



Universidad  
de Alcalá

## TEACHING GUIDE

### SUBJECT PRIVATE INTERNATIONAL LAW

**LAW DEGREE**  
**University of Alcalá**

**Academic Year 2023/2024**  
**Third year – 2<sup>nd</sup> Semester**

## TEACHING GUIDE

Subject Name:	<b>Private International Law</b>
Code:	<b>400021</b>
Degree in which it is taught:	<b>Law Degree</b>
Department and Area of Knowledge:	<b>Legal Sciences. Private International Law</b>
Character:	<b>Obligatory</b>
ECTS Credits:	<b>8</b>
Course and semester:	<b>Third. Second semester</b>
Teaching staff:	Ana Fernández Pérez Professor
Tutoring Schedule: Arrange tutoring with the Teacher a.fernandezperez@uah.es mi.rodriquezr@uah.es	
Language in which it is taught:	<b>English</b>

**WARNING:** The University of Alcalá guarantees its students that, if due to health requirements the competent authorities prevent the total or partial presence of the teaching activity, the teaching plans would achieve their objectives to through a teaching-learning and evaluation methodology in online format, which would return to the face-to-face modality as soon as these impediments ceased.

### 1. PRESENTATION

The objective of this subject is to determine the legal regime of any situation or relationship of law that contains a foreign element. Aspects of International Civil Procedural Law in the field of private law will be analyzed.

#### Abstract

The students will learn to define the legal system for any legal situation or relation which has something to do with foreign countries. Especially, aspects of International Civil Procedure Law will be analyzed in the field of Private Law.

#### Prerequisites and Recommendations (if applicable)

It is highly recommended that students approach the study of this discipline when they possess sufficient knowledge in General Theory of Law and Civil Procedural Law. However, it is not a formally enforceable requirement.

#### Prerequisites and Recommendations (where relevant)

It is highly recommended that students take this course if they have already extensively studied Theory of Law and Civil Procedure Law. However, this is not considered a formal requirement.

## 2. COMPETENCES

#### Generic competences:

1. Learning from the application of legislation to the resolution of specific practical assumptions and the correct handling of techniques for interpreting positive standards.
2. Introduction to the critique of doctrinal texts and jurisprudence.
3. Improvement of oral expression and management of legal terminology.

#### Specific competences:

1. Management of the methods of solution and the techniques of affirmation of this discipline.
2. Understanding of the extent and limit of the jurisdiction of our judges and authorities in international and cross-border cases of a private nature.
3. Determination of the effects of legal relationships and situations arising under the protection of foreign orders or decisions.
4. Knowledge of the legal framework in which the legal response must be framed (constitutional and general public order).

## 3. CONTENTS

Content blocks (topics can be specified if deemed necessary)	Total classes, credits, and hours 200
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First block: Training in general theory of Private International Law.	<ul style="list-style-type: none"> <li>• 10 face-to-face theoretical hours.</li> <li>• 10 hours of self-preparation</li> <li>• 10 hours of practical classes</li> <li>• 10 hours of internship preparation .</li> </ul>
Second Block. International Civil Procedural Law	<ul style="list-style-type: none"> <li>• 30 face-to-face theoretical hours.</li> <li>• 40 hours of self-preparation</li> <li>• 40 hours of practical classes</li> <li>• 40 hours of internship preparation</li> </ul>
Attendance at Seminars and Conferences on current issues in the International Private Law field.	<ul style="list-style-type: none"> <li>• 10 hours</li> </ul>

Timeline (Optional)	
Week / Session	Content
<b>01st</b>	<ul style="list-style-type: none"> <li>• Object, content, and sources of Private International Law</li> </ul>
<b>02nd</b>	<ul style="list-style-type: none"> <li>• International jurisdiction (I) European regime</li> </ul>
<b>3rd</b>	<ul style="list-style-type: none"> <li>• International jurisdiction (II) Autonomous system</li> </ul>
<b>4th</b>	<ul style="list-style-type: none"> <li>• Law applicable to the process</li> </ul>
<b>5th</b>	<ul style="list-style-type: none"> <li>• Procedural specialties with a foreign element and international judicial assistance</li> </ul>
<b>06th</b>	<ul style="list-style-type: none"> <li>• The conflict rule and material norms</li> </ul>
<b>7th</b>	<ul style="list-style-type: none"> <li>• Indirect determination of applicable law</li> </ul>
<b>8th</b>	<ul style="list-style-type: none"> <li>• Application of foreign law</li> </ul>
<b>09th</b>	<ul style="list-style-type: none"> <li>• Procedural treatment of foreign law</li> </ul>

10th	<ul style="list-style-type: none"> <li>• Recognition of foreign decisions (I). Regimes in presence</li> </ul>
11th	<ul style="list-style-type: none"> <li>• Recognition of foreign decisions (II). Effects and types of recognition. Conditions of recognition</li> </ul>
12th	<ul style="list-style-type: none"> <li>• Capacity and person</li> </ul>
13th	<ul style="list-style-type: none"> <li>• Family and inheritance</li> </ul>
14th	<ul style="list-style-type: none"> <li>• Contractual and non-contractual obligations</li> </ul>

#### 4. TEACHING-LEARNING METHODOLOGIES. - TRAINING ACTIVITIES

##### 4.1. Distribution of credits (specify in hours)

Number of face-to-face hours:	56 face-to-face hours
Number of hours of the student's own work:	144 hours of work and preparation
Total hours	200

##### 4.2. Methodological strategies, materials and teaching resources

Master classes	Theoretical classes aimed at knowing and interpreting the legal regime of transnational - and cross-border - relations and situations in the Spanish System.
Discussion on recommended reading. Resolution of case studies	In the practical classes, the resolution of practical cases will be proposed.
Oral presentations	Throughout the semester, students must make an oral presentation of a maximum of 10 minutes on a topic of the subject that will have been assigned to them at the beginning of the course.

#### 5. EVALUATION: Procedures, evaluation and qualification criteria

Students will take two theoretical exams. This part will be equivalent to 40% of the final grade. Each of these tests will be accompanied by 2 practical cases; the resolution of these assumptions will represent 35% of the final grade. The remaining 25% will be obtained through oral presentations, participation, and class attendance. Attendance at seminars and activities organized by the area may affect the qualification, in the way in which it is determined in each case.

To be followed by the continuous assessment system, students must attend at least 80% of classes.

Those who cannot benefit from the general regime of continuous evaluation, must take a final exam in which the acquisition of the theoretical and practical knowledge of the subject will be assessed. Attendance at seminars and activities organized by the area may affect the qualification, in the way in which it is determined in each case.

In the extraordinary call, the evaluation system will be identical to that indicated above in the final exam modality.

## 6. BIBLIOGRAPHY

Basic Bibliography:

- Calvo Caravaca, A., Carrascosa González, J., *European Private International Law*, Editorial Comares S.L, Granada, 2022.

- Complementary Bibliography:

- It will be provided in the development of each module, in response to the most current legal issue at that time or the recent publication of a relevant text.