

Spring Semester 2010

Practical Case-solving in European Law - Eiropas tiesības. Kāzusi (angļu valodā) -

Prof. Dr. Thomas Schmitz
DAAD Lecturer

- **Course description:**

(course code JurZ5066)

The course provides a deepening of your knowledge of European law and an advanced education in practical case-solving. It focuses on those elements and structures of the law of the European Union, which are fundamental for the understanding of the Union and for the work as a lawyer in its member states. It deals in particular with the basic concepts and the implementation and enforcement of European Union law, with the competences and institutions of the Union, the protection of fundamental rights in Union law and the economic fundamental freedoms of the Union's citizens.

The law of the European Union will not be presented in the conventional abstract way, but packed in *practical cases*, which show the *relevance for the practical work of a lawyer*. We will solve the cases and elaborate complex solutions together. Thereby the course participants will get a *thorough instruction and advanced training in the methods and techniques of legal case-solving*, in particular in the writing of legal opinions. They will learn and train how to approach an individual case, how to work out precisely the exact question to answer, how to structure correctly the solution of a case in the field of European law and how to formulate it accurately. They shall also gain the ability to solve entangled cases with complicated facts and intricate complex legal problems in a rational, well-structured, comprehensible and reconstructable way. Eventually, they will be so familiar with the strict inherent rules of legal case-solving, that they will easily discover the weak points and flawed arguments in the presentation of cases by their colleagues, being able to take advantage of them, for example in legal disputes and Court proceedings.

- **Conditions:**

The joint course of the Faculty of Law and the Riga Graduate School of Law is open for students of all faculties. In order to get 4 credit points (B), participants are required to pass an interim examination (course paper in March, 60 %) and a final examination (written test in April, 40 %). The students at the Riga Graduate School of Law also have the option to follow the first part of the course only, in order to get 2.5 credit points.

- **Time and Place:**

Wednesday and Thursday, 15.00 - 19.00, Auditorium W23 at Riga Graduate School of Law (Strelnieku iela 4k-2). The course *starts on February 11 and will finish on March 10 resp. April 14.*

- **Further information:**

At www.lanet.lv/~tschmit1 or directly from the lecturer (tschmit1@gwdg.de).

- **Contents:**

- § 1 Introduction to the methods and techniques of legal case-solving
- § 2 Basic concepts of the law of the European Union
- § 3 Implementation and enforcement of the law of the European Union
- § 4 The competences and the institutions of the European Union
- § 5 The fundamental rights in the law of the European Union
- § 6 The economic fundamental freedoms of the citizens of the Union

- **Bibliography (selection):**

- Arndt, Hans-Wolfgang; Fischer, Kristian: Europarecht. 20 Fälle mit Lösungen, 6th edition 2008*
Epiney, Astrid: Europarecht. Fälle und Lösungen, 2001
Epping, Volker; Lenz, Sebastian: Fallrepetitorium Europarecht. Fälle und Lösungen, 2005
Lorz, Ralph: Fallrepetitorium Europarecht, 2006
Munzel, Ina: Grundlagen Fälle Europarecht, 2008
Pieper, Stefan Ulrich: Fälle und Lösungen zum Europarecht, 2nd edition 2004
Salinas Alcega, Sergio; Tirado Robles, Carmen: Casos prácticos de derecho de la Unión Europea, 2005
Schäfer, Peter: Studienbuch Europarecht. Das Wirtschaftsrecht der EG. Übersichten, Prüfungsschemata, Fallmethodik, 3rd edition 2006
Weber, Albrecht; Gas, Tonio: Fälle zum Europarecht, 2nd edition 2003
- Arnull, Anthony; Dashwood, Alan; Ross, Malcolm; Wyatt, Derrick; Spaventa, Eleanor; Dougan, Michael: Wyatt & Dashwood's European Union Law, 5th edition 2006*
Blūzma, Valdis; Buka, Arnis; Deksnis, Eduards Bruno; Jarinovska, Kristīne; Jundze, Inese; Jundzis, Tālavš; Levits, Egils: Eiropas tiesības, 2nd edition 2007
Craig, Paul; Búrca, Gráinne de: EU Law. Text, Cases and Materials, 4th edition 2007
Ehlers, Dirk (editor): Europäische Grundrechte und Grundfreiheiten, 3rd edition 2009 [2nd edition 2005 = European Fundamental Rights and Freedoms, 2007]
Fairhurst, John: Law of the European Union, 7th edition 2010

For the solving of cases concerning the economic fundamental freedoms see also the diagrams from my course "EC Internal Market Law", Autumn Semester 2009 (http://home.lanet.lv/~tschmit1/Lehre/EC_Internal_Market_Law.htm).