

Content

| Course Code | Course Name | Semester | Theory | Practice | Lab | Credit | ECTS |
|-------------|---|----------|--------|----------|-----|--------|------|
| EHYL-424 | Current Issues Regarding Evidence and Evidence in Civil Procedure | 2 | 3 | 0 | 0 | 3 | 6 |

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| Prerequisites | |
| Admission Requirements | |

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| Language of Instruction | Turkish |
| Course Type | Elective |
| Course Level | Masters Degree |
| Objective | <p>Understanding the theoretical problems and practical problems related to the law of proof and evidence and being able to propose solutions to them.</p> <p>Students who successfully complete this course; It examines all concepts related to the activity of proof, reveals in depth the relationship between proof and evidence, and evaluates judicial decisions on the subject. Students evaluate issues in the field of law with new thoughts, different approaches or methods.</p> |
| Content | <p>Proof-Burden of proof Sort of proof Administration of proofs Relation with basic concepts of civil procedure law Relation with dominant principles of civil procedure law Determination the time of presentation of evidence Relation with concentration principle Bill Duty to cooperate in the taking of evidence Oath Res Judicata Witness Expert Discovery</p> |
| References | <p>Pekcanıtez Hakan/Özekes Muhammet/Akkan Mine/Taş Korkmaz Hülya (Editörler), Pekcanıtez Usûl Medenî Usûl Hukuku, 15. Bası, İstanbul 2017.</p> <p>Erdönmez Güray, Medeni Usul Hukukunda Belgelerin İbrazı Mecburiyeti, 2.Baskı, İstanbul 2014.</p> <p>Bolayır Nur, Hukuk Yargılamasında Delillerin Toplanması ve Tarafların ve Hâkimin Rolü, İstanbul 2014.</p> <p>Teomete Yalabık Fulya, İngiliz ve Amerikan Hukuklarında Vakıaların Getirilmesi ile Delillerin Toplanması ve Hakim Rolü ve Türk Hukuku Bakımından Değerlendirilmesi, İstanbul 2016.</p> <p>Umar Bilge/Yılmaz Ejder, İsbat Yükü, 2.Bası, İstanbul 1980.</p> <p>Alangoya Yavuz, Medeni Usul Hukukunda Vakıaların ve Delillerin Toplanmasına İlişkin İlkeler, İstanbul 1979.</p> <p>Çiftçi Pinar, Medeni Yargılama Hukukunda İspat Hakkı ve Sınırlamaları, Ankara 2018.</p> |

Theory Topics

| Week | Weekly Contents |
|------|---|
| 1 | Proof-Burden of proof |
| 2 | Sort of proof |
| 3 | Administration of proofs |
| 4 | Relation with basic concepts of civil procedure law |

| Week | Weekly Contents |
|------|--|
| 5 | Relation with dominant principles of civil procedure law |
| 6 | Determination the time of presentation of evidence |
| 7 | Relation with concentration principle |
| 8 | Documents and written evidence |
| 9 | Duty to cooperate in the taking of evidence |
| 10 | Oath |
| 11 | Res Judicata |
| 12 | Witness |
| 13 | Expert |
| 14 | Discovery |