

Faculty of Law / CRIMINAL LAW / MISDEMEANOR LAW

Course:	MISDEMEANOR LAW			
Course ID	Course status	Semester	ECTS credits	Lessons (Lessons+Exercises+Laboratory)
12606	Mandatory	2	6	4+1+0
Programs	CRIMINAL LAW			
Prerequisites	/			
Aims	Introduction of students to criminal law, as a very widespread area that citizens and business entities encounter on a daily basis due to the massiveness of prescribed offenses and a large number of offenders. Since criminal law is situated at the intersection of administrative and criminal law in the legal system, learning the principles of criminal law contributes to understanding the entire legal system. At the end of the course on this subject, the student should be able to: explain the concept of criminal law and its relationship to other legal branches and the relationship between offenses and other punishable actions; critically evaluate and recognize the importance of respecting fundamental general principles of criminal law and procedure (principle of legality, principle of fairness, etc.); understand and explain the fundamental institutes of criminal law and procedure (types of criminal law sanctions, mandatory offense order, etc.); define the specificities of the system of criminal law sanctions (pronouncement, execution, etc.); group individual offenses according to the objects of criminal law protection and explain the characteristics of the most important offenses (traffic safety offenses, financial offenses, offenses against public order, offenses of violence in the family, offenses of violence in sports fields, etc.); outline the basic features of the system of liability of legal entities for offenses.			
Learning outcomes	After passing this exam, the student will be able to: apply acquired knowledge from the general and specific parts of criminal law in practice; use and correctly interpret regulations in the field of criminal law in their daily work; assess the degree and scope of the implementation of the rule of law principles in the segment of misdemeanor legislation and practice; compare the Montenegrin misdemeanor legal system with the misdemeanor legal systems of other countries and examine its compliance with European Union law; identify dysfunctional norms of criminal law and examine the causes and consequences of creating such norms; examine and categorize different theoretical models of criminal law and their application in judicial practice; analyze existing judicial practice in the field of criminal law; propose necessary amendments to misdemeanor legislation and judicial practice; prepare a basis for the expert analysis of specific institutes of criminal law; formulate the basic characteristics, advantages, and disadvantages of legislative and judicial punishment policies and propose solutions to improve these systems.			
Lecturer / Teaching assistant	Prof. dr Dražen Cerović, dr Sanja Grbović			
Methodology	Teaching methods include lectures by teachers and experts from practice, discussions, research, written projects or seminars, individual tasks, and activities, including comparative examples from European practice. The teaching encompasses a systematic overview of the subject matter with an interactive approach and participants involvement in discussion and problem-solving.			
Plan and program of work				
Preparing week	Preparation and registration of the semester			
I week lectures	Concept of offenses and misdemeanor law. Differentiation from other punishable actions. Relationship between criminal and misdemeanor proceedings. Comparative overview of concepts about offenses and misdemeanor law.			
I week exercises				
II week lectures	Sources of misdemeanor law and their validity. International legal aspects of misdemeanor law - practice of the European Court of Human Rights.			
II week exercises				
III week lectures	General part of substantive misdemeanor law: offense, authority to prescribe offenses, principle of legality, commission and omission, guilt, types of misdemeanor sanctions, penalties, statute of limitations, other institutes of the general part of substantive misdemeanor law.			
III week exercises				
IV week lectures	Overview of the special part of substantive misdemeanor law: offenses against traffic safety, financial offenses, offenses against public order and peace, specifics of offenses of domestic violence and violence in sports fields.			
IV week exercises				
V week lectures	Misdemeanor proceedings. Principles of fairness, economy, immediacy, orality, publicity, and			

	adversarial nature. Jurisdiction for conducting misdemeanor proceedings: courts and administrative bodies.	
V week exercises		
VI week lectures	Practical training - lecture by experts from practice and analysis of practical examples (venue: Faculty of Law);	
VI week exercises		
VII week lectures	Colloquium	
VII week exercises		
VIII week lectures	Liability of legal entities for offenses	
VIII week exercises		
IX week lectures	Colloquium	
IX week exercises		
X week lectures	Misdemeanor order. Request to initiate misdemeanor proceedings.	
X week exercises		
XI week lectures	Trial before the Misdemeanor Court	
XI week exercises		
XII week lectures	Practical training - visit to the Misdemeanor Court (venue: Misdemeanor Court);	
XII week exercises		
XIII week lectures	Evidence in misdemeanor proceedings. Types of decisions in misdemeanor proceedings. Legal remedies.	
XIII week exercises		
XIV week lectures	Enforcement of misdemeanor decisions. Enforcement of fines and imprisonment. Subsidiary imprisonment.	
XIV week exercises		
XV week lectures	Enforcement of other measures.	
XV week exercises		
Student workload		
Per week		
Per semester		
6 credits x 40/30=8 hours and 0 minuts 4 sat(a) theoretical classes 0 sat(a) practical classes 1 excercises 3 hour(s) i 0 minuts of independent work, including consultations	Classes and final exam: 8 hour(s) i 0 minuts x 16 =128 hour(s) i 0 minuts Necessary preparation before the beginning of the semester (administration, registration, certification): 8 hour(s) i 0 minuts x 2 =16 hour(s) i 0 minuts Total workload for the subject: 6 x 30=180 hour(s) Additional work for exam preparation in the preparing exam period, including taking the remedial exam from 0 to 30 hours (remaining time from the first two items to the total load for the item) 36 hour(s) i 0 minuts Workload structure: 128 hour(s) i 0 minuts (cources), 16 hour(s) i 0 minuts (preparation), 36 hour(s) i 0 minuts (additional work)	
Student obligations	Students are required to attend classes, participate in debates, and take tests. Students preparing seminar papers publicly defend them, while other students participate in a debate after the presentation of the paper.	
Consultations		
Literature	Required literature: Ćorić, Emir: Fundamentals of Misdemeanor Law in Montenegro, Faculty of Law Sciences UDG, Podgorica, 2021; Aviani, Damir: Misdemeanor Law, third revised and expanded edition, Faculty of Law, University of Split, Split, 2013. Igor Vuković, Misdemeanor Law, Faculty of Law, University of Belgrade, Belgrade, 2015. Law on Misdemeanors, ("Official Gazette of Montenegro," No. 01/11 of 11.01.2011, 06/11 of 25.01.2011, 39/11 of 04.08.2011, 32/14 of 30.07.2014). Law on Road Traffic Safety, "Official Gazette of Montenegro," No. 33/12 of 28.06.2012. Law on Protection from Domestic Violence, ("Official Gazette of Montenegro," No. 46/10 of 06.08.2010, 40/11 of 08.08.2011). Additional literature: Petar Veić	

		and Stjepan Gluščić, Misdemeanor Law - General Part, II. revised and expanded edition, Narodne novine, Legal Library - textbooks, November 2013. Kovačić, Antonija: Misdemeanor Sanctioning of Family Violence, Current Issues in Criminal Legislation, Inženjerski biro, Zagreb, 2005.				
Examination methods		The evaluation includes: Midterm exam in the form of a test (allows for earning up to 40 points), For students taking a makeup exam, the points from the regular midterm exam are canceled. Practical training and seminar paper with defense, worth up to 20 points (seminar sessions are conducted during exercise classes); Final exam in the form of a test - (allows for earning up to 40 points). A student passes the exam if they cumulatively score at least 50 points (either on the midterm and seminar or on the midterm and final exam), and the grade is determined according to the scheme below.				
Special remarks						
Comment						
Grade:	F	E	D	C	B	A
Number of points	less than 50 points	greater than or equal to 50 points and less than 60 points	greater than or equal to 60 points and less than 70 points	greater than or equal to 70 points and less than 80 points	greater than or equal to 80 points and less than 90 points	greater than or equal to 90 points