

# MODELS AND SYSTEMS OF PROCEEDING ON CIVIL PROCEDURE LAW

1	Course Title:	MODELS AND SYSTEMS OF PROCEEDING ON CIVIL PROCEDURE LAW
2	Course Code:	OZH5105
3	Type of Course:	Optional
4	Level of Course:	Second Cycle
5	Year of Study:	1
6	Semester:	1
7	ECTS Credits Allocated:	4.00
8	Theoretical (hour/week):	2.00
9	Practice (hour/week):	0.00
10	Laboratory (hour/week):	0
11	Prerequisites:	None
12	Language:	Turkish
13	Mode of Delivery:	Face to face
14	Course Coordinator:	Dr. Öğr. Üyesi CENGİZ TOPEL ÇELİKOĞLU
15	Course Lecturers:	Doç. Dr. Cengiz Topel Çelikoğlu
16	Contact information of the Course Coordinator:	Doç.Dr. C.T. Çelikoğlu, cengiztc@uludag.edu.tr Uludağ Üniversitesi Hukuk Fakültesi Gemlik –Bursa Tel: 0 224 513 80 03
17	Website:	
18	Objective of the Course:	The aim of the course is to research both aspects of application which is effective and to provide having a better understanding of Turkish Civil Procedure Law' s procedural system and structuring model of judicial proceedings, in the frame of examining these of western legal tradition as to civil procedure law.
19	Contribution of the Course to Professional Development:	
20	Learning Outcomes:	
	1	To understand previous-nation state legal systems origins of the national legal system,
	2	To learn taxonomy criterions of post- nation state's legal systems in the framework of legal traditions and families
	3	Comprehending event of occurring non- classified hybrid legal systems and the event of convergency each other of post- nation state's legal system,
	4	Comprehending interrelation between model and systems of judicial proceeding of typical and hybride legal systems belong to western law and legal tradition and legal families,
	5	Understanding preference diffirencies between the typical and hybride judicial proceedings systems of Western Civil Law in terms of roles distiribution and judge as well as apply law to facts in çivil process,
	6	Learning the models that use judicial process as to typical and hybride judicial systems of Western Civil Law,
	7	Comprehending similarities and differencies between the Turkish Civil Procedure Act's model and system by means of examples that are known in comperative çivil procedure,

		8	Learning beneficiation to regarding sources of comparative law in parallel systems and models' solution in solving problems and accounting norms of Turkish Civil Procedure Act' process model and systems of judicial proceedings.		
		9	Obtaining of knowledge of solution -exist in diffirent law cultures- concerning matters of same or similar procedural matters that make up of comperative çivil procedure law as a law science dicipline,		
		10	Noticing to comprise of çivil procedure law science and technicals of solution pool from education and implementation of civik procedure.		
21	Course Content:				
	Course Content:				
Week	Theoretical		Practice		
1	Comparative civil procedure Law and Its basic terms				
2	Legal Sytems of Civil Law and Common Law				
3	Hybride Legal Systems as to Western Legal Traditions				
4	Procedural System of Civil Law Tradition				
5	Procedural System of Common Law Tradition				
6	Hybride Procedural System belonging Western Legal Traditions				
Activites			Number	Duration (hour)	Total Work Load (hour)
8	The Structuring Model of Italian Canonial in the procedural System of Civil Law		14	2.00	28.00
Practicals/Labs			0	0.00	0.00
10	Hearing in the Procedural System of Civil Law		30	2.00	60.00
Self study and preperation					
10	The Structuring Model of American Trial in		30	2.00	60.00
Homeworks					
11	The Structuring Model of Japan in Hybride		0	0.00	0.00
Projects					
Field Studies			0	0.00	0.00
Midterm exams			0	0.00	0.00
12	Turkish Civil Procedure Act's procedural		0	0.00	0.00
Others			0	0.00	0.00
13	Comparasion to the Structuring Models belonging Civil Law and Common Law's		1	0.00	0.00
Final Exams					
Total Work Load					148.00
Total work load/ 30 hr					4.93
ECTS Credit of the Course					4.00
	Civil Procedure Act				

<b>22</b>	Textbooks, References and/or Other Materials:	<p>Chase,G.Oscar/ Hershkoff, H.: Civil Litigation in Comparative Context, USA 2007.</p> <p>Çelikoglu, C.T.: Gathering Evidence of Lawyer in Civil Procedure Law ( Medeni Usul Hukukunda Avukatın Delil Toplaması) , Third Edition, Ankara 2014.</p> <p>David, Rene: Systems of Law for Contemporary and the Bigger (Trans.E.Köteli), Istanbul 1985.</p> <p>Gerber, David J:"Comparing Procedural Systems:Towards an Analytical Framework", Honor of Arthur T.von Mehren (Ed.J.Nafziger/S.Symeonides), Transnational Publishes, 2002.</p> <p>Gündüz, Okan: In the Light of Anglo-American Law, Case Management in Civil Procedural Law, Ankara 2009.</p> <p>Güralp, A. Gülin: Reforms and Improvements in Procedural Systems of Anglo-American and Continental Europe and Evaluation of These in Terms of Turkish Law, İstanbul 2011.</p> <p>Merryman, J.H: The Civil Law Tradition, Second Ed. Stanford 1985.</p> <p>Oguz, Arzu: Comparative Law ( Karşılaştırmalı Hukuk) , Ankara 2003.</p> <p>Orücü, Esin/Attwool, E./Coyle, S.: Mixed and Mixing Systems, Great Britain 1996.</p> <p>Ozsunay, Ergün: Introduction to Comparative Law ( Karşılaştırmalı Hukuka Giriş) , İstanbul 1976.</p> <p>Stürner, R. / Kern, C.: "Comparative Civil Procedure: Fundamentals and Recent Trends", H.Konuralp's Gift ( Haluk Konuralp Armağanı) , Ankara 2009, pp.997-1031.</p> <p>Van Caenegem, R.C: European Law in the Past and Future, Cambridge 2002.</p> <p>Zekoll, J.: "Comparative Civil Procedure", The Oxford Handbook of Comparative Law, N.York 2006.</p> <p>Zweigert, K./Kötz, H.: Introduction to Comparative Law, Great Britain 1998.</p>
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<b>23</b>	Assesment
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TERM LEARNING ACTIVITIES	NUMBER	WEIGHT
Midterm Exam	0	0.00
Quiz	0	0.00
Home work-project	1	50.00
Final Exam	1	50.00
Total	2	100.00
Contribution of Term (Year) Learning Activities to Success Grade		50.00
Contribution of Final Exam to Success Grade		50.00
Total		100.00
Measurement and Evaluation Techniques Used in the Course		

<b>24</b>	<b>ECTS / WORK LOAD TABLE</b>
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25	CONTRIBUTION OF LEARNING OUTCOMES TO PROGRAMME QUALIFICATIONS															
	PQ1	PQ2	PQ3	PQ4	PQ5	PQ6	PQ7	PQ8	PQ9	PQ10	PQ11	PQ12	PQ13	PQ14	PQ15	PQ16
ÖK1	3	4	3	4	5	4	3	4	3	4	5	4	3	4	3	5
ÖK2	4	3	3	4	3	3	4	5	4	3	3	3	5	4	4	4
ÖK3	4	4	3	5	4	4	3	3	4	3	3	5	3	4	5	3

ÖK4	3	3	5	3	5	4	3	3	3	3	3	4	5	4	3	3
ÖK5	4	3	5	4	3	3	4	5	4	4	5	5	3	4	3	4
ÖK6	3	3	3	4	3	4	3	4	4	3	5	4	3	3	4	4
ÖK7	3	5	5	3	3	3	4	3	3	4	3	3	3	4	5	4
ÖK8	3	4	3	4	3	5	3	5	4	3	5	5	3	4	3	5
ÖK9	3	3	4	5	4	3	5	5	3	4	3	3	4	3	4	3
ÖK10	3	4	3	4	3	3	3	4	5	5	5	5	3	4	3	4
LO: Learning Objectives    PQ: Program Qualifications																
Contribution Level:	1 very low		2 low			3 Medium			4 High			5 Very High				