



Professor, vacancy ref. 2, employment title list of the Department of the Penal Sciences Department, disciplines: Institutions of Criminal Procedure Law, Institutions of Criminal Procedure Law I, Institutions of Criminal Procedure Law II

A. Competition Topics

- **The concept and the system of the criminal trial process and of the criminal procedure law** (The criminal trial and the criminal procedure law. Procedural facts and legal relationships. Procedural guarantees. The science of criminal procedure law. The sources and the interpretation of the procedural legal relationships. The enforcement of the criminal procedure law in time and space).
- **The fundamental principles of the criminal trial** (The concept and the system of the fundamental principles of criminal trial. The compliance of the criminal trial with the law. The presumption of innocence. The principle of finding out the truth. The principle of officialty. The active role of legal criminal bodies. Ensuring liberty in the criminal trial. Respecting human dignity. Ensuring the right to defend oneself. The equality of parties in the criminal trial. The operativity of the criminal trial. The language of the criminal trial. The right to a fair trial).
- **The participants in the criminal trial** (The concept of participants in the criminal trial. Legal bodies. Parties in the criminal trial. The defender in the criminal trial. Legal assistance and representation)
- **Criminal proceedings and civil proceedings in the criminal trial** (The concept of summoning and the means to apply it in the criminal trial. The criminal proceedings – fundamental institution of the criminal trial. The civil proceedings in the criminal trial – purpose, features, application, relationship with the criminal proceedings).
- **Competence in criminal justice** (The concept and the types of competence. Material and personal competence of the legal bodies. Territorial competence. Competence prorogation. Competence in case of connexity and indivisibility. Competence specific regulations. Change of venue in criminal trials. Appointing a new court to judge the trial).
- **Evidence in the criminal trial** (General concepts for evidence. The purpose and classification of evidence. The task and the procedure of evidence. The declarations of the parties and of the witnesses and special procedures to hear them. Written documents and material evidence. Technical-scientific and forensic reports. Expert evidence reports).
- **Trial measures** (The concept and the classification of procedural measures. The mitigation measures and the provisions that regulate them. Detention. The obligation of not leaving the place of residence. Remanding the defendant and the accused in custody. Defense and safety measures. Provisional measures. The restitution of personal belongings and restitutio in integrum).
- **Common trial and procedural documents** (General concepts. The main common procedural documents: summons, communicating other procedural documents, warrant of arrest of defaulting witness. Hearings. Criminal procedural sanctions. Legal expenses and the legal fine).
- **The initiation of criminal proceedings** (Object, limits, special characteristics, general provisions. Criminal prosecution bodies and their competence. The prosecutor's supervision of the criminal proceedings. Referring the matter to the criminal prosecution bodies. Carrying out the criminal prosecution. The deferment of the criminal prosecution, the release from the criminal prosecution and the cessation of the criminal prosecution.

Presenting the criminal prosecution material. The termination of the criminal prosecution. The arraignment. Resuming criminal prosecution. Filing a complaint against criminal prosecution documents and measures).

- **Judgement** (General provisions. Judgment of the court of first instance. Ordinary remedies at law. Extraordinary remedies at law).
- **Compliance with court decisions in criminal cases.** (Res judicata for a court decision in a criminal case. Securing compliance with the judgment for main and complementary penalties. Securing compliance with safety measures, with the provisions for replacing criminal liability, with civil provisions, with legal expenses and with legal fines. Postponing and interrupting conviction. Contesting the conviction. Other provisions for conviction).
- **Special procedures** (Investigating and judging flagrant crimes. The procedure for holding the legal person criminally liable. The procedure for under-age criminals' cases. The procedure for investigation. The procedure for clearing the criminal record. The procedure for making a material or moral restitution in case of unjust conviction or lawlessly deprivation or restraint of liberty. The procedure in case legal documents disappear. International legal cooperation in criminal justice) .

B. Competition Bibliography

- Dongoroz Vintilă, Kahane Siegfried, Bulai Costică, Antoniu George, Iliescu Nicoleta, Stănoiu Rodica, *Explicații teoretice ale Codului de procedură penală român. Partea generală, vol. V, editia a II-a*, Editura Academiei și Editura C.H. Beck, București, 2003
- Dongoroz Vintilă, Kahane Siegfried, Bulai Costică, Antoniu George, Iliescu Nicoleta, Stănoiu Rodica, *Explicații teoretice ale Codului de procedură penală român. Partea specială, vol. VI, editia a II-a*, Editura Academiei și Editura C.H. Beck, București, 2003
- Mateuț Gheorghiță, *Tratat de procedură penală. Partea generală, vol. I*, Editura C.H. Beck, București, 2007
- Mateuț Gheorghiță, *Tratat de procedură penală. Partea generală, vol. II*, Editura C.H. Beck, București, 2012
- Neagu Ion, *Tratat de procedură penală. Partea generală, ediția a III-a, revăzută și adăugită*, Editura Universul Juridic, București, 2013
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- Neagu Ion, *Tratat de procedură penală*, Editura Pro, București, 1997
- Theodoru Grigore, *Tratat de procedură penală, ediția a III-a*, Editura Hamangiu, București, 2013
- Volonciu Nicolae, *Tratat de procedură penală. Partea generală*, Editura Paideia, București, 2001
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