



Syllabus

Enforcement proceedings

Higher education degree - bachelor
Field of knowledge - 29 International relations
Specialty - 293 International Law
Educational and Professional Program – «International Law»

Study year – 4 Semestr – 8
Number of credits: 5, Language of study: english

Head of the course:

Assoc. prof. of the Department of Civil Law and Procedure, PhD, Assoc. prof.
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Description of the discipline

The State Enforcement Service is a part of the Ministry of Justice of Ukraine and enforces judgments of courts and other bodies (e.g., notaries) in accordance with the laws of Ukraine. It is the State Enforcement Service that is responsible for the enforcement of court decisions of courts, state bodies and officials in Ukraine. "Enforcement Proceedings" is a discipline that promotes in-depth, thorough study and assimilation of knowledge about the structure of the SES, the specifics of the SES, the stages of enforcement proceedings, the legal status of the state enforcement officer, etc.

Today, the profession of a state enforcement officer is not only responsible but also popular. Given the importance of work in the SES, it is necessary to study this discipline. It is while studying the course "Enforcement Proceedings" that students will be able to master the generally accepted principles, tasks, functions of the state enforcement service, and acquire skills in the practical application of the acquired knowledge.

Course structure

№	Topic	Learning outcomes	Control measures
1	General Provisions of the Institute of Enforcement Proceedings	Know the concept of enforcement proceedings. Bodies and officials that carry out the enforcement of decisions. Decisions to be enforced by the state executive service. Measures of enforcement of decisions. Duties and rights of state enforcement officers. Mandatory nature of the state bailiff's requirements. Guarantees of the rights of citizens and legal entities in enforcement proceedings. Control and supervision over the legality of enforcement proceedings.	Tests, surveys

		Enforcement of decisions by other bodies.	
2	Participants in enforcement proceedings	Analyze the parties to enforcement proceedings and the persons involved in enforcement actions. Parties to enforcement proceedings. Representation of parties in enforcement proceedings. Persons who cannot be representatives in enforcement proceedings. Participation of an expert or specialist in the enforcement proceedings. Participation of an interpreter in the enforcement proceedings. Involvement of witnesses in enforcement proceedings. Challenges of the state enforcement officer, expert, specialist, and translator.	Tests, surveys
3	The State Enforcement Service and its tasks	Ability to characterize the concept and tasks of the state executive service. Legal basis for the activities of the state executive service. Bodies of the state executive service. State bailiffs. Competence of the judiciary in organizing the activities of the state executive service.	Tests, surveys, practical assignment
4	Legal status of state bailiffs, the procedure for their appointment and control over their activities	Be able to characterize the legal status of state bailiffs. Ensuring the rights of citizens and legal entities. Requirements for state bailiffs. The procedure for appointment and dismissal of state bailiffs. Control over the activities of state bailiffs. Responsibility of state bailiffs. Encouragement for success in work. Appeal against actions or omissions of state bailiffs.	Tests, surveys
5	Legal and social protection, financing, material support and remuneration of state bailiffs	Knowledge of legal protection of state bailiffs. Social and living conditions of bailiffs. State insurance and compensation in case of death or injury of a bailiff. Remuneration of state bailiffs. Financing and material support of the activities of state bailiffs.	Tests, surveys
6	Opening, procedure and conditions of enforcement proceedings	Be able to analyze and characterize the grounds for opening enforcement proceedings. Requirements for an enforcement document. Place of execution of the decision. Terms of presentation of enforcement documents for execution. Interruption of the statute of limitations for the presentation of an enforcement document for execution. Renewal	Tests, surveys, essays

		of the missed deadline for submitting an enforcement document for execution.	
7	Foreclosure on debtor's property, property of a legal entity, wages and other types of income of the debtor	Know the procedure for foreclosure on the debtor's funds and other property. The procedure for foreclosure on the debtor's funds in foreign currency when calculating the debt in hryvnia. Foreclosure on pledged property. Foreclosure on the debtor's property held by other persons. Property that cannot be foreclosed. Seizure and confiscation of the debtor's property. The debtor's right to determine the priority of foreclosure on items (types of property). Valuation of the debtor's property. Storage of seized property.	Tests, surveys, practical assignment
8	Enforcement of judgments in non-property disputes	Understanding and knowledge of the general conditions for the enforcement of judgments requiring the debtor to personally perform or refrain from performing certain actions. Enforcement of decisions on reinstatement at work. Enforcement of a decision to take away a child. Enforcement of a decision to evict a debtor. Enforcement of a decision to move in a creditor. Enforcement of a decision on forced exchange. General conditions for the enforcement of a decision to ban the activities of an association of citizens. Enforcement of judgments against foreigners, stateless persons and foreign legal entities.	Tests, surveys, essays
9	Protection of the rights of the creditor, the debtor and other persons in the course of enforcement actions	Understanding of the peculiarities of appealing against the actions of the state executive service officials. Protecting the rights of the creditor in enforcement proceedings. Liability for failure to comply with a decision obliging the debtor to perform certain actions. Liability for failure to comply with the legal requirements of the state enforcement officer and violation of the law on enforcement proceeding	Tests, surveys, practical assignment

Literary sources

1. Enforcement proceedings: a textbook / edited by N. Golubeva. Odesa: Phoenix, 2020. 460 c.
2. Enforcement Proceedings: Textbook / N. Golubeva, I. Andronov, I. Booth, N. Volkova, O. Vorobiev, National University "Odesa Law Academy"; Edited by N. Golubeva. Odesa: Phoenix, 2020. 459 c.
3. Access to justice in the context of sustainable development: to the 30th anniversary of Ukraine's

independence: A collective monograph / Uhrynovska O., Izarova I., Prytyka Y., Sakara N. / edited by Yuriy Prytyka and Iryna Izarova. Kyiv: Dakor Publishing House, 2021. 478 c.

4. Kossak V.M., Lemyk R.Y., Navrotska Y.V., Senyk S.V. Civil Procedure Law of Ukraine: Textbook / edited by Doctor of Law, Professor Kossak V.M. Kharkiv: Pravo, 2020. 752 c.

5. Enforcement Proceedings: a textbook (in diagrams and tables) / Y. Yurkevych, O. Verba-Sydor, N. Grabar and others; edited by Candidate of Law, Associate Professor O. Verba-Sydor. Lviv: Lviv State University of Internal Affairs. 2020. 600c.

Evaluation policy

- Policy on deadlines and rescheduling: Rescheduling of modules takes place with the permission of the dean's office if there are good reasons (for example, sick leave).
- Academic Integrity Policy: Copying during tests and exams is prohibited (including using mobile devices).
- Attendance Policy: Attendance is a mandatory component of assessment. For objective reasons (for example, illness, international internship, and other reasons), training can take place online with the permission of the university administration

Evaluation

The final grade for the course is calculated as follows:

Credit module 1	Credit module 2	Credit module 3
30	40	30
1. Oral questioning during the class (4 topics of 5 points each - 20 points) 2. Module test - 80 points	1. Oral questioning during the class (5 topics of 5 points each - 25 points) 2. Module test - 75 points	Preparation of the CPIT - max. 40 points. Defense of the CPIT - max. 40 points Participation in trainings - max. 20 points

Student evaluation scale:

ECTS	Marks	Content
A	90-100	excellent
B	85-89	good
C	75-84	good
D	65-74	satisfactorily
E	60-64	enough
FX	35-59	unsatisfactory with the possibility of reassembly
F	1-34	unsatisfactory with a mandatory repeat course