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Course Description: Civil Procedures 1

1- Basic Information:

Course Name	Civil Procedures 1
Course ID	CIP501
Contact Hours (Registered Sessions)	24
Contact Hours (Synchronized Sessions)	28
Mid Term Exam	-
Exam	2
Registered Sessions Work Load	26
Synchronized Session Work Load	44
Credit Hours	5
Course Level	6

2- Pre-Requisites:

Course	ID
Civil Law 3 Obligation provisions	CIV405

3- Course General Objectives:

Providing the student with a complete knowledge of the general theories included in the Civil Judicial Law, which are specifically in this course: the principles on which the judicial organization is based in general and in Syrian law in particular, the arrangement and formation of courts and theories: jurisdiction - lawsuit - trial, and how to use these

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principles and theories in practical application, So that the student - who has been saturated with theoretical information - can practice judicial, legal and administrative work to convey rights to their owners, whether he is a judge, a lawyer or a security man.

4- Intended Learning Outcomes (ILO):

Code	Intended Learning Outcomes
ILO1	Knowing the characteristics of the Civil Procedures Law, the conflict of its rules in time and at the international level, the sources of this law, and the personal validity of the Judicial Law in Syria
ILO2	Knowing the meanings of the principles of judicial organization: the independence, impartiality, publicity, freeness, and degrees of the judiciary, the rights and duties of judges, the rules for their penal, civil and disciplinary responsibilities, the principles of their appointment, promotion and delegation, the reasons for their Recuse, removal, and their inability to judge, the meaning of the immunity they enjoy from dismissal and transfer, and the exceptions from these two immunities.
ILO3	Knowing the hierarchical composition of the arrangement of the judiciary ordinary courts, starting from the top of the pyramid where the general body of the Court of Cassation passes through the circuits of the Court of Cassation, down to the courts of appeal, ending with the courts of first instance such as Sharia, First Instance and Conciliation Courts, and knowing the formation of these courts, including individual and collective; In the next unit, it is easier to understand the theory of jurisdiction, and to know the role of the public prosecution in civil cases.

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ILO4	<p>Knowing the rules on which the theory of jurisdiction is based, and the difference between them and the rules for the administrative distribution of rooms to a single court, knowing that the rules of the Qualitative jurisdiction of the courts are of the Public order, and that the judge when investigating his jurisdiction should start with the rules of specific jurisdiction and then if he does not find it, he searches the rules Value jurisdiction, and that this is limited to the civil courts of conciliation and first instance, and the applicant should know what is related to public order and what is not related to it from the rules of value and local jurisdiction, and knowing that the judge decides when he lacks qualitative, value or spatial jurisdiction to refer the case to the competent court, and that if the case is found within the jurisdiction of another judicial authority - such as the administrative judiciary - it decides to dismiss the case in form - and that these rules are called the rules of functional jurisdiction.</p>
ILO5	<p>Knowing the meanings of the terms lawsuit, litigation and judicial claim and the difference between them, and knowing the difference between the right to litigation and the right to lawsuit? Knowing the meanings of the lawsuit's conditions: interest, capacity, and eligibility for litigation, and knowing what is meant by the term lawsuit that these conditions should meet. Knowing the elements of the Action and what each element consists of, knowing the difference between the cause of the Action and its Subject, knowing that lawsuits can compete to protect the same right, and that if it is protected by one of them, the other lawsuits lapse. And to know the extent to which it is possible to rectify the deficiency of the conditions of the lawsuit after its filing.</p>
ILO6	<p>Knowing the meaning of the defense and that it aims to respond to the claim that</p>

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	<p>was addressed to him, due to a defect in the formalities of the judicial claim or its notification, so it is called the formal defenses, or the absence of the substantive right, which is the substantive defenses, or the absence of the plaintiff's right to litigation, so it is called the defenses of non-acceptance, knowing the importance of distinguishing between formal and substantive defenses, and knowing The extent to which the defenses are related to the public order, the knowledge of the provisions related to the pleas called: the plea for lack of jurisdiction and the plea for the referral, the knowledge of the legal reasons for advocating the referral of the case, knowing the difference between the referral of the case due to the existence of the dispute itself and its referral because it is related to another case, and knowledge of the conditions of Pleading by Conclusiveness with the and its relation to the public order, And know the difference between it and the force of the adjudged.</p>
ILO7	<p>Knowing the meanings of each of the terms of the original and incidental judicial request, knowing the effects of judicial requests for the court and for the litigants, knowing the cases of additional requests for the plaintiff, knowing the cases of the defendant's counterclaim, and knowing the persons with capacity in the litigation of others, and when the litigation of others is a right for the plaintiff, the defendant and the court, Knowing the procedures for requesting the litigation of others.</p>
ILO8	<p>Knowing the cases of interference by the Public Prosecution in civil cases, knowing the legal effect of not including the Public Prosecution, or even enabling it to intervene in the case on the validity of the judicial ruling, knowing the conditions for the validity of offensive intervention, knowing the difference in</p>

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	nature and in the provisions between offensive intervention, simple accessory intervention, and independence accessory intervention, knowing the difference between the procedures for submitting interlocutory requests in general and the procedures for intervention of all kinds, and knowing the impact of the forfeiture of the original litigation on the fall of interlocutory requests in general and intervention in particular, or not.
ILO9	Knowing the relationship between the term litigation procedures and pleading papers, knowing the meanings of each of the terms litigation, lawsuit and judicial claim and the difference between them, knowing the essential data that should be available in the summons, otherwise it will be invalid, secondary data, knowing the legal effects of registering a judicial claim, knowing what is meant by the term and the amount of time to appear And the penalty for not observing it, knowing the difference between simple adversarial procedures and procedures for exchanging regulations, and the extent to which each of them meets the proper course of justice and expediting.
ILO10	Knowing the persons who have jurisdiction and the authority to carry out the notification, knowing the persons who have the authority and the authority to receive the notification paper, knowing the judicial notification methods and the difference between obtaining it in person, through mediation or pasting, knowing the formal conditions i.e. the data that must be included in the notification sheet, and knowing the data that should To include in the minutes of reporting, knowing the types of dates, the general rule in how they apply, and how they are calculated, knowing what is meant by the time and amount of the distance and who benefits from it, knowing what is meant by procedural invalidity and the

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	<p>general theory of this invalidity, knowing the rules of procedural invalidity in Syrian law, and knowing the degrees of procedural invalidity Its ranks and the authority concerned with ruling each type of it, and knowledge of the rules and provisions for each type of procedural invalidity.</p>
ILO11	<p>Knowing the procedures for confirming the presence and absence of litigants, knowing the legal effects of the absence of one or both parties to the litigation, knowing that the origin of attendance at the courts is mediated by a professor's lawyer, knowing the cases in which litigants can attend by themselves and pleading before the courts without a lawyer, and knowing the procedures for appointing a lawyer Or other agents in the litigation, knowing what powers the litigation agent has in order for his actions to be effective against the client, knowing the effect of the defendant's absence on the plaintiff's means of Proofing his claim, knowing the provisions for striking off the case and the effects of this write-off in the summons and in the procedures that took place before the write-off, and its effect on Indentation of the real estate lawsuit sign and the precautionary seizure sign.</p>
ILO12	<p>Knowing the reasons for stopping the litigation, the terms and conditions of the endowment and its types, and the extent of the judge's discretion in the endowment decision, knowing the reasons for Interruption the litigation and distinguishing it from the reasons for stopping it, knowing the ruling and the type of invalidity of the measures taken by the judge before the emergence of the reason for the discontinuation, knowing the ruling of this relative invalidity, and knowing Conditions for waiver of litigation and the claimed right and the difference between them, the extent to which they depend on the defendant's</p>

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	acceptance, knowledge of the guardian in the request to transfer the case and its legal reasons, knowledge of cases of conflict of jurisdiction and its types and how to appoint the competent court.
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5- Course Syllabus (24 hours of total Recorded Sessions, 28 hours of total synchronized sessions)

- **RS:** Recorded Sessions; **SS:** Synchronized Sessions;

ILO	Course Syllabus	RS	SS	Type	Additional Notes
ILO1	• Introducing the Law of Procedures and its characteristics	1	1	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	
ILO2	• Introducing the principles of the judiciary and the legal system for judges	2	2	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	
ILO3	• Introducing the Judicial Organization, the Institution of	2	2	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments	

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	Governance and the Judiciary of the Prosecution			<input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	
ILO4	<ul style="list-style-type: none"> Introducing the theory of specialization, its types and provisions for each type, and the relationship between these types 	4	4	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	
ILO5	<ul style="list-style-type: none"> Introducing the theory of the lawsuit, distinguishing the term lawsuit and the meanings of the Eligibility, interest, capacity, elements of the lawsuit and its relationship to the right it protects. 	2	2	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	
ILO6	<ul style="list-style-type: none"> Definition of Pleadings, types of defenses and their provisions, procedures for dismissal and appeal of the decision issued in them 	2	2	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	

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ILO7	<ul style="list-style-type: none"> Introducing judicial requests, their types and legal effects. 	2	2	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	
ILO8	<ul style="list-style-type: none"> Definition of the meaning and procedures of optional and compulsory intervention, and the procedure for submitting and deciding on interlocutory applications 	1	2	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	
ILO9	<ul style="list-style-type: none"> Defining the procedures for filing the lawsuit, the data to be available in the lawsuit, the procedures for responding to it, and the procedures for the trial sessions 	1	2	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	
ILO10	<ul style="list-style-type: none"> Introducing theories: notification of litigation, deadlines and the consequent forfeiture of the right to take the procedure after its expiry, the theory of procedural 	3	3	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices	

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	invalidity and its types and provisions of each type			<input type="checkbox"/> Others	
ILO11	<ul style="list-style-type: none"> Introducing the provisions of attendance, absence, power of attorney by litigation, and the theory of striking off the case 	2	3	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	
ILO12	<ul style="list-style-type: none"> Definition of trial symptoms: cessation of litigation, interruption, transfer of litigation, abandonment of the judicial claim, waiver of the right to it, and setting the authority in the event of a positive or negative dispute over jurisdiction 	2	3	<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	

6- Assessment Criteria (Related to ILOs)

ISC	Interactive Synchronized Collaboration	Ex	Exams	Rpt	Reports
PF2F	Presentations and Face-to-Face Assessments	PW	Practice Work		

ILO Code	ILO	Intended Results	Assessment Type				
			ISC	PW	Ex	PF2F	Rpt
ILO1	The student acquaints the	the student's			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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	student with the meanings of formal and procedural, and the legislative solutions to the problem of conflict of assets laws in time and place,	solution to the practical issues presented to him in simultaneous sessions					
ILO2	The student acquaints the student with the meanings of the independence, impartiality, freeness and degrees of the judiciary, the rights and immunities of judges, the mechanisms for their appointment, delegation, promotion, recuse by opponents and their removal, and the extent of the authority of the executive authority over them	the student's solution to the practical issues presented to him in simultaneous sessions			☒	☒	☒
ILO3	The student learns about the arrangement of the civil courts, their formation, and how the courts of the highest rank in the ranking review the work of the courts in the	the student's solution to the practical issues presented to him in simultaneous sessions			☒	☒	☒

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	lower tier, some of them in the deliberation chamber's judiciary and most of them in the ruling's judiciary						
ILO4	The student learns about cases of qualitative or so-called comprehensive jurisdiction of courts of all classes, the rules of value jurisdiction between the Conciliation Court and the Civil Court of First Instance, and the rules of local jurisdiction in real estate cases and in movable cases	the student's solution to the practical issues presented to him in simultaneous sessions			☒	☒	☒
ILO5	The student learns to distinguish the different meanings of the term lawsuit, the meanings of the capacity, interest, and eligibility required to be available in the lawsuit, the time it should be available, and the possibility of redressing it after starting	the student's solution to the practical issues presented to him in simultaneous sessions			☒	☒	☒

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	the litigation						
ILO6	The student learns about the nature of defenses and their types, the mechanism of adhering to them and the forfeiture of the right to raise them, and the mechanism of court investigation and decision	the student's solution to the practical issues presented to him in simultaneous sessions			☒	☒	☒
ILO7	The student learns about the nature of the original and interlocutory requests, the procedures for submitting them, the necessity of their connection to the original request, their different cases for the plaintiff and the defendant, and the extent of the court's authority to refuse to consider them.	the student's solution to the practical issues presented to him in simultaneous sessions			☒	☒	☒
ILO8	The student learns about the terms of offensive and voluntary intervention,	the student's solution to the practical issues			☒	☒	☒

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	compulsory and voluntary intervention of the Public Prosecution Office, and the effect of its non-interference in the validity of the judgment.	presented to him in simultaneous sessions					
ILO9	The student gets acquainted with the procedures for filing a lawsuit and holding litigation therein, the system of simple procedures for responding to them, and the system for exchanging regulations, and the impact of the failure of one of the essential data on the invalidity of the lawsuit and the failure of its effects.	the student's solution to the practical issues presented to him in simultaneous sessions			☒	☒	☒
ILO10	The student learns about the procedures for notifying a judicial claim, and the effect of notification or notification from those who do not have the legal jurisdiction to do so	the student's solution to the practical issues presented to him in simultaneous sessions			☒	☒	☒

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	on the nullity of the notification, and learns about cases of procedural nullity and its ranks and how to get rid of the incorrect procedure or judgment.						
ILO11	The student learns about the provisions of the attorney's agency, when the judge or the state attorney can represent himself or his relatives of a certain degree, the extent of the client's and the agent's responsibility for dismissal or retirement from the agency, and learn about the provisions for writing off the litigation, the effect of the deletion of the litigation procedures that took place correctly before the write-off, and the extent of the authority of the plaintiff In renewing the case or appeal the	the student's solution to the practical issues presented to him in simultaneous sessions			☒	☒	☒

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	cancellation decision.						
ILO12	The student learns about the symptoms of the trial, and its legal causes, so he knows the reasons for stopping the litigation and the reasons for its interruption, the reasons for its transfer, and the person with the capacity or authority to implement the effects of these reasons. The conditions for leaving it or waiving the right to it, and the procedures for determining the competent court in the event of a conflict of jurisdiction.	the student's solution to the practical issues presented to him in simultaneous sessions			☒	☒	☒

7- Practice Tools:

Tool Name	Description
There is no	-----

8- Main References

1. Ayman Abu Al-Ayal: Explanation of the Code of Procedure - Part Two - Damascus University Publications - 2013-2014.

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2. Ahmed Abu Al-Wafa: The Theory of Defenses in the Pleadings Law - Edition (5) - 1977 - Mansha'at al-Maaref in Alexandria.
3. Rizkallah Antaki: Principles of Trials in Civil and Commercial Matters - Damascus University Publications.
4. Muhammad Adeeb Al-Husseini: Encyclopedia of Civil Judiciary - The New in the Jurisprudence of the Syrian Court of Cassation - Civil Chambers between the years (1991 - 2000) Library of Arab Awakening - Edition (1) - Part One - for 2002 and Part Two for 2004.
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6. Ahmed El-Sayed Sawi: The mediator in explaining the Civil and Commercial Procedures Law - Dar Al-Nahda Al-Arabiya - Cairo - Cairo University Press and University Book – 1990.
7. Shafeeq Tohme: Syrian due process legalization in civil and commercial matters - First Periodic Supplement - Legal Library.
8. Fathi Wali: Civil Judiciary Law - Arab Renaissance House - Cairo - 1973.

9- Additional References

Fathi Wali:

- Al-Mabsout in the Civil Judiciary Law - Dar Al-Nahda Al-Arabiya - Cairo - 2017.
- The mediator in the Civil Judiciary Law - 1995 edition - Dar Al-Nahda Al-Arabiya - Cairo