

Subject card

Subject name and code	Criminal Procedure II - auditorium classes, PG_00138338						
Field of study	Law						
Date of commencement of studies	October 2024	Academic year of realisation of subject			2026/2027		
Education level		Subject group			Obligatory subject group in the field of study		
Mode of study	part-time studies	Mode of delivery			at the university		
Year of study	3	Language of instruction			Polish		
Semester of study	6	ECTS credits			3.0		
Learning profile	academic	Assessment form					
Conducting unit	Faculty of Law and Administration						
Name and surname of lecturer (lecturers)	Subject supervisor		mgr Dawid Marko				
	Teachers						
Lesson types	Lesson type	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	Number of study hours	0.0	15.0	0.0	0.0	0.0	15
	E-learning hours included: 0.0						
Learning activity and number of study hours	Learning activity	Participation in didactic classes included in study plan		Participation in consultation hours		Self-study	SUM
	Number of study hours	15		0.0		60.0	75
Subject objectives	Introduction to the issue of procedural criminal law as an instrument for the implementation of substantive criminal law norms and as an instrument for the realisation of the state of procedural justice.						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	[PRAWOJ5_KR07] The graduate is ready to take up professional challenges, takes up efforts and is persistent in the implementation of individual and group activities in the creation, application or interpretation of legal regulations and related sciences	The student is ready to take up professional challenges in the area of criminal process.	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK3] text preparation/written work [SK4] test/exam - oral or written [SK5] implementation of a problem task [SK6] demonstration of practical skills [SK8] observation of student's independent or team work
	[PRAWOJ5_UK08] The graduate has wide skills to prepare written works connected with the work of a lawyer in Polish and foreign language	The student has an in-depth ability to prepare legal submissions and procedural decisions.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU3] text preparation/written work [SU4] test/exam - oral or written [SU5] implementation of a problem task [SU6] demonstration of practical skills [SU8] observation of student's independent or team work
	[PRAWOJ5_UK09] He/she demonstrates wide skills in preparing speeches in the field of law in Polish and foreign language	The student has an in-depth ability to prepare oral presentations relevant to the perspective of procedural criminal law.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU3] text preparation/written work [SU4] test/exam - oral or written [SU5] implementation of a problem task [SU6] demonstration of practical skills [SU8] observation of student's independent or team work
	[PRAWOJ5_UW06] The graduate is able to assess the usefulness of typical procedures and good practice in the implementation of tasks connected with various spheres connected with law and related fields	The student is able to assess the suitability of typical protocols and good practices to carry out complex tasks related to different spheres related to criminal procedural law.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU3] text preparation/written work [SU4] test/exam - oral or written [SU5] implementation of a problem task [SU6] demonstration of practical skills [SU8] observation of student's independent or team work
	[PRAWOJ5_WG06] He/she has systematic knowledge about the man as the subject establishing social structures and principles of their operation and about the man as the individual operating in these structures	The student has an in-depth knowledge of the categories and system of procedural authorities in criminal proceedings.	[SW4] test/exam - oral or written [SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW3] text preparation/written work [SW5] implementation of a problem task
	[PRAWOJ5_UW05] He/she can observe and analyze moral, ethical and legal dilemmas in professional work	The student is able to perceive, analyse and have the ability to diagnose moral as well as legal dilemmas in professional work connected with the function of the criminal justice system in the broad sense.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU3] text preparation/written work [SU4] test/exam - oral or written [SU5] implementation of a problem task [SU6] demonstration of practical skills [SU8] observation of student's independent or team work
	[PRAWOJ5_UW03] The graduate demonstrates deepened skills of using complex theoretical points of view to analyze, interpret and plan strategies of legal activities; solves concrete problems connected with the creation, application and interpretation of legal regulations, anticipates the course of their solution and predicts the effects of planned activities	The student is able to use complex theoretical approaches in order to analyse, interpret and design strategies of legal actions in the field of criminal procedure; he/she is able to generate solutions to concrete problems related to criminal procedural law and predict the course of their solution and foresee the consequences of planned actions.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU3] text preparation/written work [SU4] test/exam - oral or written [SU5] implementation of a problem task [SU6] demonstration of practical skills [SU8] observation of student's independent or team work

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[PRAWOJ5_KR05] He/she prepares responsibly to his/her work; can determine priorities in work and plan work appropriately	The student prepares responsibly for his/her work, is able to prioritise his/her work and plan his/her work accordingly.	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK3] text preparation/written work [SK4] test/exam - oral or written [SK5] implementation of a problem task [SK6] demonstration of practical skills [SK8] observation of student's independent or team work
[PRAWOJ5_UW04] He/she efficiently observes and analyzes moral, ethical and legal dilemmas in professional work	The student is able to efficiently use the principles and norms of procedural criminal law in the professional work undertaken.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU3] text preparation/written work [SU4] test/exam - oral or written [SU5] implementation of a problem task [SU6] demonstration of practical skills [SU8] observation of student's independent or team work
[PRAWOJ5_WG05] The graduate demonstrates systematic knowledge about the types of legal relations and the governing regularities	The student has a structured knowledge of the participants in the criminal process, in particular the powers and duties assigned to them in criminal proceedings.	[SW4] test/exam - oral or written [SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW3] text preparation/written work [SW5] implementation of a problem task
[PRAWOJ5_KR06] He/she behaves in ethical and professional way, follows the principles of ethics	The student is convinced of the importance of behaving ethically and professionally in the area of the criminal process and acts in such a way.	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK3] text preparation/written work [SK4] test/exam - oral or written [SK5] implementation of a problem task [SK6] demonstration of practical skills [SK8] observation of student's independent or team work
[PRAWOJ5_WG03] He/she demonstrates deepened knowledge about the political system in Poland, about individual authorities with particular consideration of legislative authority and the judiciary,	The student has in-depth knowledge of the categories and system of procedural authorities in criminal proceedings.	[SW4] test/exam - oral or written [SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW3] text preparation/written work [SW5] implementation of a problem task
[PRAWOJ5_WG02] He/she knows wide terminology and concepts in the scope of law and connected disciplines	The student is familiar with the terminology and concepts of procedural criminal law.	[SW4] test/exam - oral or written [SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW3] text preparation/written work [SW5] implementation of a problem task
[PRAWOJ5_WK13] He/she has advanced knowledge of the functioning of professional self-governments in legal professions, is familiar with the principles of judges' and prosecutors' professions, and has knowledge of the organization of the judiciary in Poland.	The student has an in-depth knowledge of the determinants associated with the activities of members of the legal practitioners' professional self-government.	[SW4] test/exam - oral or written [SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW3] text preparation/written work [SW5] implementation of a problem task

Course outcome	Subject outcome	Method of verification
[PRAWOJ5_KK02] He/she is aware of the necessity to widen professional competences and qualifications, to improve skills, is able to indicate the direction of own development and education independently in widened and deepened way	Students are aware of the necessity to broaden their professional competences and qualifications as well as to improve their skills, they are able to independently determine the directions of their own development and education in an extended and deepened degree.	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK3] text preparation/written work [SK4] test/exam - oral or written [SK5] implementation of a problem task [SK6] demonstration of practical skills [SK8] observation of student's independent or team work
[PRAWOJ5_UO11] He/she can work well in a team and can coordinate the team's work when solving legal problems, interpreting legal acts, and preparing written or oral opinions on a matter.	The student is able to cooperate in a team and is able to coordinate the work of the team in solving problems in the field of procedural criminal law.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU3] text preparation/written work [SU4] test/exam - oral or written [SU5] implementation of a problem task [SU6] demonstration of practical skills [SU8] observation of student's independent or team work
[PRAWOJ5_UU12] He/she acquires knowledge efficiently and develops his/her professional skills using various sources (in native and foreign language) and modern technologies	The student is able to proficiently acquire knowledge of procedural criminal law and develop his/her professional skills in this area.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU3] text preparation/written work [SU4] test/exam - oral or written [SU5] implementation of a problem task [SU6] demonstration of practical skills [SU8] observation of student's independent or team work
[PRAWOJ5_KO04] The graduate is ready to prepare own projects connected with the creation, application and interpretation of legal regulations, including projects co-financed by the European Union's funds	The student is ready to undertake the preparation of his/her own social projects related to criminal procedural law.	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK3] text preparation/written work [SK4] test/exam - oral or written [SK5] implementation of a problem task [SK6] demonstration of practical skills [SK8] observation of student's independent or team work
[PRAWOJ5_KO03] He/she is prepared for active participation in groups, organizations and institutions connected with law, is also able to communicate with specialists and non-specialists in the field of law	The student is ready to actively participate in groups, organisations and institutions carrying out professional activities related to criminal procedural law, at the same time he/she is able to communicate with people who are and are not specialists in the field of criminal procedural law.	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK3] text preparation/written work [SK4] test/exam - oral or written [SK5] implementation of a problem task [SK6] demonstration of practical skills [SK8] observation of student's independent or team work
[PRAWOJ5_WK10] He/she understands and knows the basic concepts and principles of industrial property protection and copyright law, as well as understands the need for proper protection of intellectual property and managing its resources	Nie dotyczy.	[SW1] oral statement/conversation/discussion
[PRAWOJ5_KK01] The graduate is deeply aware of the level of his/her knowledge and skills, and also understands the need of lifelong learning	The student has an in-depth awareness of his/her level of knowledge and skills and understands the need for lifelong learning.	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK3] text preparation/written work [SK4] test/exam - oral or written [SK5] implementation of a problem task [SK6] demonstration of practical skills [SK8] observation of student's independent or team work

Subject contents	<p>1. Pre-trial proceedings - case studies concerning in particular: sources of information about the crime, forms of pre-trial proceedings, checking activities, investigation to the necessary extent, participation of parties in pre-trial proceedings, construction of an indictment. 2. Proceedings before the court of first instance - case studies concerning in particular: formal and content-related control of the indictment, structure and course of the main hearing, presence of the accused at the main hearing, role and powers of the presiding judge, reading out minutes and documents, construction of the judgment.3. Appellate proceedings - case studies concerning in particular: the structure of the appeal, practical aspects of devolution and suspensiveness of appeals, principles of formulation of appeal charges (in the context of each relative ground of appeal), structure and course of the appeal hearing, types of decisions of the appellate court, admissibility and procedure for examination of a complaint.4. Extraordinary remedies - case studies concerning, in particular, formal requirements for a cassation appeal, grounds for a cassation appeal, principles of formulating cassation charges, grounds for resumption of proceedings, complaint against a cassation verdict.5. Specia modes envisaged by CCP - case studies concerning, in particular, the manner of commencement and course of private prosecution proceedings, construction of a private accusation act, prerequisites of proceedings by way of a warrant, objection as a means of appeal in warrant proceedings, prerequisites and course of proceedings in accelerated proceedings.6. Creating drafts of selected writings and procedural decisions - as far as they relate to the batches of material being dealt with at a given moment.</p>														
Prerequisites and co-requisites	Criminal procedural law I														
Assessment methods and criteria	<table border="1"> <thead> <tr> <th data-bbox="453 580 790 611">Subject passing criteria</th> <th data-bbox="799 580 1141 611">Passing threshold</th> <th data-bbox="1150 580 1492 611">Percentage of the final grade</th> </tr> </thead> <tbody> <tr> <td data-bbox="453 618 790 669">Arithmetic average of marks for colloquia (tests)</td> <td data-bbox="799 618 1141 669">51.0%</td> <td data-bbox="1150 618 1492 669">60.0%</td> </tr> <tr> <td data-bbox="453 676 790 728">Arithmetic average of entrance test marks</td> <td data-bbox="799 676 1141 728">51.0%</td> <td data-bbox="1150 676 1492 728">30.0%</td> </tr> <tr> <td data-bbox="453 734 790 831">Arithmetic average of marks for projects and other activities (e.g. legal writings, simulations, speeches, papers)</td> <td data-bbox="799 734 1141 831">51.0%</td> <td data-bbox="1150 734 1492 831">10.0%</td> </tr> </tbody> </table>	Subject passing criteria	Passing threshold	Percentage of the final grade	Arithmetic average of marks for colloquia (tests)	51.0%	60.0%	Arithmetic average of entrance test marks	51.0%	30.0%	Arithmetic average of marks for projects and other activities (e.g. legal writings, simulations, speeches, papers)	51.0%	10.0%		
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Recommended reading	Basic literature	<p>During the course, students make use of normative acts regulating the issues covered in the programme content and selected case law, as indicated by the tutor. Handbook: S. Waltoś, P. Hofmański, <i>Proces karny. Zarys systemu</i>, 16. ed., Wolters Kluwer, Warsaw 2023.</p>													
	Supplementary literature	<ol style="list-style-type: none"> 1. M. Cieślak, <i>Polska procedura karna. Podstawowe założenia teoretyczne</i>, Warszawa 1984 2. J. Grajewski, <i>Przebieg procesu karnego</i>, C.H. Beck, Warszawa 2012 3. J. Grajewski, K. Papke-Olszauskas, S. Steinborn, K. Woźniewski, <i>Prawo karne procesowe - część ogólna</i>, red. J. Grajewski, C.H. Beck, Warszawa 2011 4. J. Grajewski, L. K. Paprzycki (eds.), S. Steinborn, <i>Kodeks postępowania karnego. Komentarz</i>, Wolters Kluwer, Warszawa 2013 5. J. Skorpka (ed.), <i>Kodeks postępowania karnego. Komentarz</i>, C.H. Beck, Warszawa 2020 6. T. Grzegorzczak, J. Tylman, <i>Polskie postępowanie karne</i>, Wolters Kluwer, Warszawa 2022 7. J. Sprack, <i>A practical approach to criminal procedure</i>, Oxford-New York 2011 8. C. Peristeridou, A. Klip (eds.), <i>Comparative Perspectives of Criminal Procedure</i>, Intersentia, Cambridge 2024 													
	eResources addresses	Adresy na platformie eNauczanie:													

Example issues/ example questions/ tasks being completed	1 The institution of the exclusion of the so-called judge suspected of bias (iudex suspectus)2. res judicata as a negative procedural condition3. What legal remedies do you know? What features do they have?
Work placement	Not applicable

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