

Jurisdiction and Role of the Court of Justice of the EU

4 ECTS

Course Description

Objective of this course is the transfer of knowledge and the development of critical thinking about the methods of work and the jurisdiction of the Court of Justice of the European Union (CJEU), as well as about the division of competences between European and national judiciary.

By successfully mastering the course, the students will understand the organization of the EU judiciary and the importance of the CJEU in the interpretation and development of EU law. This will make the reading of the case law easier and will enhance its understanding. In all teaching units, the course aims at developing the abilities of critical thinking about the reasoning of the courts, their relationship with other institutions of the government, as well as critical appraisal of particular cases.

Selection of topics to be covered in class:

- Internal organization and methods of work of the CJEU
- Law-creative role of courts generally and of the CJEU particularly
- Rule of law and the role of courts
- Judicial review of EU law – main types of procedure and conceptual problems
- Interrelationship between direct and indirect procedures for judicial review of EU law
- Infringement procedure against Member States
- Representing parties before the CJEU
- Cooperation between the Court of Justice and national courts – preliminary ruling procedure
- Preliminary ruling procedure in practice: How to draft a request for preliminary ruling
- Recent developments: national constitutional courts and *ultra vires* review of EU law

Davor Petrić is Assistant Lecturer and Postdoctoral Researcher at the Department of European Public Law. He graduated law at the University of Mostar in 2013 and European studies (*summa cum laude*) at the University of Zagreb in 2015. He earned his LLM degree at the University of Michigan Law School in 2019 as a ‘Hugo Grotius Fellow’. In 2022, he defended his doctoral dissertation (*summa cum laude*) entitled ‘Interpreting EU Law: Legal Reasoning of National Courts in the Preliminary Ruling Procedure’. Currently he serves as an Executive Editor of the Croatian Yearbook of European Law and Policy (CYELP).

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Basic information

4 ECTS

30 hours of teaching

Exam requirements:

- attendance
- in class presentation
- homework
- written assignment

Additional information

https://www.pravo.unizg.hr/EJP/en/jurisdiction_and_role_of_the_CJEU

Guest lecturers

Tamara Ćapeta
Advocate General at the Court of Justice of the EU (TBC)

Gordana Vidović Mesarek
Agent of the Republic of Croatia before the Court of Justice of the EU