Zurich University of Applied Sciences
School of Management and Law

Valid from 2024.HS

Module description: Moot Court - Civil Procedure Law

Module Code	w.BA.XX.3MCZivR-BL.XX
ECTS Credits	6
Language of Instruction/Examination	German
Module Description	Students learn the strategy and techniques of civil litigation both in interactive classes and by means of a moot court trial.
Organizational Unit	IUR Ltg.
Module Coordinator	Claudia Marti
Program and Specialization	• Business Law
Legal Framework	Academic Regulations BSc dated 29.01.2009, for the degree programs in Business Administration, International Management, Business Information Technology, Business Law, Business Law and Applied Law, first adopted on 12.05.2009
Module Category	**Module Type** Compulsory **Program Phase** Main Study Period
Prerequisite Knowledge	Basis of claims in private law
Contribution to Program Learning Objectives (by the concerned 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

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Module Learning Objectives

Students...
- can name the sources of civil procedural law and explain basic terms and functionalities.
- can explain the rules of civil procedure, in particular those relating to the parties, jurisdiction, types of procedure, procedural action, evidence, value in dispute and legal costs, legal remedies, recognition and enforcement, and apply them to practical cases.
- are able to relate life situations to law enforcement and recognize the roles of the parties involved (parties, courts, arbitration authorities) and assign their functions and tasks in terms of time.
- can explain the course of civil proceedings based on a specific case and determine the correct procedure of the court and the legal remedies available.
- know the possibilities of alternative dispute resolution and know when to use them.
- can translate the application-oriented basic knowledge into correct legal measures.
- can develop procedural strategies in a practical manner.
- can articulate and argue legally and present and legally represent the results of their own work.

Module Content

- Principles of legal enforcement according to the Swiss Code of Civil Procedure
- Rules of civil procedure on jurisdiction, parties, types of proceedings, evidence, and costs of proceedings
- The process of civil proceedings and conducting civil proceedings
- Legal remedies in civil proceedings
- Acknowledgement and enforcement
- Alternative conflict resolution (mediation, arbitration, and settlement)

Links to other modules

This module is linked to the following modules:
- w.BA.XX.3AGPR-BL.XX

Digital Learning Resources

- Reader
- Practice and Application Exercises (with Key)
- Case Studies (with Key)

Methods of Instruction

- Lecture
- Interactive Instruction
- Case Studies
- Exercises
- Application Tasks
- Problem-Oriented Teaching
- Literature Review
- Discussion

Social Settings Used:
- Group Work
- Individual Work
- Pair Work

Type of Instruction

	Classroom Instruction	Guided Self-Study	Autonomous Self-Study
Large Class	26 h	-	
Small Class	7 h	42 h	
Group Instruction	-	-	
Practical Work	-	-	
Seminar	-	-	
Total	**33 h**	**42 h**	**105 h**

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Performance Assessment

End-of-module exam	Form	Length (min.)	Weighting
Written exam	Specified documentation	60	50.00
Permitted Resources	No calculator	With dictionary	

Others	Assessment	Format	Length (min.)	Weighting
Written pleading notes and oral main hearing	Grade	Gruppenarbeit	0	16.00
Written response to a statement of claim	Grade	Gruppenarbeit	0	34.00
Peer feedback *Answering two questions on the legal document of the assigned group within the deadline*	Pass/Fail	Gruppenarbeit	0	0.00

Classroom Attendance Requirement

Other

Students must participate in the main hearing.

Compulsory Reading

- Baumgartner, S., Dolge, A., Markus, A. & Spühler, K. (2018). Schweizerisches Zivilprozessrecht. 10th edition. Bern: Stämpfli Verlag. ISBN 978-3-7272-2293-1.
- Swiss Civil Procedure Code, Court Organisation Act, and the Federal Supreme Court Act

Recommended Reading

- Conrad, N. (2014). Kommentierte Rechtsschriften für Studium und Praxis. Zürich: Schulthess. ISBN 978-3-7255-7100-0.
- Fischer, W., Theus Simoni, F. & Gessler, D. (2022). Kommentierte Musterklagen, in 5 Bänden. 2nd edition. Zürich: Schulthess Verlag. ISBN 978-3-7255-8331-7.

Comments