

COURSE DESCRIPTION

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| University: Comenius University in Bratislava | |
| Faculty: Faculty of Law | |
| Course ID: PraF.KTPSV/EnM17-3004/17 | Course title: Legal Skills (Interpretation and Argumentation in Legal Practice) |
| Educational activities: Type of activities: seminar Number of hours: per week: 3 per level/semester: 42 Form of the course: on-site learning | |
| Number of credits: 3 | |
| Recommended semester: 1. | |
| Educational level: II. | |
| Prerequisites: | |
| Course requirements: Continuous assessment: 100% (active participation in seminars, seminar work - 50% of the evaluation, oral presentation of the seminar paper - 50% of the evaluation) Classification scale: A/1 = 91 – 100 %; B/1,5 = 81 – 90 %; C/2 = 73 – 80 %; D/2,5 = 66 – 72 %; E/3 = 61 – 65 %; FX = 0 – 60 %. During the exam, the student can use all available sources of information, mostly the unpublished legislation, commentaries, case law, legal literature and legal information systems. | |
| Learning outcomes: The aim of the course is to provide students a comprehensive overview and understanding of basic methods of argumentation and interpretation in law and teach them the ability to use correctly the various arguments and interpretative methods in practice. By finishing the subject, the students should understand the basic methods and procedures of professional writing (structure of text ...) and be able to prepare basic the legal documents in foreign language (contract, complaint, action). Students will also acquire the ability to search efficiently information with an emphasis on the use of modern technologies (on-line databases). Finally, the student should be prepared to present verbally their opinions and to respond to objections/questions in the discussion. | |
| Class syllabus: <ol style="list-style-type: none">1. Introduction to the problems of interpretation and argumentation in law2. Legal language and interpretation3. Methods of interpretation I: euro-conform interpretation4. Methods of Interpretation II: constitution conform interpretation5. Methods of applying the previous judicial decisions6. Selected aspects of legal argumentation7. Introduction to the methodology of legal writing8. Legal language and written text9. Legal research10. Writing of legal texts in practice I: Legal analysis11. Writing of legal texts in practice II: Proposal for a contract12. Writing of legal texts in practice III: Action13. Final student presentations I. | |

14. Final student presentations II.

Recommended literature:

ALEXY, R.: A Theory of Legal Argumentation: The Theory of Rational Discourse as Theory of Legal Justification. Oxford : Oxford University Press, 2010, 352 s. ISBN 978-0199584222.

ARASZKIEWICZ, M. et al. (eds.): Argumentation 2011 (conference proceedings). Brno: Muni Press, 2011, 196 s. ISBN 978-80-210-5579-7.

ARASZKIEWICZ, M. et al. (eds.): Argumentation 2012 (conference proceedings). Brno: Muni Press, 2012, 141 s. ISBN 978-80-210-5948-1.

BOBEK, M.: Comparative Reasoning in European Supreme Courts. Oxford: Oxford University Press, 2013, 310 s. ISBN 978-0-19-968038-2.

Languages necessary to complete the course:

English

Notes:

Past grade distribution

Total number of evaluated students: 4

| A | ABS | B | C | D | E | FX |
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| 0,0 | 0,0 | 0,0 | 100,0 | 0,0 | 0,0 | 0,0 |

Lecturers:

Last change: 21.01.2018

Approved by: