사 법 학 과

(PRIVATE LAW)

**Department Introduction**

LL.M course was newly established on December 22, 1967 when the Yeungnam University came into the world, and doctoral course was established in 1970.

Yeungnam University graduate school of law is designed to make an in-depth search of the legal theory and its practical application in such a way as to meet the goal of globalization and information-oriented society. To achieve the purpose, the graduate school is designed to train the students to be the member of the society who can live up to democracy and justice, and to build legal knowledge which conforms to the request of the times and which contributes to the development of culture.

**List of Faculty Members**

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| --- | --- | --- | --- | --- |
| Position | Name | Last School Graduated | Degree | Major |
| Professor | Lee, Sang Wook | Kyungpook National University | Ph.D. | Civil Law |
| Professor | Bae, Byung Il | Yeungnam University | Ph.D. | Civil Law |
| Professor | Park, In Soo | Universite de Paris 2 | Docteur en Droit | Constitutional Law |
| Professor | Seong, Nak Hyon | Kiel University | Dr.jur. | Criminal Law |
| Professor | Lee, Yong Ho | Yeungnam University | Ph.D. | International Law |
| Professor | Kum, Tae Huan | Seoul National University | Ph.D. | Administrative Law,  Agricultural Law |
| Professor | Jung, Gil Yong | Yeungnam University | LL.B. | Civil Procedure Law |
| Professor | Yang, Jong Mo | Hanyang University | LL.B. | Criminal Procedure Law |
| Professor | Chung, Bong Jin | Southern Methodist University | J.D. | Commercial Law |
| Professor | Eun, Soong Pyo | Tubingen University | Dr.jur. | Jurisprudence,  Public Interest Law |
| Professor | Lee, Jeong Weon | Konstanz University | Dr.jur. | Criminal Law |
| Professor | Kim, Sae Jin | Yeungnam University | LL.M. | Civil Procedure Law |
| Professor | Kwon, Jong Kul | Case Western Reserve University | J.D. | Anglo-American Law |
| Professor | Kim, Jeong Han | Kyungpook National University | Ph.D. | Criminal Law & Procedure |
| Associate Professor | Kim, Hyun Joon | Goettingen University | Dr.jur. | Administrative Law,  Environmental Law |
| Associate Professor | Lee, Dong Hyong | Keimyung University | Ph.D. | Civil Law,  Intellectual Property Law |
| Associate Professor | Bae, Sung Ho | Yeungnam University | Ph.D. | Civil Law |
| Associate Professor | Kim, Hye Jeong | Trier University | Dr.jur. | Criminal Law,  Criminal Policy |
| Associate Professor | Seo, Bo Keon | Osaka University | Ph.D. | Constitutional Law |
| Associate Professor | Sim, Jae Han | Mannheim University | Dr.jur. | Commercial Law,  Antitrust Law |
| Associate Professor | Yum, Mi Kyung | Korea University | Ph.D. | Commercial Law |
| Associate Professor | Lee, Boo Ha | Koeln University | Dr.jur. | Constitutional Law |
| Associate Professor | Kim, Jin Suk | Yonsei University | LL.B. | Civil Law |
| Associate Professor | Jo, Im Young | Yeungnam University | Ph.D. | Labor Law |
| Associate Professor | Lee, Hawn Gyu | Sungkyunkwan University | Ph.D. | International Law |
| Associate Professor | Yang, Chun Soo | Frankfurt University | Dr.jur. | Jurisprudence,  Legal Philosophy,  Legal Policy |
| Associate Professor | Kim, Chang Hee | Seoul National University | LL.B. | Civil Law |
| Assistant Professor | Choi, Seong Keun | Hanyang University | Ph.D. | Tax Law,  Commercial Law |
| Assistant Professor | Ahn, Dong In | Seoul National University | Ph.D. | Administrative Law |
| Assistant Professor | Rhee, Jean Soo | Seoul National University | Ph.M. | Administrative Law |
| Associate Professor | Leticia Patino | Catholic University of America | J.D. | Human Rights Law |
| Assistant Professor | Samantha Wilkins | University of Arizona | J.D. | American Law |
| Assistant Professor | Erin Murphy | Georgetown University | J.D. | American Law |

**Academic programs**

**Course Description**

사법학과

민사법제사연구 3 credit

(STUDY ON THE HISTORY OF CIVIL LAW)

Studies on a civil law history of roman law, german law, canon law and english law and so on the understanding structure and theory of civil law.

민사소송법일반이론 3 credit

(GENERAL THEORY OF CIVIL PROCEDURE)

비교법 연구 3 credit

(COMPARATIVE LAW)

상사법일반이론 3 credit

(GENERAL THEORY OF COMMERCIAL LAW)

Commercial law includes all aspects of business, including banking, contracts, negotiable instruments, Secured Transactions, and trade in general. The law that applies to the rights, relations, and conduct of persons and businesses engaged in commerce, merchandising, trade, and sales.

개별연구(1) 3 credit

(INDEPENDENT STUDY (1))

개별연구(2) 3 credit

(INDEPENDENT STUDY (2))

사법학과세미나 1 credit

(SEMINAR ON PRIVATE LAW)

특수문제연구(1) 3 credit

(SPECIAL STUDY(1))

가족법특수연구 3 credit

(SPECIAL STUDY ON FAMILY LAW)

가족법판례연구 3 credit

(CASE STUDY OF FAMILY LAW)

강제집행법일반이론 3 credit

(GENERAL THEORY OF COMPULSORY EXECUTION)

The topics studied include the concept of enforcement of judgment and basic principles in the judgment execution procedures.

국제사법연구 3 credit

(STUDY ON INTERNATIONAL PRIVATE LAW)

다수당사자소송론 3 credit

(THEORY OF LITIGATION OF MULTITUDE PARTIES)

Multiple party litigation is studied with emphasis on joinder, participation and assignment and change of parties.

대리론 3 credit

(THEORY OF PROCURATION)

Studies on the theory of agency as supplement or expansion of intentional declaration.

등기법 3 credit

(REGISTRATION LAW)

This course is study on the background, examples of statutes and practice about every kind of registration including real estate registration. This study is to review and research and prove registration, the most necessary way of official notice to a bottom.

물건법특수연구 3 credit

(SPECIAL STUDY ON REALITY PROPERTY LAW)

물권변동론 3 credit

(THEORY OF FLUCTUATION OF PROPERTY RIGHT)

Systemically studies on the theory for alteration of real right for real property and movable property.

미국민사소송법연구 3 credit

(STUDY ON AMERICAN CIVIL PROCEDURE)

In many cases where the issue is the same, Korean Civil Procedure refers to American Civil Procedure, which necessitates research on the American Civil Procedure.

This course is designed to review the basic theory and issues of the American Civil Procedure in order to search the better way of solution comparing the Korean Civil Procedure.

민사소송법판례연구 3 credit

(CASES STUDY ON CIVIL PROCEDURE)

The focus of study is the analysis and discussion on the decisions of the Supreme Court relating to the civil procedure matters.

민사특별법연구 3 credit

(STUDY ON THE SPECIAL CODE OF CIVIL LAW)

In the civil case basically civil code is applied, in which it is desirable to include comprehensive provisions. However, special code has been legislated because the society has been changed continuously. This special code is designed to supplement and modify the provisions of civil code. Among these special codes, some codes have become the curriculum at the college of law, which include Commercial law, Negotiable instruments, Patent, Design, Utility model, trademark, copyright etc. However, some codes are not the curriculum of the college of law, which include code for protection of the lease for residential building, code for protectioin of the lease for commercial building, ect. There should be other special codes for doing research in addition to the codes above. This course will do research and review the interpretation and purpose of the legislation of those codes.

민사판례연구 3 credit

(CASE STUDY ON CIVIL LAW)

법률행위론 3 credit

(THEORY ON LEGAL ACTS)

Studies on a conception of juristic acts and theory of intentional declaration as a foundation of civil law.

법인론 3 credit

(THEORY OF CORPORATION)

Studies on the theory of establishment, operation and function of a corporation anc foundation as a judicial body.

보전처분론 3 credit

(THEORY OF PRESERVATIVE MEASURES)

The study is done on the provisional remedies such as preliminary attachment or preliminary execution that are taken to preserve the right to enforce judgments.

복수청구소송론 3 credit

(THEORY OF PROCEEDING BY PLURAL PARTIES)

Joinder of claims, amendment of claims, counterclaims, interlocutory appeals, etc., are studied in this course.

부당이득론 3 credit

(THEORY ON EXCESSIVE PROFIT)

Studies on formation, structure, effect and special type of unjust enrichment as a general theory of unjust enrichment law

비교가족법연구 3 credit

(COMPARATIVE STUDY ON FAMILY LAW)

비교계약법론 3 credit

(COMPARATIVE CONTRACT LAW)

This course compares and studies Contract law under the roman law system and common law system, Chinese contract law which is recently revised, United Nations Convention on Contracts for the International Sale of Goods(CISG), and the Principles of European Contract Law.

상속법연구 3 credit

(STUDY ON THE LAW OF SUCESSION)

소송요건론 3 credit

(THOERY OF REQUIREMENT OF LITIGATION)

The in-depth study is done regarding the requirements and necessity for relief with emphasis on the essence, functionality and types of relief.

소송절차의 기본원칙 3 credit

(FUNDAMENTAL PRINCIPLES OF CIVIL PROCEDURE)

The in-depth study is done regarding the various principles of civil litigation procedures in terms of the one based upon the constitutional law and the other based upon the duty sharing between the parties and courts.

손해배상론 3 credit

(THEORY ON DAMAGE COMPENSATION)

Studies on a various problem of compensation for damages caused failure to performance and delict.

영미사법연구 3 credit

(STUDY ON ANGLO-AMERICAN PRIVATE LAW)

American Private Law is the basic course of the American law, which is offered as one of the required courses in the first semester at the American law school. The course of American Contract Law is also designed to train the students to have legal mind in the American law school, because the first year law students have no legal background. This course will cover the basic rules of law under the contract law, including consideration, offer and acceptance, statute of frauds, remedies and some defenses. In each legal issues, we will handle the common law, UCC and the Restatement, because there are much difference in the legal rules between common law, and UCC, the Restatement. The common law rule has been changed by UCC in the area of sales of goods to fit into the modern way of commerce. The Restatement is not the statute and it has no binding force on the courts. However, the judges usually refer to the Restatement before they renders opinion, since the Restatement was made by the famous scholars, judges.

재산법연구 3 credit

(STUDY ON PROPERTY LAW)

재산법판례연구 3 credit

(CASE STUDY ON PROPERTY LAW)

재판에대한불복제도연구 3 credit

(STUDY ON TRIAL COURT SYSTEM)

Appeals which are the normal means to object to the unfavorable judgments and the requests for new trials which are the extraordinary means to request for relief.

저작권법일반연구 3 credit

(GENERAL RESEARCH ON COPYRIGHTS LAW)

The purpose of Copyright Act is to protect the rights of authors of literatures, drawings, photographs, movie and so on and the rights neighboring on them and to promote fair use of works in order to contribute to the improvement and development of culture. Nowadays the right of author is protected world-wide and the systems of protection are on the trend of international harmonization. In this course we will research and review the interpretation and purpose of the legislation and the tendency of cases relating to the codes of Copyright Act.

증거법일반이론 3 credit

(GENERAL THEORY OF EVIDENCE)

The topics studied include the concept, types and objects for proof, assessment and material of proof in evidence.

지적재산권법일반연구 3 credit

(GENERAL RESEARCH ON INTELLECTUAL PROPERTY LAW)

Recently the significance of the Right of Intellectual Property is increasing. Intellectual Property means the right of Patent, Design, Utility Model, Copyright and so on. The acts relating to Intellectual Property are Patent Act, Trademark Act, Design Protection Act, Utility Model Act, Copyright Act, etc. And there are some other acts, like Act on The Layout-designs of Semiconductor Integrated Circuits, Unfair Competition Prevention and Trade Secret Protection Act and so on. In this course we will research and review the interpretation and purpose of the legislation of those codes.

채권법특수연구 3 credit

(SPECIAL STUDY ON LAW OF CONTRACT AND TORTS)

채권소멸론 3 credit

(HEORY OF OBLIGATORY RIGHTS)

Studies on repayment, deposiition, mutual accounts, exemption as extinctive cause obligation.

채무불이행론 3 credit

(THEORY ON BREACH OF OBLIGATION)

Studies on fundamental theory, concrete type and effect of failure to performance.

친족법연구 3 credit

(STUDY ON DOMESTIC RELATIONS LAW)

특수권리실현절차연구 3 credit

(STUDY ON INSOLVENCY PROCEEDING AND TAX LIENS)

The study is done on the bankruptcy, composition, corporate reorganization, auction in foreclosure,procedure in disposition of delinquency in national tax payments, etc.

특수불법행위 3 credit

(SPECIAL THEORY ON TORTS LAW)

This course covers legal theory that can rescue the victims from special illegal activities that has newly appeared in the society such as environmental violation, medical mistakes, violation from the press, and irresponsible manufactures effectively through regarding various characteristics of them.

특허법일반연구 3 credit

(GENERAL RESEARCH ON PATENT LITIGATION)

Recently the significance of the Right of Intellectual Property is increasing. Intellectual Property means the right of Patent, Design, Utility Model, Copyright and so on. The Patent Right is granted to inventor and the representative of Intellectual Properties. Patent Act is the act about Patent Right. Patent Right is granted through application, examination and registration. Relating to Patent Right, main subjects are the scope of patent right, infringement and litigation. In this course we will research and review the interpretation and purpose of the legislation and the trend of cases relating to the codes of Patent Act.

혼인법특수연구 3 credit

(SPECIAL STUDY ON MARRIAGE LAW)

경쟁법연구 3 credit

(COMPETITION LAW)

Unfair method of competition affecting commerce is unlawful. Deceptive practices in commerce are declared also prohibited. The Unfair Competition Prevention and Trade Secret Protection Act do not have general principle that is to regulate the unusual competition. Not only the Unfair Competition Prevention and Trade Secret Protection Act but also the unfair trade behavior regulated in Monopoly Regulation and Fair Trade Act are discussed.

경제법연구 3 credit

(ECONOMIC LAW)

19C It appeared on latter half and it started to investigate the economic Buddhist priest's robe questionable matter position back which is a new law territory, it examines closely an essence and it grasps an idea and does the economic Buddhist priest's robe function operate researches how from economic actuality.

경제법특수연구 3 credit

(SPECIAL STUDY ON ECONOMIC LAW)

It investigates the economic Buddhist priest's robe idea and the object of the monopoly regulation law, the small and medium enterprise law, the funds financial transactions law, the consumer protection law and the foreign exchange civil official law back and the control method and the means for a normal capitalism social development are what in this nation of this and or structure character of industrial section, it follows it becomes discipline it researches how.

국제거래법 3 credit

(INTERNATIONAL TRADE LAW)

International transaction law Iran the international transaction act which it comes to do mainly cause of death (natural man and corporation) for discipline it talks the law offense which it does. The international contract law, the international investment law and the international lawsuit back that are composing the contents which is principal specially, the hazard which solves the problem regarding jurisdiction volume against the International Private Law which stands must be investigated.

금융거래법연구 3 credit

(FINANCIAL TRANSATION LAW)

기업법연구 3 credit

(STUDY ON BUSINESS LAW)

보험법연구 3 credit

(STUDY ON INSURANCE LAW)

This course is designed to introduce students to the general principles of insurance law. This will include an overview of a range of topics which comprise the subject of insurance law, including insurable interest, the principle of utmost good faith, the law of misrepresentation, non-disclosure of material facts, subrogation. In addition, the course provides knowledge of insurance law governing insurance contract formation, the interpretation of insurance contracts and more, especially in areas such as property, life, health, automobile and liability insurance.

상법기본연구 3 credit

(FUNDAMENTAL STUDY ON COMMERCIAL LAW)

Commercial law is the body of rules, whether by convention, agreement, or national or international legislation, governing the dealings between persons in commercial matters. Commercial law has the regulation of commercial entities by the laws of company, partnership and the regulation of commercial transactions by the laws of contract.

상사판례연구 3 credit

(CASE STUDY ON COMMERCIAL LAW)

In commercial countries there has been a considerable increase in the extensive use of commercial arbitration. Commercial law developed as a distinct body of jurisprudence with the beginning of large-scale trade. The law was based on the customs of merchants and served to resolve disputes between merchants or between merchants and their customers.

유가증권법연구 3 credit

(STUDY ON LAW OF STOCK AND BOND)

Study of general theories and legal problems related to negotiable instruments such as bills and checks.

은행법연구 3 credit

(STUDY ON BANK REGULATIONS)

전자금융법연구 3 credit

(STUDY ON ELECTRONIC FINANCIAL TRANSACTION LAW)

A banking system is a fundamental structure for the financial system of a country. This course offers a framework for banking law. This course focuses on matters such as the banking regulatory system and the standards for the banking regulation and supervision.

증권거래법연구 3 credit

(Securities Exchange Law)

This course offers a challenging introduction to the securities laws. Topics to be covered include the policy rationales underlying the Korean securities regime, the definition of security, disclosure obligations, antifraud liability, insider trading prohibitions, and false or misleading corporate statements. This course is designed for students specifically interested in securities litigation or securities transactional practice.

해상법일반이론 3 credit

(GENERAL THEORY OF ADMIRALTY LAW)

Study of general theory of Korean admiralty law including carriage of goods by sea, carriage of passengers by sea, general average and maritime lien and investigation of international practice of admiralty.