# Universidad Zaragoza

## 60738 - Technology Applied to Professional Practice

**Información del Plan Docente**

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| **Academic Year** | 2017/18 |
| **Faculty / School** | 102 - Facultad de Derecho |
| **Degree** | 522 - Master's in Legal Practice |
| **ECTS** | 2.0 |
| **Year** | 1 |
| **Semester** | First semester |
| **Subject Type** | Compulsory |
| **Module** | --- |

## 1.General information

### 1.1.Introduction

The information society entails a profound change in the way in which human work is developed and, within this, professional activities. On the other hand, society as well as economy and legal traffic are immersed in the so-called "digitization", which is nothing more than the widespread use of information and communication technologies (ICT). Therefore, the subject aims to train future lawyers both to be able to develop their legal activity when it refers to events that happened in the so-called virtual universe or that are a consequence of the use of ICTs, as well to use the Internet in the exercise of their professional activity.

### 1.2.Recommendations to take this course

The subject is novel for law graduates and has an important practical content, so it is highly recommended attendance and active participation in classes.

### 1.3.Context and importance of this course in the degree

The characteristics of networks and information systems conditions the legal qualification of the activities carried out in them. The lawyer must have some basic notions that allows him to deal properly with those matters that have to do with these technologies, which are expected to arise more and more frequently. Therefore, this training has full meaning in a degree whose purpose is to train new lawyers.

On the other hand, ICT is a basic element for the development of professional activities, including those of lawyers. The subject will abord aspects such as documentation and preparation of the cases; constitution and evaluation of the proof; communication with judicial bodies and other professionals; and professional updating and continuing education. The issues related to the use of ICT in the management of the professional office and the data protection regulations applicable to the professional exercise will not be dealt with, since these are included in the subject Management of dispatch.

### 1.4.Activities and key dates

The subject takes place in 20 hours of face-to-face sessions and in 30 hours of practical exercises and study by the students.

Students who opt for the continuous assessment system will have to do two evaluable exercises throughout the semester. The exercises will belong to one of the types described in the third paragraph of section 5.2 (Learning activities). It is necessary a minimum grade of five in both exercises and each of them will represent 50% of the final grade. These exercises may serve as a basis for one or more of the practical sessions and will have to be completed previously to it, but the schedule of practices will be established so that the students have a sufficient term to carry out the exercises.

The students who have not opted for the continuous evaluation system or who have not passed the subject according to the conditions exposed above must do the final global test. The day, time and place where the test will be carried out will be published on the bulletin board of the Faculty of Law at least 20 days in advance, as established by the Regulation of Learning Assessment Standards (Agreement of 22 December 2010 of the Governing Council of the University of Zaragoza). In addition, the date of the said test can be consulted from the beginning of the course, at the following electronic address
https://derecho.unizar.es/sites/derecho.unizar.es/files/archivos/fechasExamenes/examenes_master_en_abogacia.pdf

## 2.Learning goals

### 2.1.Learning goals
1. The student implement adequately the cases related to ICT in the context of information systems and networks.
2. Knows and weighs the fundamental rights that modulate access to information.
3. Handles the electronic documents and the means for their authentication.
4. Uses the resources that the Internet and social networks offer for the practice of law and for legal training.
5. Communicates with judicial bodies, public administrations and other professionals through electronic tools.
6. Obtains electronic evidences, ensures it and justifies it properly **.**

### 2.2.Importance of learning goals

The rapid evolution of technologies makes it difficult to anticipate the challenges that future lawyers will face in the course of their professional lives. At the beginning of their careers, however, they need to know the fundamentals of those aspects of ICT that have a more relevant impact on interpersonal relationships and legal traffic, as well as the means that the technologies themselves provide for the exercise of the profession. With these bases, the future professional would be able to have a better adaptation and understanding of the changes that will occur because of technological developments.

Computer tools have great potential to assist lawyers in the exercise of their profession, but this cannot be exploited without a basic knowledge about ICT. On the other hand, the day-to-day of courts shows the difficulties of issues related with ICT, either because they are the background theme, or because they are the means of evidence. It is necessary that the new lawyers are familiar with some concepts that are the basis of the regulation of the ICT by the different specialties of the law, as well as with the fundamentals of the electronic evidences, especially the documentary ones.

## 3.Aims of the course and competences

### 3.1.Aims of the course

ICTs have become a basic way for communication, and a great number of human activities are carried out through the tools they provide, mainly information systems and networks. Increasingly, this means that both the jurist's activity, and the facts which it is related are developed in this context. For this reason, the basic objective of the subject is that the student knows the most relevant aspects of ICTs from a legal point of view.

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Information systems manage the information in three basic forms: data, electronic documents and knowledge. In consequence, the concrete goals of the subject is that the students understand:

- The main means by which data are obtained, who are their holders, as well as the different way of data exploitation and their legal implications,
- The nature and main characteristics of electronic documents and their use in electronic procedures, with particular emphasis on their use in the acts of procedural communication and in the formation of documentary evidence,
- The basic legal implications of the use of artificial intelligence and, in particular, automated legal decisions.
- The specific objectives of the subject related to the networks are that the students know:
- What are the basis of Internet governance and the regulation of networks
- The way in which networks can be used to improve their professional development
- The concept of virtual identity and the main legal problems caused to the persons by the presence in Internet.

## 3.2.Competences

### Basic competences

CB7 - Students should be able to apply acquired knowledge and problem-solving skills in new or unfamiliar environments within broader (or multidisciplinary) contexts related to their area of &#8203;&#8203;study

CB10 - Students have the learning skills that allow them to continue studying in a way that will be largely self-directed or autonomous.

### General competences

CG4 - Ability to develop skills of innovation and adaptation of acquired knowledge to social and legal change.

### Specific competences

CE2 - To know the techniques directed to the investigation and establishment of the facts in the different types of procedure, especially the production of documents, the interrogations and the expert evidences.

CE4 - To know the different techniques of composition of interests and to know how to find solutions to problems through alternative methods to the courts.

CE11 - Know how to develop skills that allow the lawyer to improve the efficiency of their work and enhance the overall functioning of the team or institution in which it works, through access to information sources, knowledge of languages, knowledge management, management techniques and the use of tools.

## 4.Assessment (1st and 2nd call)

## 4.1.Assessment tasks (description of tasks, marking system and assessment criteria)

The student must demonstrate that he/she has attained the expected learning outcomes through the following assessment activities, according to what is stated in the degree guide:

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If the student opts for the continuous evaluation system, the subject is evaluated by two exercises that will be carried out by the students throughout the teaching period of the subject. To pass, the student must pass both exercises, with a minimum note of five. The final qualification will be the average of the note of both exercises.

Students who do not opt for the previous system or do not pass the subject by said system will perform a global test, which will consist of:

1. The accomplishment of a practical exercise similar to those that have been realized throughout the course.
2. The realization of a theoretical test. The professor will propose two development questions and the student should choose one of them.

To pass the subject by the global test system it will be necessary to pass the two parts of the examination.

According to current regulations, "the results obtained will be graded according to the following numerical scale from 0 to 10, with one decimal, to which the corresponding qualitative qualification can be added:

- From 0 to 4.9: Suspended (S): students have not achieved the learning outcomes.
- From 5.0 to 6.9: Approved (A): students have achieved learning outcomes.
- From 7.0 to 8.9: Notable (N): students have achieved learning outcomes above the minimum requirements and in a prominent way.
- From 9 to 10: Distinction (SB): the students have achieved the learning objectives in an excellent way.

**Evaluation criteria**

In the evaluation of the subject will be valued:

- The depth of the analysis carried out in the practical exercises on the questions raised and the personal contributions of the student,
- The formal aspects in the realization of practical exercises, especially the clarity and richness of written expression and the use, where appropriate, of auxiliary means of expression such as illustrations or graphs
- Attendance and participation in practical sessions and, within this, the student's explanatory and argumentative capacity.
- The knowledge of the subject contents and the ability to apply it to the resolution of cases related to the virtual universe or to ICTs.
- The understanding of the impact of ICTs on contemporary society, economy and law, and of some of the main trends observed in its evolution

## 5.Methodology, learning tasks, syllabus and resources

## 5.1.Methodological overview

The methodology focuses on the study of several cases, representative of the main contents of the program.

## 5.2.Learning tasks

The learning activities consist of conducting practical exercises by the students. According to the professor's instructions, the exercises can be done individually or in teams.

The professors will propose some cases to the students. In addition, they will provide the students with the theoretical foundations and the instructions to find appropriate resources. In some cases the exercises should be elaborated by students at home and in others the work will be done in one of the classroom sessions. In general, each exercise will end with the exposure and sharing within the group of the results obtained.

The exercises may be of the following types:

- Using ICT tools in legal proceedings, especially LexNet, and in the communications with public administrations.
- Preparation and use in legal proceedings of electronic evidence.
- Access to ICT resources for the professional practice and training of the jurist.
- Resolution of ICT-related cases.
- Analysis and discussion of academic texts

## 5.3.Syllabus

The course will address the following topics:

1. **Information and communications technology (ICT):** Introduction to information systems and networks. Freedom of information. Government and regulation of telematic networks. Artificial intelligence.

2. **Data and electronic documents:** Use of data, big data and open data. The right to privacy. Concept and structure of the electronic documents. Authentic documents and electronic signature. How to document a case.

3. **Internet and social networks:** Online identity and reputation. Professional presence on the Internet. Collaborative tools for lawyers. Resources for documentation and legal training on the Internet.

4. **ICT in the judicial process:** Applications and web resources of the CGPJ and the Administration of Justice. Electronic processing of procedures and communication acts: the LexNet application. Electronic evidence and electronic data discovery (EDD). Online dispute resolution (ODR).

## 5.4.Course planning and calendar

The subject is taught in the first semester, in the period established in the academic calendar that University publishes each year (https://academico.unizar.es/sites/academico.unizar.es/files/archivos/ficheros/vgacad/calmatri_17_18_5.pdf).

The schedule is published in the website:
https://derecho.unizar.es/sites/derecho.unizar.es/files/archivos/horarios/horarios_mua.pdf.

The professors will communicate sufficiently in advance the date on which the two assessable exercises for the continuous evaluation will be carried out.

## 5.5.Bibliography and recommended resources

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**BC** BOURCIER, Danièle. Inteligencia artificial y derecho. Barcelona: UOC, 2003

**BC** El documento electrónico : aspectos jurídicos, tecnológicos y archivísticos / José luis Blasco Díaz, Modesto J. Fabra Valls (eds.) Castelló de la Plana : Publicacions de la Universitat Jaume I, Servei de Comunicació i Publicacions, D. L. 2008

**BC** Gamero Casado, E.; Valero Torrijos, J., eds. Las tecnologías de la información y la comunicación en la Administración de Justicia. Cizur Menor: Aranzadi, 2012

**BC** Gobierno, derecho y tecnología: las actividades de los poderes públicos / Fernando Galindo [coordinador] . - 1ª ed. Cizur Menor (Navarra): Civitas, 2006

**BC** Mayer-Schhöbnerger, V., Cukier, K. Big data, la revolución de los datos masivos. Madrid: Turner, 2013

**BC** Muñoz Soro, José Félix. La gestión y valoración de los documentos judiciales en el nuevo contexto tecnológico / José Félix Muñoz Soro. [Libro electrónico]. Zaragoza: Prensas Universitarias de Zaragoza, 2013. Disponible en: http://roble.unizar.es/record=b1790913~S1

**BC Oliva León, Ricardo (coord.), Valero Barceló, Sonsoles (coord.), Dolado Pérez, Ángel (pr.). La prueba electrónica, validez y eficacia procesal. Juristas con Futuro, 2016**

**BC** PEREZ, Jorge, ed. La gobernanza de Internet. Barcelona: Ariel, 2008.

**BC Pinto Palacios, Fernando, Pujol Capilla, Purificación. La prueba en la era digital. La Ley Actualidad, Madrid, 2017**

**BC** Valero Torrijos, Julian, ed. La protección de datos en Internet ante la innovación tecnológica. Cizur Menor: Aranzadi, 2013