

General Information			
Course name	Constitutional Judiciary	ECTS Credits	5
		Semester	winter/summer
Aims			
<p>The aim of this course is to provide students the theoretical knowledge about functioning of the constitutional judiciary and consequently practical knowledge in the sphere of constitutional judiciary in the Slovak republic and V4 countries. By completing the course students may acquire the detailed knowledge about the competence of the Constitutional Court of SR and about the procedural rules of the constitutional court proceedings in the framework of abstract and specific protection of constitutionality.</p>			
Content			
<ol style="list-style-type: none"> 1. Judicial power in Slovakia <ul style="list-style-type: none"> • institutional design and constitutional principles of judicial • universal justice - Constitutional role, function, system (general courts - Special Court) • constitutional judiciary, control of constitutionality, a brief constitutional legislation, development of the judiciary in Slovakia, the formation of doctrine 2. The Constitutional Court of the Slovak republic <ul style="list-style-type: none"> • Organisation of the Constitutional Court judges, the plenary sessions, The senates • status of judges of the Constitutional Court (Establishment and termination functions and powers and responsibilities) 3. In general, the proceedings before the Constitutional Court <ul style="list-style-type: none"> • Constitutional procedural law, the general provisions on the procedure, rules, principles and formalism of the proceedings before the Constitutional court • initiating proceedings, juristic persons, representation of parties, interlocutory judgment and delay of the enforceable decisions in proceedings before the Constitutional Court, the exclusion of judges and public and unpublic proceedings and dissenting opinion of judges, decisions - their performance and enforcement. <ul style="list-style-type: none"> • Types of proceedings before the Constituti • onal Court, the scope 4. The different types of proceedings I. <ul style="list-style-type: none"> • Proceeding of the conformity of laws (Article 125 of the Constitution) • Proceeding of conformity of negotiates international treaties (Article 125a of the Constitution) 			

- interpretation of the Constitution and constitutional laws (Article 128 of the Constitution)
5. **The different types of procedures II**
- constitutional complaint (Art. 127, Art. 127a of the Constitution)
 - Procedure in electoral matters (Article 129 paragraph. 2 of the Constitution)
 - Proceedings against the referendum and plebiscite on the recall of the President (Article 129 paragraph. 3 of the Constitution)
 - Competence disputes (Article 126), the main political parties (Article 129 paragraph. 4), the charge against the President (Article 129 paragraph. 5), proceedings of the parliamentary mandate (Article 129 paragraph. 1)

Assessment Methods and Criteria

Essay and oral exam.

Grading Scale (in %):

A – 100-93%

B – 92-85 %

C- 84-77%

D - 76-69%

E - 68 – 61%

FX- 60 – 0%

Grading System:

The University recognises the following six degrees for the evaluation of the study results:

- a) A – excellent (excellent results) (numerical value 1)
- b) B – very good (above average results) (1.5)
- c) C – good (average results) (2)
- d) D – satisfactory (acceptable results) (2.5)
- e) E – sufficient (results meet the minimum criteria) (3)
- f) FX – failed (requires further work) (4)

Bibliography

Bróstl, A. – Klučka, J. – Mazák, J.: Ústavný súd SR (organizácia, proces, doktrína), Košice 2001

Drgonec, J.: Ochrana ústavnosti Ústavným súdom Slovenskej republiky, Paneurópska vysoká škola, 2010.

Sadurski, W.: Constitutional Justice, East and West, Kluwer Law International 2002

Shmith, E.: Constitutional Justice Under Old Constitutions, Kluwer Law International 1995