

Faculty of Law



DPRI2320 Judicial Law : special procedures, seizure means

[30h] 4.5 credits

This course is taught in the 1st semester

Teacher(s): Christian Panier
Language: French
Level: Second cycle

Aims

The objective of the course is two-fold :- on the one hand to complete the information given to the students via the study of the 5th part of the judicial Code not yet covered in the previous years and, on the other hand, to initiate the students into judicial practice by means of concrete examination of the envisaged procedures.

Main themes

The following will be analysed successively :- the general principles of the 5th part of the Judicial Code : conservation seizures ; - seizure means. This course is taught in the form of lectures and includes student participation depending on the kind of questions addressed. N.B. This course is highly recommended for students who later intend to train as solicitors .

Content and teaching methods

Subject to study of the special procedure on obligation regarding financial incentives for the execution of decisions imposing payment in kind . The course is essentially dedicated to examining the mechanisms and procedures provided for by the fifth part of the Judicial Code, either to ensure the protection of the patrimony of the debtor to the benefit of his creditors , conservation seizures - or to permit the seizing of all or a part of this patrimony in order to proceed to the forced execution of the sum payment obligations - seizures -, either to limit the effects of excessive debts - collective reglementation of debts. This is how the principles common to all seizures will be presented, followed by those specifically concerned with conservation seizures, and then by detailed examination of those seizures. Then comes the study of the general rules applied to the means employed for forced seizures and ensuing details thereof, which precede the procedure - recently set up (1998) - on collective reglementation of debts.

Given the huge size of the auditoriums, the teaching will take the form of lectures, during which the students are encouraged to intervene.