross-border legal relations and the impact of EU primary law on private international law of a Member State. Graduates are able to apply the rules of private international law in such a way as to avoid conflicts with European law, but they are also eligible to participate in the work of Slovak and European legislation in the field of cross-border legal relationships. They are also prepared to act as legal advisers and, if necessary, conduct legal proceedings abroad.	
Brief outline of the course: Legal basis of EMPS in the founding treaties of the European Communities and European Union, the development of legislation. Competences of EU institutions in the field of PIL, competence of the EU to negotiate and to approve international agreements in this field, relationship to the Hague Conference on PIL. Impact of primary law on the interpretation and application of some general concepts of PIL, and on the application of national conflict-of-laws rules. Special regimes in European PIL: exemptions from the application of EU regulations, enhanced cooperation. Relationship of EU regulations (Rome I, Rome II., Brussels I, Brussels and II.b in.) toward international conventions, the conditions of application of international conventions in the European area. Legal aid to participants in cross-border disputes under EU law. European Judicial Network, European Judicial Atlas - their purpose and use.	
Recommended literature: BOGDAN, M - PETERGAS SENDER, M.: Concise Introduction to EU Private International Law. 4th ed. Groningen : Europa Law Publishing, 2019.	

- regulations, judgments of the ECJ, assignments and tasks in the subject's e-learning course in <https://lms.umb.sk/course/view.php?id=639>

Kramer, X. E., Judicial Cooperation in Civil Matters (January 1, 2018). P.J. Kuijper, F. Amtenbrink, D. Curtin, B. De Witte, A. McDonnell & S. Van den Bogaert (Eds.), The Law of the European Union, Alphen aan den Rijn: Kluwer Law International 2018, p. 721-740., Available at SSRN: <https://ssrn.com/abstract=3206272>

FALLON, M.: Private International Law in the European Union and the exception of mutual recognition, In: Yearbook of Private International Law, Vol. IV, 2002, pp. 37-66.

Davies, Gareth T., Services, Citizenship, and the Country of Origin Principle. Mitchell Working Paper No. 2/2007, Available at SSRN: <https://ssrn.com/abstract=1007728>

Cristina GONZÁLEZ BEILFUSS / Ilaria PRETELLI The Proposal for a European Regulation on Filiation Matters – Overview and Analysis, In: Yearbook of Private International Law, Vol. XXIV, 2022-23, pp. 275-308

Christian KOHLER Judicial Cooperation in Civil Matters after Brexit – The Case of the British Application to Rejoin the Lugano Convention of 2007 In: Yearbook of Private International Law, Vol. XXIII, 2021-22, pp. 81-102

Anna WYSOCKA-BAR Same-Sex Parenthood in a Cross-Border Landscape in Pancharevo In: Yearbook of Private International Law, Vol. XXIII, 2021-22, pp. 333-348

Language of instruction:

english language

Notes:student time load:

90 hours

combined study (P, S, K): 26 hours

self-study: 64 hours

Course assessment

The final number of assessed students: 0

A	B	C	D	E	FX(0)	FX(1)
0.0	0.0	0.0	0.0	0.0	0.0	0.0

Instructor: JUDr. Elena Júdová, PhD.

Last changed: 23.05.2024

Approved by: prof. JUDr. Jaroslav Klátik, PhD.