UNIVERSIDADE LUSÍADA
LISBOA

Course Unit Program
Judicial Organization

Academic Year 2025/2026

1. Organic Unit

Faculty of Law

2. Course

LAW

3. Cycle

1st

4. Course Unit

Judicial Organization (02316)

5. Scientific Area

6. Curricular Year

2nd

7. Type of Curricular Unit / Semester

1st Semester

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8. Class type and workload (work time)

Theoretical classes:	30,00
Practical classes:	15,00
Theoretical-Practical Classes	
Tutorial Guidance:	20,00

9. ECTS Credits

6,00

10. Scientific Area Coordinator

11. Regent

Prof. Doutor ANTÓNIO JULIO DA FONSECA SANTOS CUNHA

12. Assistants

Dr. JOSE CARLOS GARCIA DOS SANTOS

13. Teaching Language

Portuguese

14. General Objectives

Provide students with the necessary knowledge to Understanding :
- The characteristics and fundamental principles of the State's jurisdictional function (administration of justice) and the Portuguese judicial organization.
- The structural elements and common aspects of the different legal processes , as well as procedural law (in general).
- The fundamental principles of Procedural Law

15. Specific Objectives

Learning:
- The constitutional principles referring to the jurisdictional function of the State and the organization of the courts.
- The characteristics and purposes of the different jurisdictional processes, using civil procedural law as a comparative reference.
- The legal discipline of some elements common to different jurisdictional processes.
- The discipline of procedural requirements.
- General description of Court Systems

16. Skills to be acquired

Ability to exercise legal professions, or in general that require knowledge of the State organization regarding the administration of justice.

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17. Teaching Methodology

Privilege an active pedagogy, encouraging greater intervention, commitment and responsibility from students in the learning process and development of their skills. Encourage intervention in debates and individual or group research.

18. Course Unit Program

1. THE JURISDICTIONAL FUNCTION OF THE STATE
1.1. Judicial organization. General aspects.
The jurisdictional function in the Rule of Law.
1.2. General principles of the judicial function and organization of the courts.

2. THE RIGHT TO JURISDICTIONAL PROTECTION
2.1 Right of access to courts
2.2 Access to Law and Courts. Legal aid

3. ALTERNATIVE DISPUTE RESOLUTION (ADR). General aspects.

4. FORENSIC PROFESSIONS. GENERAL ASPECTS

5. ORGANIZATION OF COURTS.
5.1 Jurisdiction of the Judicial Courts
5.1.1 Notion. Conflicts of Competence and Jurisdiction. Modalities
5.1.2 International Competence.
5.1.3 Internal competence.
5.2 Competence of courts of other orders (jurisdictional)

6. GENERAL THEORY OF CIVIL DECLARATORY PROCEDURE
6.1 The lawsuit, the object of the process and the litigants. General aspects
6.2 Procedural assumptions. General notions.
6.2.1 Positive and negative procedural assumptions. Confrontation with similar figures.
6.2.2 Personality, capacity and procedural legitimacy.
6.2.3 Interest in claim.
6.2.4 Forensic representation.

19. Assessment Methods

The following aspects will be considered particularly relevant:
- Attendance in classes
- Preparation of written works.
- Effective participation in classes.
- Results obtained in evaluation tests

20. Didactic Resources

PowerPoint
Moodle
Online databases (Court decisions)

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21. Sustainability Objectives

General 1 - Ensure equal access to education. 2 - Substantially increase the number of young people and adults with relevant qualifications. 3 - Ensure equal opportunities in university education. 4 - Promoting the gradual dematerialization of the teaching/learning process.
Specific 1 - Promote the rule of law. 2 - Contribute to responsible decision-making

22. Keywords

Courts - Jurisdiction - Procedure - Jurisdiction
- Forensic professions - Procedural Requirements

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23. Main Bibliography

Author(s):	António Júio Cunha		
Title:	Direito Processual Civil Declarativo		
Edition:	2ª	Year:	2015
Local:	Lisboa		
Publisher:	Quid Juris		

Author(s):	José Lebre de Freitas		
Title:	A Acção Declarativa Comum, À luz do Código de 2013		
Edition:	8ª Edição	Year:	2024
Local:	Coimbra		
Publisher:	Coimbra editora		

Author(s):	José Lebre de Freitas		
Title:	Introdução ao Processo Civil- Conceito e Princípios Gerais		
Edition:	5º Edição	Year:	2023
Local:	Coimbra		
Publisher:			

24. Complementary Bibliography

Author(s):	António Vieira Cura		
Title:	Curso de organização judiciária		
Edition:	2ª	Year:	2018
Local:	Coimbra		
Publisher:	Coimbra Editora		

Author(s):	Gomes Canotilho		
Title:	Direito Constitucional e Teoria da Constituição		
Edition:	7ª Reimpressão	Year:	2019
Local:			
Publisher:	Almedina		

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LISBOA

Ficha técnica MIP / MIP Datasheet	
Título / Title	Course Unit Program 'ORGANIZAÇÃO JUDICIÁRIA': Academic Year 2025/2026
Autor / Author	Prof. Doutor ANTÓNIO JULIO DA FONSECA SANTOS CUNHA
Classificação / Classification	-
Descritores / Descriptors	-
Colaborador(es) / Colaborator(s)	-
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Estatuto de utilização / Usage	Acesso público / Public Access
Relação / Relation	Version 1,0

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1st Semester

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Practical classes:	15,00
Theoretical-Practical Classes	
Tutorial Guidance:	20,00

9. ECTS Credits

6,00

10. Scientific Area Coordinator

11. Regent

Prof. Doutor LÚCIO MIGUEL TEIXEIRA CORREIA

12. Assistants

13. Teaching Language

Portuguese

14. General Objectives

Provide students with the necessary knowledge to:

- Understanding the characteristics and fundamental principles of the judicial function and the Portuguese judicial organization.

- Understanding of the structural elements and common aspects of the different legal processes, as well as procedural law (in general).

- Understanding of the fundamental principles of Procedural Law

- Establish a first approximation of students to the "experience", the "everyday life" of the Courts

15. Specific Objectives

Learning:
- Of the constitutional principles referring to the jurisdictional function of the State and the organization of the courts.
- Of the characteristics and purposes of the different legal processes, having civil procedural law as a comparative reference.
- The legal discipline of some aspects common to different jurisdictional processes.
- The discipline of procedural assumptions.
- The rules for the allocation of jurisdictional power by the different categories and types of

courts

16. Skills to be acquired

Acquisition of knowledge of fundamental principles of civil procedure
Aptitude for the exercise of forensic professions

17. Teaching Methodology

Prioritize an active pedagogy seeking greater involvement and commitment from students in the process of learning and developing their skills.
Encourage intervention in debates and individual or group research.

18. Course Unit Program

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1. Jurisdictional function

1.1 Introductory Notes. Notion.
1.2 Jurisdiction and Courts
1.3 Non-jurisdictional settlement of disputes and alternative means of dispute resolution.
1.4 General principles of the jurisdictional function and organization of the courts.

1.4.1 Regarding the Organization of the Courts
1.4.2 Regarding the jurisdictional function.
1.4.2.1 Independence.
1.4.2.2 Impartiality
1.4.2.3 Irresponsibility
1.4.2.4 Mandatory statement of reasons
1.4.2.5 Binding decisions. Effectiveness and authority of decisions. The case judged.
1.4.2.6 Publicity of hearings.
1.4.2.7 The essentiality of forensic sponsorship.

2. The Right to Jurisdictional Protection

2.1 Right of access to courts, right of action and right to a decision on the merits. Constitutional protection.
2.2 Access to Law and Courts. legal aid

3. Forensic professions.

3.1 Judiciary and Public Prosecution.
3.2 Advocacy
3.3 Solicitorship

4. Procedural Law

4.1 The process as an instrument of the jurisdictional function
4.2 Procedural Rights and Civil Procedural Law
4.3 Key features
4.4 Legal proceedings.
4.5 Interpretation and integration of procedural laws
4.6 Application of procedural law in time
4.7 Application of procedural law in space

5. Civil Procedural Law

5.1 Notion, characteristics and purpose. Its practical and theoretical importance
5.2 Final Jurisdiction and Provisional Jurisdiction. The precautionary procedures

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5.3 Voluntary jurisdiction and contentious jurisdiction
5.4 Permanent jurisdiction and arbitral jurisdiction
5.5 Fundamental principles
5.6 Procedural assumptions. general notions
5.6.1 Notion.
5.6.2 Positive and negative procedural assumptions. Confrontation with related figures.
5.6.3 Personality, capacity and procedural legitimacy.
5.6.4 Interest in acting.
5.6.5 Legal Sponsorship.
5.6.6 Jurisdiction. Remission

6. Organization of Courts.

6.1 Jurisdiction of the Judicial Courts
6.1.1 Notion. Conflicts of Competence and Jurisdiction. Modalities
6.1.2 International Competence.
6.1.3 Internal competence.

6.2 Non-judicial courts. Competence. General traits.
6.2.1 Constitutional Court
6.2.2 The Supreme Administrative Court
and other administrative and tax courts.
6.2.3 The Court of Auditors.
6.2.4 Conflict Courts
6.2.5 Maritime Courts.
6.2.6 Justices of the Peace
6.2.7 Military courts
6.2.8 Arbitration courts.

19. Assessment Methods

The following aspects will be considered especially relevant:
- Attendance in person
- Elaboration of written works on the themes to be proposed at the beginning of the year.
- Participation in debates to be held.
- Results obtained in presencial tests administratively set by the University

20. Didactic Resources

Power-point (organization charts - procedural parts)
Online databases (jurisprudence)

21. Sustainability Objectives

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General

1 - Ensure equal access to quality technical, professional and cultural education.

2 - Substantially increase the number of young people and adults with relevant qualifications, including technical and professional skills, for employment, decent work and entrepreneurship.

3 - Guarantee equal opportunities in university education, including for people in vulnerable situations.

4 ? Promoting the gradual dematerialization of the teaching/learning process.

Especific

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22. Keywords

Courts - Competence - Process - Jurisdiction

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Edition:	4ª Edição	Year:	2013
Local:	Coimbra		
Publisher:	Coimbra editora		

Author(s):	José Lebre de Freitas		
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