

# Cours S1 Procédure Civile

## Intro

Règles qui gouvernent le déroulement de la procédure civile du début à la fin.

On cherche à définir les principes garantissant que le procès soit loyal, le rôle du juge (s'il peut s'immiscer dans le procès).

## §I. Définition

### A. Procédure

Le mot procédure vient du latin qui signifie **progresser**, aller de l'avant. Une procédure est aussi l'accomplissement de **plusieurs formalités successives** vers un but, nécessaires à un jugement. Les procédures civiles **d'exécution** sont des procédures qui interviennent une fois que le jugement a été rendu, elles décrivent comment l'État aide la personne qui a gagné le jugement.

### B. Procédure civile

L'ensemble des règles propres qui régissent le déroulement du **procès civil** : juridiction civile résolvant un litige de droit privé.

#### 1. Les juridictions civiles

- Les juridictions civiles sont celles qui appartiennent à **l'ordre judiciaire civil** et non pénal. Cette distinction n'a pas le même sens que celle entre judiciaire et adm car il n'y a pas un sous-ordre civil et pénal. Les magistrats sont recrutés de la même façon et il y a une seule Cour suprême : **principe d'unité** de la justice civile et de la justice pénale.

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