UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza
ACADEMIC YEAR	2021/2022
MASTER'S DEGREE (MSC)	LAW
SUBJECT	PROCEDURAL ADMINISTRATIVE LAW
TYPE OF EDUCATIONAL ACTIVITY	B
AMBIT	20005-Amministrativistico
CODE	14222
SCIENTIFIC SECTOR(S)	IUS/10
HEAD PROFESSOR(S)	IMPASTATO IGNAZIO Ricercatore Univ. di PALERMO
OTHER PROFESSOR(S)	
CREDITS	8
INDIVIDUAL STUDY (Hrs)	136
COURSE ACTIVITY (Hrs)	64
PROPAEDEUTICAL SUBJECTS	04035 - ELEMENTS OF PRIVATE LAW 02432 - CONSTITUTIONAL LAW - INTEGRATED COURSE
MUTUALIZATION	
YEAR	5
TERM (SEMESTER)	2° semester
ATTENDANCE	Not mandatory
EVALUATION	Out of 30
TEACHER OFFICE HOURS	**IMPASTATO IGNAZIO** Thursday 11:00 12:00 Pre-ricevimento Microsoft Teams stanza virtuale "Ricevimento Prof. Impastato"

PREREQUISITES	Good mastering of Constitutional principles and basic institutions of the special administrative jurisdiction
LEARNING OUTCOMES	1. Knowledge of Italian administrative litigation code, comprehension and ability to identify the principal institutes relating to each part of the syllabus. 2. Ability to analyze - using the acquired knowledge - laws, jurisdictional decisions and scientific papers related to specific problems of the administrative litigation code. 3. Ability: a) to comment, examine and compare the solutions proposed to the main problems of the subject by scholars and courts; b) to choose between more options aiming to cases' solution. 4. Ability: a) to illustrate, with technical-legal language, the subject's contents; b) to adequately deduce the application of notions to cases. 5. Essential ability of mastering the administrative litigation procedure's study.
ASSESSMENT METHODS	1) Written and oral final exam - Grades on a scale between 18 and 30 cum laude. The exam consists of: a) online multiple choice questions and questions-short answers; b) an interview aimed to check the level of knowledge of the topics in the syllabus, the level of familiarity with the specialized language and the ability to develop a reasoning aimed to the application of theoretical knowledge to specific cases . The interview consists of a minimum of two/three questions. The evaluation will follow the grid below: - Excellent (30 - 30 cum laude): great knowledge of the topics, excellent language skills, excellent capacity of analysis; the student is able to brilliantly apply theoretical knowledge to real cases. He/she is also able to properly argue possible solution, including multiple alternatives. - Very good (27-29): good knowledge of the topics, very good language skills, good capacity of analysis; the student is able to properly apply theoretical knowledge to real cases. - Good (24-26): good knowledge of the main topics, good language skills, the student shows adequate ability to apply theoretical knowledge to real cases. - Satisfactory (21-23): the student does not show a complete command of the main topics, although showing the knowledge of the basic ones; he/she shows satisfactory language skills and a quite satisfactory ability to apply theoretical knowledge to real cases. - Sufficient (18-20): minimal knowledge of the main teaching and technical language issues, limited capacity to adequately apply theoretical knowledge to real cases. - Insufficient outcome: the student does not have an acceptable knowledge of the contents of the various topics on the syllabus. 2) One written test in progress, on voluntary basis, is scheduled. The test, consisting in two open questions, is aimed to check students' overall understanding of the yet addressed topics and to test the ability to apply theoretical knowledge to the solution of concrete cases. The evaluation will follow the evaluation grid sub "1)". The final assessment will depend on the learning process check test up to a maximum of 15 marks out of of 30 in relation to the part of the program covered by the test itself. The student shall always be able to improve such assessment by sitting the final exam on the whole syllabus
EDUCATIONAL OBJECTIVES	The course aims to equip the student with: 1) the basic knowledge to acquire an unitary vision of both administrative substantive law and its law of procedure and to master the role in the administrative law trial falling either within the jurisdiction of the special administrative law judge or the general civil-criminal law judge; 2) the ability to assume, with an adequate degree of autonomy, a good defensive strategy in real cases related to administrative law.
TEACHING METHODS	Lectures
SUGGESTED BIBLIOGRAPHY	M. Clarich, Manuale di giustizia amministrativa, Il Mulino, Bologna, 2021. A. Travi, Lezioni di giustizia amministrativa, Giappichelli, Torino, ultima edizione. F. G. Scoca (a cura di), Giustizia amministrativa, Giappichelli, Torino, ultima edizione.

SYLLABUS

Hrs	Frontal teaching
4	Origin and (failed) definition of a dichotomy: subjective rights and legitimate interests
4	From 1889 to the Italian Constitution of 1948: the legal framework of the Republican Constitution
4	From the law on the regional administrative tribunals of 1971 to the Administrative Litigation Code
4	The civil law jurisdiction
6	Quasi-judicial forms of judicial review
4	Types of jurisdictions on judicial review proceedings
6	Classification of judicial review proceedings
4	Procedural requirements of judicial review proceedings

SYLLABUS

Hrs	Frontal teaching
6	Features of the jurisdiction at first instance
3	Interim measures under the Administrative Litigation Code
5	The appeal process
4	Special judicial review proceedings under Italian Administrative Litigation Code
4	The execution of the judicial review decisions