

Practice of legal litigation, gain in efficiency



DA-13 2 Days (14 Hours)



Description

This internship will allow you to understand the organization of justice in France in order to effectively monitor your litigation cases. It will show you how to apply the different procedural rules to best control the progress of these types of files.

Who is this training for ?

For whom

Legal and litigation services. Legal assistants and secretaries. Anyone having to follow disputes before the different courts.

Prerequisites

None.

Training objectives

- Understand the organization of justice in France Apply the different procedural rules Write a letter of formal notice Initiate and follow legal proceedings Identify the impacts of different legal procedures

Training program

Prévenir contractuellement tout contentieux

- The penal and jurisdictional clause.
- The use of alternative dispute resolution methods.
- Practical work Drafting a letter of application in a standard residence.

Anticiper la phase précontentieuse

- Complete all amicable procedures.
- Evaluate the importance of the dispute and determine the relevance of the proceedings.
- Know how to establish proof of the merits of his requests and his good faith.
- Practical work Exercise: practice on the constitution and method of application of the rules of evidence.

Engager la procédure judiciaire

- Measure the limitation periods.
- Identify the competent court.
- Gather the main documents and put together your file.
- Choose the procedure the most suitable: litigation procedure, mediation, arbitration, emergency or merits procedure.
- The assistance of a bailiff and a lawyer: criteria and conditions.
- Modalities of the pre-trial conciliation procedure.
- Practical work Compile your file in preparation for the first meeting with the lawyer.

Suivre les contentieux judiciaires

- Master the main characteristics of procedures before the courts.
- Identify the rules for serving and notifying decisions rendered.
- Execute or have a decision executed.
- Identify avenues of appeal.
- Practical work Study and analysis of the forced execution procedure.

Identifier la particularité des différentes procédures judiciaires

- Civil jurisdiction: " referral, procedure and execution of the decision ".
- Commercial jurisdiction: " referral, procedure and execution of the decision ".
- The industrial tribunal: "referral, procedure and execution of the decision".
- Criminal jurisdiction: "competencies, method of referral and role of the public prosecutor".
- Practical work The impact of criminal procedure on civil or commercial procedure.

Le cas particulier des procédures dites d'urgence

- The order to pay.
- The summons on a fixed date.
- The summary procedure.
- The procedure on request.
- Practical work Drafting a request for an order for payment.