|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **COURSE INFORMATON** | | | | | |
| **Course Title** | *Code* | *Semester* | *L+P Hour* | *Credits* | *ECTS* |
| Criminal Procedure Law II | LAW 412 | 8 | 2+1 | 3 | 3 |

|  |  |
| --- | --- |
| **Prerequisites** |  |

|  |  |
| --- | --- |
| **Language of Instruction** | Turkishhttp://www.ebs.sakarya.edu.tr/img/img_flags/tr.png |
| **Course Level** | First Cycle (Bachelor’s Degree) |
| **Course Type** | Mandatory |
| **Course Coordinator** | Asst. Prof. Onur Özcan |
| **Instructors** | Asst. Prof. Onur Özcan |
| **Assistants** | Res. Asst. Ülkem Cansu Aygün Karakoyunlu  Res. Asst. Eşref Barış Börekçi  Res. Asst. Ece Çağlayan Candelen |
| **Goals** | Explaining principles and rules of criminal procedure, especially for the prosecution phase, and provisions on legal remedies by comparing the literature and practice. |
| **Content** | Examining subjects such as, indictment, role of victims, jurisdiction ratione materiae and ratione loci, exclusion and recusation of criminal judge, notification of criminal decisions and respite, trial, legal remedies. |
|  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Learning Outcomes** | **Program Learning Outcomes** | **Teaching Methods** | **Assessment Methods** |
| 1) Explains principles and rules of criminal prosecution | 1,2,3,4,9,10,11 | 1,2,3 | A |
| 2) Explains the concept of evidence, forms of gathering, presenting and evaluating evidence | 1,2,3,9,10,11 | 1,2,3,4 | A |
| 3) Determines criminal procedure measures, the terms of criminal procedure measures and their forms of application | 1,2,3,4,9,10 | 1,2,3,4 | A, C |
| 4) Determines applicable rules for any problem related with criminal prosecution | 1,2,3,4,9,10,11 | 1,2,3,4 | A |
| 5) Gains the ability to discuss and solve the problems of legislature and practice | 1,3,4,5,9,10,11 | 1,2,3 | A, C |

|  |  |
| --- | --- |
| **Teaching Methods:** | 1: Lecture, 2: Question-Answer, 3: Discussion, 4: Case study / practical course |
| **Assessment Methods:** | A: Testing, B: Presentation C: Homework |
|  |  |

|  |  |  |
| --- | --- | --- |
| **COURSE CONTENT** | | |
| **Week** | **Topics** | **Study Materials** |
| 1 | Mediation, suspension of the indictment |  |
| 2 | Dismissal of proceedings, indictment, expectance of indictment |  |
| 3 | Jurisdiction ratione materiae and ratione loci |  |
| 4 | Connection between cases and merging of proceedings |  |
| 5 | Preconditions of prosecution |  |
| 6 | Subjects in criminal prosecution phase, recusation of the criminal judge, role of the victims |  |
| 7 | MIDTERM |  |
| 8 | Procedural acts, notification and respite |  |
| 9 | Phase of preparation of trial |  |
| 10 | The trial phase, its characteristics and proceedings |  |
| 11 | Judgment, suspension of the announcement of judgment |  |
| 12 | Legal remedies I – Objection |  |
| 13 | Legal remedies II – Appeal, cassation |  |
| 14 | Extraordinary legal remedies |  |

|  |  |
| --- | --- |
| **RECOMMENDED SOURCES** | |
| **Textbook** | Kunter / Yenisey / Nuhoğlu; Muhakeme Hukuku Dalı Olarak Ceza Muhakemesi Hukuku |
| **Additional Resources** | Centel / Zafer; Ceza Muhakemesi Hukuku, 9.b., Seçkin, Ankara 2012  Ünver / Hakeri; Ceza Muhakemesi Hukuku  Özbek / Kanbur / Doğan / Bacaksız / Tepe; Ceza Muhakemesi Hukuku |
|  |  |

|  |  |
| --- | --- |
| **MATERIAL SHARING** | |
| **Documents** |  |
| **Assignments** |  |
| **Exams** |  |

|  |  |  |
| --- | --- | --- |
| **ASSESSMENT** | | |
| **IN-TERM STUDIES** | **NUMBER** | **PERCENTAGE** |
| Mid-terms | 1 | 100 |
| **Total** |  | **100** |
| **CONTRIBUTION OF FINAL EXAMINATION TO OVERALL GRADE** |  | 60 |
| **CONTRIBUTION OF IN-TERM STUDIES TO OVERALL GRADE** |  | 40 |
| **Total** |  | **100** |

|  |  |
| --- | --- |
| **COURSE CATEGORY** | Expertise/Field Courses |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **COURSE'S CONTRIBUTION TO PROGRAM** | | | | | | | |
| No | Program Learning Outcomes | Contribution | | | | | |
| 1 | 2 | 3 | 4 | 5 |  |
| 1 | Ability to comprehend, solve, and to attain analytical and critical thought processes |  |  |  |  | X |  |
| 2 | Within the ambit of lifelong learning, to direct continuous renewal and cultivation of knowledge attained in the field of law |  |  | X |  |  |  |
| 3 | To master legal resources and legal precedents; to be able to conduct comparative legal analyses in national and international legal arenas |  |  |  |  | X |  |
| 4 | To improve settlement options; to implement creative and innovative solutions |  |  |  |  | X |  |
| 5 | To be equippet with comprehensive and comparative knowledge gained through the study of law, enabling the transfer of this knowledge into the social and economic fields. To attain analytical thinking between cross disciplines |  |  |  | X |  |  |
| 6 | To attain the ability to comprehend and solve legal problems pertaining to global economy |  | X |  |  |  |  |
| 7 | To obtain knowledge of current legal subjects, through the aid of the English language | X |  |  |  |  |  |
| 8 | To be able to utilize proficiency at an intermediate level foreign language | X |  |  |  |  |  |
| 9 | To attain professional and scientific ethical tenants in the field of law, as well as in society at large |  |  |  |  | X |  |
| 10 | To attain the ability to write, speak and listen effectively, in the field of law |  |  |  |  | X |  |
| 11 | To be open-minded, to be tolerant of different ideas, to be constructive, to have self-confidence, and to be responsible both during individual studies and/or during team studies. To work effectively and efficiently |  |  |  |  | X |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **ECTS ALLOCATED BASED ON STUDENT WORKLOAD BY THE COURSE DESCRIPTION** | | | |
| Activities | Quantity | Duration (Hour) | Total Workload (Hour) |
| Course Duration (Including the exam week: 16x Total course hours) | 14 | 3 | 42 |
| Hours for off-the-classroom study (Pre-study, practice) | 14 | 2 | 28 |
| Mid-terms | 1 | 2 | 2 |
| Final examination | 1 | 3 | 3 |
| **Total Work Load** |  |  | 75 |
| **Total Work Load / 25 (h)** |  |  | 3 |
| **ECTS Credit of the Course** |  |  | 3 |