

Valid for 2021.HS

<b>Module Name: Civil Procedure Law and the Debt Enforcement and Bankruptcy Act</b>	
Module Code	w.BA.XX.2ZPR-BL.XX
Module Description	Students acquire the strategy and techniques of civil actions and are able to apply the rules governing compulsory enforcement.
Program and Specialization	Business Law
Legal Framework	Academic Regulations BSc dated 29.01.2009, Appendix to the Academic Regulations for the degree programs in Business Administration, Business Information Technology, and Business Law, first adopted on 12.05.2009
Module Category	<b>Module Type:</b> Compulsory
	<b>Program Phase:</b> First-Year Studies
ECTS	6
Organizational Unit	W Abteilung Business Law
Module Coordinator	Fabiana Theus Simoni (theu)
Deputy Module Coordinator	-
Prerequisite Knowledge	none
Contribution to Program Learning Goals (Affected by Module)	§ Professional Competence § Methodological Competence § Social Competence § Self-Competence
Contribution to Program Learning Objectives	Professional Competence § Knowing and Understanding Content of Theoretical and Practical Relevance § Apply, Analyze, and Synthesize Content of Theoretical and Practical Relevance § Evaluate Content of Theoretical and Practical Relevance Methodological Competence § Problem-Solving & Critical Thinking § Scientific Methodology § Work Methods, Techniques, and Procedures § Information Literacy § Creativity & Innovation Social Competence § Written Communication § Oral Communication § Teamwork & Conflict Management § Intercultural Insight & Ability to Change Perspective Self-Competence § Self-Management & Self-Reflection § Ethical & Social Responsibility § Learning & Change
Module Learning Objectives	Students... § are able to name the legal sources of civil litigation and enforcement law, basic terminology, and functionalities. § are able to implement the rules of civil procedure and legal possibilities in practical cases according to Swiss bankruptcy law. § are able to transfer application-oriented basic knowledge into correct legal action. § are able to develop procedural and legal strategies in a practical way. § are able to relate real-life situations to law enforcement, understand the respective roles of those involved (parties, mediators, courts, official receiver, and bankruptcy agencies), and to assign those functions and duties in respect of the time available. § are able to articulate and argue legal issues. § are able to present the results of their own studies and discuss these using legal arguments.

Module Content	§ Basic principles of law enforcement according to Swiss civil procedure law (ZPO) and Swiss bankruptcy law (SchKG) § Civil process rulings concerning legal competence, parties, evidence, process costs for different actions § Civil process legal redress § Procedural tactics § Overview of international civil procedure law § Enforcement of legal claims § Proceedings resulting in seizure of property and securities § Proceedings resulting in bankruptcy § Paulian action § Arrest § Composition proceedings § Alternatives to litigation and enforcement (mediation, arbitration, settlement, private settlement of debts) § Introductory proceedings in Swiss bankruptcy law as well as redress and legal remedies § An overview of international bankruptcy law		
Links to other modules	-		
Methods of Instruction	§ Lecture § Application Tasks § Case Studies § Exercises § Problem-Oriented Teaching § Literature Review § Discussion	<b>Social Settings Used:</b> Group Work	
Digital Resources	§ Teaching Videos § Teaching Materials § Practice and Application Exercises (with Key) § Case Studies (with Key) § Multiple Choice Tests § Webinars		
Type of Instruction	<b>Classroom Instruction</b>	<b>Guided Self-Study</b>	<b>Autonomous Self-Study</b>
Large Class	28 h	-	
Small Class	28 h	40 h	
Group Instruction	-	-	
Practical Work	-	-	
Seminar	-	-	
<b>Total</b>	<b>56 h</b>	<b>40 h</b>	
Performance Assessment			
<b>End-of-module exam</b>	<b>Form</b>	<b>Length (min.)</b>	<b>Weighting</b>
Written exam	Specified documentation	90	75,00 %
<b>Permitted Resources</b>	Approved calculator according to "Guidelines on Supplementary Materials"	With dictionary	
<b>Others</b>			
	<b>Assessment</b>	<b>Length (min.)</b>	<b>Weighting</b>
Paper on civil procedure law	Grade	-	25,00 %
Quiz on bankruptcy law: a total of 6 points / weighting: max. 10% towards EOM exam	Grade	-	-
Paper on civil procedure law	Pass/Fail	-	-
Classroom Attendance Requirement	Mandatory Attendance: Other  Attendance is monitored at the individual coaching sessions on legal briefs using the class list of names. Absences are permitted only with reasonable cause. Unauthorized absence will result in non-recognition of performance in group project. Students who want to earn additional points with the bankruptcy law quiz questions need to be present to participate in the quiz at the end of the main lecture.		
Language of Instruction/Examination	German		
Compulsory Reading	§ Spühler, K. & Dolge, A. (2020). Schuldbetreibungs- und Konkursrecht I. 8th edition. Zürich: Schulthess. ISBN 978-3-7255-8089-7. § Spühler, K. & Dolge, A. (2020). Schuldbetreibungs- und Konkursrecht II. 8th edition. Zürich: Schulthess. ISBN 978-3-7255-8029-3. § Conrad Nicole, Kommentierte Rechtsschriften für Studium und Praxis, Zürich 2014. ISBN 978-3-7255-7100-0 § Baumgartner, S., Dolge, A., Markus, A. & Spühler, K. (2018). Schweizerisches Zivilprozessrecht, mit Grundzüge des internationalen Zivilprozessrechts. 10th edition. Bern. ISBN 978-3-7272-2293-1.		

Recommended Reading	§ Meier, I. (2010). Schweizerisches Zivilprozessrecht, Zürich: Schulthess, 978-3-7255-6011-0. § Giroud, R. (2014). SchKG Schemen und Abläufe. 3. Auflage edition. Zürich, Basel, Genf: Schulthess. ISBN 978-3-7255-7121-5.
Comments	The module description is based on the assumption that in the fall semester 2021 classes and exams will both take place on campus. Changes affecting the module or type of performance assessment are however possible at short notice if the situation changes due to the pandemic.