

Aristotle University of Thessaloniki

Faculty of Law

Bachelor of Laws (LL.B.)

Course Syllabus

1. Course Information

- **Title:** Civil Procedure
- **Code:** LLB27
- **ECTS:** 6
- **Hours per week:** 4
- **Academic Year:** 3rd
- **Teaching Period:** Spring Semester
- **Mode of Delivery:** Face-to-Face
- **Language of Instruction/Assessment:** English
- **Course Type:** Mandatory

2. Course Description

Civil procedural law, as a system that protects substantive rights, offers the matrix of procedural rules, regulating in detail and with precision the organization and development of the trial process. The course is designed to cover the rules and procedures involved in the civil dispute resolution process in Greece while shedding light, in respect of selected topics, on other legal systems or the European legal order. By way of introduction, emphasis will be placed on the general features of the administration of justice in civil matters, the structure of the court system and the role of the judge and the parties in civil proceedings. The central learning objective is, precisely, to enable participants to understand fundamental concepts and principles of civil procedural law and become familiar with the process of adjudication as well as with enforcement proceedings. The course attempts to address core topics such as jurisdiction, joinder of parties and claims, third-party proceedings, admissibility of an action, defendant's

defense, evidence, parallel proceedings, *lis pendens* and res-judicata. Although the main focus of the course is on first instance ordinary proceedings, special attention will be also given to review proceedings and proceedings for provisional remedies. General features of the enforcement proceedings will be also analyzed, particularly regarding enforcement of money claims. Modern trends in civil dispute resolution process, such as active case management, settlement, ADR/ODR, model rules of civil procedure and digitalization of justice, will also be examined.

3. Keywords

Internal Jurisdiction – International Jurisdiction – Subject matter competence – Territorial competence – Prorogation – Fundamental Procedural Principles – Judicial Duty for Guidance – Action – Claims – Answer on the Action – Cross-action – Exceptions – Service of the Complaint – Joinder – Intervention – Representative Actions – Class Actions – Pleadings – Parallel Proceedings – Lis Pendens – Res Judicata – Estoppel – Preclusion – Evidence – Provisional Remedies – Provisional Order – Interim injunctions – Ordinary written proceedings – Special Proceedings – Appeal – Cassation – Enforcement – Executory title – Enforcement of Money Claims – E-auction – Case Management – Settlement – ADR/ODR – ELI/Unidroit Model European Rules of Civil Procedure – Digitalization of Justice – Regulation 1215/2012

4. Learning Outcomes

Upon successful completion of this course, students will be able to:

1. Identify dominant legal concepts, procedural rules and legal principles and apply them to hypothetical factual scenarios
2. Demonstrate knowledge of procedural steps in common legal processes (e.g. filing a claim, lodging an appeal)
3. Identify and analyse relevant case law related to specific legal issues
4. Critically assess the civil dispute resolution process as well as the effectiveness of legal rules or doctrines in achieving their stated objectives
5. Compare and contrast differing legal systems and doctrines in relation to certain legal topics
6. Understand the interrelationship between national and European legal order in relation to certain key procedural concepts (e.g., jurisdiction)

7. Construct well-structured research papers on topics of contemporary relevance
8. Demonstrate familiarity with legal databases and research tools for retrieving relevant sources

5. General Skills to Be Acquired

- Apply knowledge in practice
- Retrieve, analyse, and synthesise data and information
- Adapt to new situations
- Make decisions
- Work in an international context
- Work in an interdisciplinary team
- Generate new research ideas
- Appreciate diversity and multiculturalism
- Respect the natural environment
- Be critical and self-critical
- Advance free, creative, and causative thinking

6. Course Content (Topics)

1. **General introduction into the Civil Dispute Resolution Process:** Constitutional separation of criminal, civil and administrative jurisdictions – Sources of Civil Procedural Law – Structure of the Court System – Fundamental Procedural Principles – Role of the Judge – Clarification Duties [Greek “judicial duty for guidance” *vs.* German “Aufklärungspflichten”]
2. **Jurisdiction:** 1. Internal Jurisdiction [Subject Matter Competence, Territorial Competence (concurrent and exclusive jurisdictions) – Prorogation of territorial competence] 2. International Jurisdiction – Prorogation of the international Jurisdiction of Greek Courts [special reference to Regulation (EU) No 1215/2012 (Brussels I *bis*)]
3. **Action and Claims – Answer on the Action – Cross Action:** The procedural notion of action *vs.* the substantive claim – Types of Actions – Admissibility – Contents of

the Complaint – Vagueness – Joinder of Claims – Procedural and Substantial effects of the initiation of an action – Service and due notice of proceedings – Answer on an action – Exceptions – Counterclaims – Written pleadings

4. **Joinder of Parties – Third Party Proceedings:** Joinder of Parties – Third Party Intervention – Consolidation – Representative Actions *vs.* “class actions” under American Law and other European legal orders
5. **Parallel Proceedings and Lis Pendens:** the civil notion of *lis pendens* *vs.* the common law doctrine of *forum non convenience* – Court-issued anti-suit injunctions in common law jurisdictions – Parallel arbitration and litigation proceedings
6. **Proceedings for Provisional Remedies:** General principles and preconditions for the granting of provisional remedies – Types of provisional remedies [conservatory *vs.* provisional remedies] – Non-availability of methods of review – The provisional *res judicata* – Revocation of provision remedies – Provisional orders – International jurisdiction in granting provisional remedies according to Art. 35 Regulation (EU) No 1215/2012 (Brussels I *bis*) and Art. 15 Regulation (EU) 2019/1111 (Brussels IIb) – Interim injunctions freezing bank accounts
7. **Proceedings in First Instance:** Ordinary written proceedings – Other special proceedings – Default proceedings – *Ex-parte* proceedings
8. **Evidence:** Burden of Proof – Legal Presumptions – Admissibility of Evidence – Types of evidence – The civil law approach to evidence gathering and examination *vs.* the common law approach of pre-trial discovery, disclosure and cross-examination – Evidence orders under the ELI – UNIDROIT Model European Rules of Civil Procedure
9. **Judgment – Res Judicata:** Effects of judgments – Distinctions of *Res Judicata* – Objective and subjective limits of *Res Judicata* – Collateral estoppel – *Res Judicata* under Greek law *vs.* Estoppel/Preclusion under Anglo-American law
10. **Appeal Proceedings:** Conditions to admissibility – Appeal period – The grounds of appeal – The effects of commencement of appellate proceedings [in particular the “devolutive” effect] – Cross-appeals – Rules regarding factual allegations and evidence in appellate proceedings
11. **Cassation Proceedings:** Scope of review – Distinction between facts and law – Aims of the cassation – Cassation grounds – Filing – Cassation “in the interest of the law” – Pilot-Trial [20A CCP] – Trends and tools under the French cassation proceedings [*amicus curiae*, *saisine pour avis*, *principe de concentrations des moyens*]

12. **Enforcement of domestic Judgments:** General features of the enforcement proceedings – Main organs of execution – The executory title as a general prerequisite of execution – Initiation of Main Enforcement Proceedings – Specific Performance *vs.* Enforcement of Money Claims – E-auction – Key-features of Recognition and enforcement of foreign Judgments
13. **Current trends in civil dispute resolution process:** Case Management – Settlement – Litigation *vs.* Alternative Dispute Resolution (ADR)/Online Dispute Resolution (ODR) – ELI/UNIDROIT Model European Rules of Civil Procedure – Digitalization of Justice

7. Teaching Methods

- Lectures.
- Case law workshops.
- Student presentations and structured debate.
- Guided reading and legal reasoning exercises.

8. Assessment Methods

Method	Weight	Description
Final Written Exam	70%	Essay-type and case-based questions
Mid-Term Assignment/Presentation	20%	Individual or group-based
Participation and Engagement	10%	Constructive attendance, preparedness, contribution

Note: A minimum final exam score of 50% is required to pass.

9. A. Ethics

Students are reminded that all submitted work must comply with the University's academic [integrity policy](#). Plagiarism or unauthorised collaboration will result in disciplinary measures.

B. Course Policies

- Attendance is strongly encouraged.
- All assignments must be submitted on time via the designated platform.
- Special accommodations will be made for students with documented learning or health needs in accordance with university policy.

10. Use of Information and Communication Technologies (ICT)

- **Use in Teaching:** (e.g. digital slides, audiovisual aids, interactive tools like Mentimeter)
- **Use in Communication:** (e.g. E-learning platform, Zoom/Google Meet for office hours)
- **Digital Resources:** (e.g. online legal databases, podcasts, video lectures)

11. Bibliography

- Books/E-books

Cassation in French and Greek civil procedural law /. (2022). Sakkoulas

De Saulles, Dominic. (2019). *Reforming civil procedure : the hardest path* /. Hart Publishing

Federal Rules of Civil Procedure. (2019). Michigan Legal Publishing

The future of the european law of civil procedure : coordination or harmonisation ? /. (2020). Intersentia.

Glannon, J. W., Perlman, A. M., & Raven, P. (2023). *Civil procedure: rules, statutes and other materias : supplement (ebook)*. Aspen .

<https://search.lib.auth.gr/Record/1148436?sid=50139598>

Hess, Burkhard., & Kramer, X. Ellen. (2017). *From common rules to best practices in European civil procedure* / (1. Edition.). Nomos

Hess, Burkhard., & Lenaerts, Koenraad. (2020). *The 50th anniversary of the European law of civil procedure* /. Nomos ; Hart Publishing

Hess, B., & Lenaerts, K. (2020). The implementation of EU procedural law: Towards a coherent European civil procedure. Hart Publishing.

Hess, B., Pfeiffer, T., & Oberhammer, P. (Eds.). (2020). The future of the European law of civil procedure: Coordination or harmonisation? Intersentia.

Makridou, K., & Diamantopoulos, G. (Eds.). (2014). Greek and foreign civil procedural systems: Vol. 1. Issues of estoppel and res judicata in Anglo-American and Greek law.

Makridou, K., & Diamantopoulos, G. (Eds.). (2014). Greek and foreign civil procedural systems: Vol. 2. Civil trial of first and second instance according to Swiss and Greek law.

Makridou, K., & Diamantopoulos, G. (Eds.). (2016). Greek and foreign civil procedural systems: Vol. 3. Provisional measures in Italian and Greek procedural law.

Makridou, K., & Diamantopoulos, G. (Eds.). (2018). Greek and foreign civil procedural systems: Vol. 4. Evidence in Spanish and Greek procedural law.

Makridou, K., & Diamantopoulos, G. (Eds.). (2020). Greek and foreign civil procedural systems: Vol. 5. Relations between judge and parties in German and Greek civil trial.

Makridou, K., & Diamantopoulos, G. (Eds.). (2022). Greek and foreign civil procedural systems: Vol. 6. Cassation in French and Greek civil procedural law.

Makridou, K., & Diamantopoulos, G. (Eds.). (2024). Greek and foreign civil procedural systems: Vol. 7. Conservatory measures (interim injunctions) in Cypriot and Greek law.

Michigan Legal Publishing. (2019). Federal rules of civil procedure (2019 ed.). Michigan Legal Publishing Ltd.

Nylund, Anna., & Strandberg, Magne. (2019). *Civil procedure and harmonisation of law : the dynamics of EU and international treaties /*. Intersentia.

Stadler, A., Smith, V., & Inchausti, F. G. (2023b). European rules of civil procedure: a commentary on the ELI/Unidroit model rules (e-book). In *European*

Rules of Civil Procedure. Edward Elgar Publishing Ltd.

<https://doi.org/10.4337/9781800887848>

Uzelac, A. (Ed.). (2014). *Goals of Civil Justice and Civil Procedure in Contemporary Judicial Systems (e-book)* (Vol. 34). Springer International Publishing.

<https://doi.org/10.1007/978-3-319-03443-0>

Woo, M. K. (2025). *Comparative civil procedure* (e-book) . Edward Elgar.

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Yessiou-Faltsi, P. (2020). *Civil procedure in Hellas* (2nd rev. ed.). Sakkoulas.

Yessiou-Faltsi, P., & Anthimos, A. (2023). *Greece - IEL Civil Procedure* (e-book).

Wolters Kluwer.

<https://kluwerlawonline.com/EncyclopediaChapter/IEL+Civil+Procedure/CI VI20190016>

- Databases

Westlaw UK Academic	https://law.auth.gr/en/subscription-to-electronic-databases-2/
HeinOnline Academic Core and Kluwer Law International Journal Library	https://law.auth.gr/en/subscription-to-electronic-databases-2/
Beck-online PREMIUM	https://law.auth.gr/en/subscription-to-electronic-databases-2/
O.U.P Oxford Public International Law	https://law.auth.gr/en/subscription-to-electronic-databases-2/
O.U.P Max Planck Encyclopedia of Comparative Constitutional Law	https://law.auth.gr/en/subscription-to-electronic-databases-2/
Dalloz.fr	https://law.auth.gr/en/subscription-to-electronic-databases-2/

JURIS Zusatzmodul Hochschulen, BGB Staudinger Online	https://law.auth.gr/en/subscription-to-electronic-databases-2/
Kluwer Law Online (30 journals)	https://law.auth.gr/en/subscription-to-electronic-databases-2/
IAReporter. Investment Arbitration Report	https://law.auth.gr/en/subscription-to-electronic-databases-2/
Cambridge Core (Law)	https://www.cambridge.org/core/browse-subjects/law
EBSCO	https://research.ebsco.com/c/quc7ji/search/advanced/filters?autocorrect=y&isDashboardExpanded=true
ProQuest Central	https://www.proquest.com/central/topicpaths/AbiGlobal_business/0?accountid=8359#0
Springer link	https://link.springer.com/
Taylor & Francis e-books	https://www.taylorfrancis.com/search?subject=SC_LW
Taylor & Francis e-journals	https://www.tandfonline.com/subjects/law
The Making of Modern Law: Legal Treatises 1800-1926 (Gale)	https://go.gale.com/ps/start.do?p=MOML&u=arist&cookieConsent=true&analyticsOptout=false&aty=ip
Wiley online Library	https://onlinelibrary.wiley.com/action/showPublications?startPage=&ConceptID=85