GHENT UNIVERSITY

# Course Specifications

Valid as from the academic year 2026-2027

## Advanced Civil Procedure (B001725)

**Course size** *(nominal values; actual values may depend on programme)*

**Credits 6.0** **Study time 180 h**

**Course offerings in academic year 2027-2028**

| | | |
|---|---|---|
| A (semester 2) | Dutch | Gent |

**Lecturers in academic year 2027-2028**

| | | |
|---|---|---|
| Vandenbussche, Wannes | RE21 | lecturer-in-charge |
| Broeckx, Karen | RE21 | co-lecturer |

| **Offered in the following programmes in 2027-2028** | **crdts** | **offering** |
|---|---|---|
| Master of Science in Teaching in Social Sciences(main subject Laws) | 6 | A |
| Master of Laws in Laws | 6 | A |

**Teaching languages**

Dutch

**Keywords**

Civil Procedural Law, Actors of the civil justice system, Legal Proceedings, Legal Remedies, Review, Evidence, Summary Proceedings, Enforcement, Seizure, Conservatory Measures and Forced Execution

**Position of the course**

This course aims to provide students with an outspoken interest in the legal profession a thorough and scientific knowledge of and a clear insight in the rules of civil procedural law and the law of enforcement and seizures, their objectives and their legal and social functions.

**Contents**

This includes, among other things, the thorough and critical analysis and discussion of case law and legal doctrine (in Dutch, French, and English), the resolution of concrete cases, the study of procedural files, and where appropriate, the drafting of legal opinions and/or decisions.
A close track of current issues concerning civil procedural law is kept as well.
Throughout the course, attention is also given to the societal context in which the studied rules are meant to operate. In light of the often negative public perception of the justice system, particular emphasis is placed on the ethical and responsible use of judicial proceedings. Conversely, the way in which judges carry out their duties is also subject to critical evaluation.
Further on, attention will be paid to the methods for the forced realization of different kinds of contracts. The rules concerning the forced execution of no-money obligations, eventually with an “astreinte” and those concerning the forced execution of money-obligations by means of seizure measures, will be analyzed. This research will be based upon concrete cases. Different kinds of seizures and possible remedies of the debtor will be the object of this study.

**Initial competences**

Students must have achieved the final objectives of the course on "Procedural Law".

**Final competences**

1 The students should have an advanced knowledge - and insight - of Belgian civil procedural law, enforcement law and the European regulations on procedural matters.

2 Student should adopt a critical and reflective attitude towards these rules, taking in consideratin their constant evolution via changes of the law and jurisprudence.
3 Students should be able to apply these rules in an ethical way and they should be aware that a judicial proceeding is an *ultimum remedium*.
4 Student should be able to solve relevant legal problems concerning civil procedural law.
5 Students should be competent to apply (the changing) rules of law in new and complex cases.
6 Students should be able to present their (critical) findings both orally and in writing.

**Conditions for credit contract**

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

**Conditions for exam contract**

This course unit cannot be taken via an exam contract

**Teaching methods**

Seminar, Lecture, Independent work, Peer teaching

**Extra information on the teaching methods**

Students are expected to prepare thoroughly each week's topic for discussion on the basis of the study materials made available via Ufora. Teaching is interactive in all its aspects. For that reason, no lecture recordings are made available.

**Study material**

Type: Syllabus

Name: Burgerlijk Procesrecht 2024-2025
Indicative price: Free or paid by faculty
Optional: no
Available on Ufora : Yes

Type: Slides

Name: Slides of classes
Indicative price: Free or paid by faculty
Optional: no
Language : Dutch
Number of Slides : 350
Available on Ufora : Yes
Online Available : Yes
Available in the Library : No
Available through Student Association : No

Type: Reader

Name: Case law and legal scholarship
Indicative price: Free or paid by faculty
Optional: no
Available on Ufora : Yes

Type: Other

Name: Up-to-date edition of the Judicial Code
Indicative price: € 40
Optional: no

Type: Other

Name: All kinds of media reports, recent rulings, reports, notes and plans concerning current developments in the fields covered
Indicative price: Free or paid by faculty
Optional: no
Available on Ufora : Yes

**References**

B. Allemeersch, P. Taelman, P. Van Orshoven en B. Vanlerberghe, *Nieuwe Justitie*, Antwerpen, Intersentia 2014, xi + 179 blz.

B. Allemeersch en P. Taelman (eds.), *Hervorming van de burgerlijke rechtspleging door Potpourri I*, Brugge, die Keure, 2016, xi + 160 p.
P. Taelman en B. Allemeersch (eds.), *Het burgerlijk procesrecht opniuew hervormd*, Antwerpen, Intersentia, 2019, xiv + 284 p.
J. Laenens e.a. *Handboek Gerechtelijk Recht*, Antwerpen, Intersentia, 2020, xxiv + 969 p.
G. De Leval e.a., Droit judiciaire, Tome 2, Manuel de procédure civile, Brussel, Larcier, 2021, 3 Volumes.
E. Dirix, Beslag, in *Algemene Praktische Rechtsverzameling,* Kluwer, Mechelen, 2018, 615 p.

**Course content-related study coaching**

Individual coaching in case of problems.

**Assessment moments**

end-of-term and continuous assessment

**Examination methods in case of periodic assessment during the first examination period**

Oral assessment

**Examination methods in case of periodic assessment during the second examination period**

Oral assessment

**Examination methods in case of permanent assessment**

Participation, Assignment

**Possibilities of retake in case of permanent assessment**

examination during the second examination period is not possible

**Extra information on the examination methods**

Permanent evaluation details: participation during lectures, oral presentation, short advice or analysis of a judicial decision (max. 2 pages).
Periodical evaluation details: oral examination with written preparation.

**Calculation of the examination mark**

70% periodical evaluation.
30% permanent evaluation.
Unless duly justified, students are required to participate in all assessment components in order to pass the course. Students who fail to participate in all assessment components may obtain a maximum final grade of 7/20 for this course.
Students must pass both components in order to pass the course as a whole. If a student fails one of the two components but nevertheless obtains an overall mark of 10/20 or higher, the final mark will automatically be reduced to the highest non-compensatable failing grade.
Given the nature of the assessment, no retake is possible for the permanent evaluation. Students who pass the permanent evaluation but fail the end-of-term assessment may resit the examination. In that case, the mark obtained for the permanent evaluation will be retained.

**Facilities for Working Students**

no