

## Course description

<b>Course abbreviation:</b>	KTR/TR4R	<b>Page:</b>	1 / 4
<b>Course name:</b>	Criminal Law 4		
<b>Academic Year:</b>	2023/2024	<b>Printed:</b>	04.07.2025 04:39

<b>Department/Unit /</b>	KTR / TR4R			<b>Academic Year</b>	2023/2024
<b>Title</b>	Criminal Law 4			<b>Type of completion</b>	Exam
<b>Accredited/Credits</b>	Yes, 8 Cred.			<b>Type of completion</b>	Combined
<b>Number of hours</b>	Lecture 2 [Hours/Week] Seminar 2 [Hours/Week]			<b>Course credit prior to</b>	Yes
<b>Occ/max</b>	Status A	Status B	Status C	<b>Counted into average</b>	YES
<b>Summer semester</b>	267 / -	0 / -	0 / -	<b>Min. (B+C) students</b>	10
<b>Winter semester</b>	0 / -	0 / -	0 / -	<b>Repeated registration</b>	NO
<b>Timetable</b>	Yes			<b>Semester taught</b>	Winter, Summer
<b>Language of instruction</b>	Czech			<b>Internship duration</b>	0
<b>Optional course</b>	No			<b>Ev. sc. – cred.</b>	S N
<b>Evaluation scale</b>	1 2 3 4				
<b>No. of hours of on-premise</b>					
<b>Auto acc. of credit</b>	Yes in the case of a previous evaluation 4 nebo nic.				
<b>Periodicity</b>	every year				
<b>Specification periodicity</b>					
<b>Substituted course</b>	KTR/TR4				
<b>Preclusive courses</b>	KTR/TR4				
<b>Prerequisite courses</b>	N/A				
<b>Informally recommended courses</b>	KTR/TR1R				
<b>Courses depending on this Course</b>	and KTR/TR2N and KTR/TR3N N/A				

### Course objectives:

The subject is focused on explications of the remaining instituts of criminal procedure law and further on a revision of hitherto gained knowledge of material and processual criminal law.

### Requirements on student

písemný test

### Content

1. Pre-trial proceedings
2. Proceedings before the Court of First Instance; preliminary hearing of a case; the trial
3. The trial; open and closed session
4. Ordinary legal remedies
5. Extraordinary legal remedies; appeal, complaint for breaking the law
6. Retrial; amnesty, grace
7. Special way of criminal proceedings; proceedings before a single judge, proceedings against a fugitive
8. Diversions in criminal proceedings
9. Execution proceedings; execution of sentences and protective measures; obliteration of condemnation
10. Criminal proceedings in juvenile matters; proceedings for crimes committed by children under fifteen years
11. The legal contact with abroad; request; receipt and transfer of criminal cases; recognition and enforcement of foreign decisions
12. Europeanization of criminal procedural law and The European arrest warrant
13. Current issues of material criminal law and procedural criminal law

## Fields of study

## Guarantors and lecturers

- **Guarantors:** doc. JUDr. Jan Chmelík, Ph.D. (100%)
- **Lecturer:** doc. JUDr. Jan Chmelík, Ph.D. (60%), doc. JUDr. Jan Kocina, Ph.D. (15%), JUDr. Petr Kybic, Ph.D., prof. JUDr. Jan Musil, CSc. (5%), JUDr. Milan Suk (100%), JUDr. Petr Škvain, Ph.D. (100%), JUDr. Eduard Wipplinger (5%)
- **Seminar lecturer:** doc. JUDr. Jan Kocina, Ph.D., JUDr. Petr Kybic, Ph.D. (100%), JUDr. Milan Suk (100%), JUDr. Milan Tomeš (100%), JUDr. Bc. Michal Volf (100%)

## Literature

- **Basic:** Novotný, F. a kol. *Trestní právo procesní. 2. vyd.*. Praha, Aleš Čeněk, 2017. ISBN 978-80-7380-677-4.
- **Basic:** Jelínek, J., a kol. *Trestní právo procesní 4.vyd.*. Praha, Leges, 2016. ISBN 978-80-7502-160-1.
- **Basic:** Fenyk Jaroslav, Císařová Dagmar, Gřivna Tomáš a kol. *Trestní právo procesní, 6. vydání*. Praha, Wolters Kluwer ČR, 2015. ISBN 978-80-7478-750-8.
- **Basic:** kolektiv autorů. *Trestní právo, Soubor zákonů*. Plzeň, Aleš Čeněk, 2017. ISBN 978-80-7380-676-7.
- **Basic:** Chmelík, Jan. *Trestní řízení*. Plzeň : Vydavatelství a nakladatelství Aleš Čeněk, 2014. ISBN 978-80-7380-488-6.
- **Recommended:** Šámal, Pavel; Musil, Jan.; Kuchta, Josef. *Trestní právo procesní. 4. přepracované vydání*. 2013. ISBN 978-80-7400-496-4.
- **Recommended:** Šámal, P. A kol. *Trestní řád - komentář. 7. vyd.*. Praha, C.H.Beck, 2013. ISBN 978-80-7400-465-0.

## Time requirements

## All forms of study

Activities	Time requirements for activity [h]
Contact hours	52
Preparation for an examination (30-60)	60
Individual project (40)	40
Preparation for formative assessments (2-20)	16
Preparation for comprehensive test (10-40)	40
<b>Total:</b>	<b>208</b>

## assessment methods

## Knowledge - knowledge achieved by taking this course are verified by the following means:

Oral exam

Test

Skills demonstration during practicum

To acquire basic terminology, principles and procedures in criminal proceedings, to orientate themselves in the course of criminal proceedings and to apply the individual ways and forms of conducting criminal proceedings, including the particularities of proceedings against youth and legal persons, to orient themselves in the basic procedures in legal relations with foreigners.

## Skills - skills achieved by taking this course are verified by the following means:

Demonstrate professional skills especially at seminars and exercises when assessing application examples, engaging in professional discussion including expert consultations with each other and with a teacher. To demonstrate the ability to apply acquired knowledge in practice on practical examples.

## Competences - competence achieved by taking this course are verified by the following means:

Demonstrate the ability to work with institutes of criminal procedural law (including criminal substantive law) in the

abovementioned ways of teaching, to apply them on a practical level, to demonstrate the ability of legal thinking and to create and accept theoretical conclusions, to demonstrate the ability of scientific thinking and its application in practice.

#### prerequisite

**Knowledge - students are expected to possess the following knowledge before the course commences to finish it successfully:**

knowledge of material criminal law and of a general part of criminal procedure law

knowledge of subjects TR1, TR2, TR3

**Skills - students are expected to possess the following skills before the course commences to finish it successfully:**

to apply the basics of criminal responsibility

to characterize and to apply the legal qualification of the individual facts of criminal offenses and peculiarities of the assessment of the legal qualification of youth and legal persons

to orientate themselves in basic issues of criminal proceedings (basic concepts, jurisdiction in procedural criminal law, characterization of bodies and parties of criminal proceedings, Characterize individual acts of criminal proceedings and decisions, reinsurance, evidence and individual evidence)

**Competences - students are expected to possess the following competences before the course commences to finish it successfully:**

N/A

To apply the basics of criminal responsibility, to characterize and to apply the legal qualification of the individual facts of criminal offenses and peculiarities of the assessment of the legal qualification of youth and legal persons, to orientate themselves in basic issues of criminal proceedings (basic concepts, jurisdiction in procedural criminal law, characterization of bodies and parties of criminal proceedings, Characterize individual acts of criminal proceedings and decisions, reinsurance, evidence and individual evidence.

#### teaching methods

**Knowledge - the following training methods are used to achieve the required knowledge:**

Lecture

Seminar

To familiarize students with lectures with basic terminology, principles and procedures in criminal proceedings, to orientate themselves during criminal proceedings and to use the individual methods and forms of conducting criminal proceedings in individual stages, including the specifics of the proceedings against youth and legal persons, to orient themselves in basic procedures Legal contacts with foreigners. All familiar with individual acts and procedures in criminal proceedings and their peculiarities in practice

**Skills - the following training methods are used to achieve the required skills:**

To know and apply the knowledge in the whole breadth of criminal law (material and procedural), to characterize them and to apply them to cases from practice, knows the theory and the practice of application of individual institutes and procedures of criminal and material criminal law, including its peculiarities, International judicial cooperation.

**Competences - the following training methods are used to achieve the required competences:**

Demonstrate the ability to work with institutes of criminal procedural law (including criminal substantive law) in the abovementioned ways of teaching, to apply them on a practical level, to demonstrate the ability of legal thinking and to create and accept theoretical conclusions, to demonstrate the ability of scientific thinking and its application in practice.

#### learning outcomes

**Knowledge - knowledge resulting from the course:**

acquire knowledge about stages of criminal proceedings and about special criminal proceedings

testing on seminars and exercises and a comprehensive test of criminal and material procedural law

**Skills - skills resulting from the course:**

to know and apply the knowledge in the whole range of criminal law (material and procedural)

to characterize them and to apply them to cases from practice

knows the theory and practice of application of individual institutes and procedures of criminal law, material and criminal proceedings, including its peculiarities, International judicial cooperation

**Competences - competences resulting from the course:**

N/A

N/A

To judge the act independently and to perform its legal evaluation and qualification, to assess in the complex all issues of strict responsibility, to apply knowledge and to orientate in the various stages of criminal proceedings, to assess the scope of

procedural steps to clarify the case and to take the resulting decision.

**Course is included in study programmes:**

Study Programme	Type of	Form of	Branch	Stage	St. plan v.	Year	Block	Status	R.year	R.
Law and Legal Science	Undergraduate Master	Full-time	Law	1	19	2023	Obligatory subjects - 4th grade	A	4	LS
Law and Legal Science	Undergraduate Master	Full-time	Law	1	18	2023	Obligatory subjects - 4th grade	A	4	LS
Law and Legal Science	Undergraduate Master	Full-time	Law	1	16	2023	Obligatory subjects - 4th grade	A	4	LS
Law and Legal Science	Undergraduate Master	Full-time	Law	1	17	2023	Obligatory subjects - 4th grade	A	4	LS