

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.

Procedure Civile Cours

Jacques Berriat-Saint-Prix



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