

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.

Procedural Civil Courts

D Keegan



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Cours, élémentaire et pratique, de procedure, civile et commerciale, ou Exposé méthodique de la marche à suivre et des actes à faire successivement dans les procédures qui ont lieu J.B. de Laporte,1812 Cours de procédure civile et criminelle Casimir Delzers,1843 **Procédure civile** Cédric Tahri,2007 *Cours de procédure civile fait à la faculté de droit de Grenoble* Jacques Berriat-Saint-Prix,1813 *Cours de procédure civile et criminelle, fait à la faculté de droit de Paris* Jacques Berriat Saint-Prix (jurisconsulte),1823 **Nouveau style de la procédure civile dans les Cours d'appel, les tribunaux de première instance, de commerce, et dans les justices de paix; ou le code judiciaire, mis en pratique par des formules, ...** P. Lepage,1807 **Code de Procedure Civile de L'etat de la Louisiane** Louisiana,Wheelock Samuel Upton,1839 **Nouveau style de la procédure civile dans les cours d'appel ... ou le code judiciaire** P. Lepage,1807 *Leçons de procédure civile* Joseph Édouard Boitard,1861 Leçons de procédure civile Boitard,1885
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