



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2022/2023		
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)	CAVALLARO MARIA Professore Ordinario Univ. di PALERMO CRISTINA MAZZAMUTO MARCO Professore Ordinario Univ. di PALERMO CELONE CRISTIANO Professore Associato Univ. di PALERMO		
OTHER PROFESSOR(S)			
CREDITS	8		
INDIVIDUAL STUDY (Hrs)	136		
COURSE ACTIVITY (Hrs)	64		
PROPAEDEUTICAL SUBJECTS	02432 - CONSTITUTIONAL LAW - INTEGRATED COURSE 04035 - ELEMENTS OF PRIVATE LAW		
MUTUALIZATION			
YEAR	5		
TERM (SEMESTER)	2° semester		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	CAVALLARO MARIA CRISTINA Tuesday 11:00 13:00 Dipartimento Giurisprudenza, via Maqueda 172, Il piano, Stanza 31 Wednesday 9:00 11:00 Dipartimento Giurisprudenza, via Maqueda 172, Il piano, Stanza 31 CELONE CRISTIANO Monday 14:30 16:30 Stanza virtuale su Microsoft Teams, tramite invio del link agli studenti prenotati. MAZZAMUTO MARCO Monday 17:00 19:00 Collegio San Rocco Scienze politiche, dopo la lezione di diritto amministrativo		

DOCENTE: Prof. CRISTIANO CELONE- *Lettere F-N*

PREREQUISITES	Good knowledge of constitutional principles relating to jurisdiction and public administration.
LEARNING OUTCOMES	<p>1. Knowledge of Italian administrative justice system's structure, comprehension and ability to identify the principal institutes relating to each part of the syllabus.</p> <p>2. Ability to analyze - using the acquired knowledge - laws, jurisdictional decisions and scientific papers related to specific problems of the administrative trial procedure.</p> <p>3. Ability: a) to comment, examine and compare the solutions proposed to the principal problems of the subject by scholars and courts; b) to choose between more options aiming to cases' solution.</p> <p>4. Ability: a) to illustrate, with technical-legal language, the subject's contents; b) to adequately deduce the application of notions to cases.</p> <p>5. Essential ability of learning to begin the legal careers' preparatory studies and practice.</p>
ASSESSMENT METHODS	<p>1) Oral final exam - Grades on a scale between 18 and 30 cum laude. The exam consists of 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.</p>
EDUCATIONAL OBJECTIVES	The course aims to: 1) equip the student with the knowledge and abilities to face (together with those acquired in "Administrative law"), with an adequate degree of autonomy, the study of cases involving public institutions, falling under civil or administrative jurisdiction, and 2) to elaborate, at least in the essential profiles, a trial strategy.
TEACHING METHODS	Lectures.
SUGGESTED BIBLIOGRAPHY	<p>F.G. Scoca (a cura di), Giustizia amministrativa, Giappichelli, Torino, ultima edizione.</p> <p>Codice aggiornato delle principali leggi di diritto amministrativo.</p>

SYLLABUS

Hrs	Frontal teaching
64	<p>6 hours: The building of the administrative justice system until 1889.</p> <p>4 hours: Birth and (missed) definition of a dichotomy: personal rights and 'legitimate interests'.</p> <p>4 hours: Since 1889 until 1948: the framework of Republic's Constitution.</p> <p>4 hours: Since "TAR Law" until Administrative Trial Procedure Code.</p> <p>4 hours: The civil jurisdiction.</p> <p>6 hours: The non-judicial remedies.</p> <p>4 hours: The administrative jurisdiction forms.</p> <p>6 hours: Legal actions and their classifications.</p> <p>4 hours: Legal actions pre-conditions.</p> <p>6 hours: First trial's dynamics.</p> <p>3 hours: Provisional remedies.</p> <p>5 hours: Appeal remedies.</p> <p>4 hours: Special trials.</p> <p>4 hours: Jurisdictional decisions enforcement.</p>

DOCENTE: Prof. MARCO MAZZAMUTO- *Lettere A-E*

PREREQUISITES	Good knowledge of constitutional principles relating to jurisdiction and public administration.
LEARNING OUTCOMES	1. Knowledge of Italian administrative justice system's structure, 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 trial procedure. 3. Ability: a) to comment, examine and compare the solutions proposed to the principal 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 learning to begin the legal careers' preparatory studies and practice
ASSESSMENT METHODS	1) Oral final exam - Grades on a scale between 18 and 30 cum laude. The exam consists of 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 grid sub "1)" The final assessment will depend on the learning process check test up to a maximum of 15 marks out 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: 1) equip the student with the knowledge and abilities to face (together with those acquired in "Administrative law"), with an adequate degree of autonomy, the study of cases involving public institutions, falling under civil or administrative jurisdiction, and 2) elaborate, at least in the essential profiles, a trial strategy.
TEACHING METHODS	Lectures
SUGGESTED BIBLIOGRAPHY	A. Travi, <i>Lezioni di giustizia amministrativa</i> , Giappichelli, Torino, ultima edizione

SYLLABUS

Hrs	Frontal teaching
4	The building of the administrative justice system until 1889
8	Birth and (missed) definition of a dichotomy: personal rights and 'legitimate interests' Since 1889 until 1948: the framework of Republic's Constitution
6	Since "TAR Law" until Administrative Trial Procedure Code
4	The civil jurisdiction
6	The non-judicial remedies
4	The administrative jurisdiction forms
6	Legal actions and their classifications
4	Legal actions pre-conditions
6	First trial's dynamics
3	Provisional remedies
5	Appeal remedies
4	Special trials
4	Jurisdictional decisions enforcement

PREREQUISITES	Good knowledge of constitutional principles relating to jurisdiction and public administration.
LEARNING OUTCOMES	<p>1. Knowledge of Italian administrative justice system's structure, comprehension and ability to identify the principal institutes relating to each part of the syllabus.</p> <p>2. Ability to analyze - using the acquired knowledge - laws, jurisdictional decisions and scientific papers related to specific problems of the administrative trial procedure.</p> <p>3. Ability: a) to comment, examine and compare the solutions proposed to the principal problems of the subject by scholars and courts; b) to choose between more options aiming to cases' solution.</p> <p>4. Ability: a) to illustrate, with technical-legal language, the subject's contents; b) to adequately deduce the application of notions to cases.</p> <p>5. Essential ability of learning to begin the legal careers' preparatory studies and practice.</p>
ASSESSMENT METHODS	<p>1) Oral final exam - Grades on a scale between 18 and 30 cum laude.</p> <p>The exam consists of 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:</p> <ul style="list-style-type: none"> - 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.
EDUCATIONAL OBJECTIVES	<p>The course aims to:</p> <p>1) equip the student with the knowledge and abilities to face (together with those acquired in "Administrative law"), with an adequate degree of autonomy, the study of cases involving public institutions, falling under civil or administrative jurisdiction, and</p> <p>2) to elaborate, at least in the essential profiles, a trial strategy</p>
TEACHING METHODS	Lessons
SUGGESTED BIBLIOGRAPHY	<p>S. Perongini - G. Cirillo (a cura di), Diritto processuale amministrativo, Torino ultima ed.</p> <p>F.G. Scoca (a cura di), Giustizia amministrativa, Torino ultima ed.</p>

SYLLABUS

Hrs	Frontal teaching
4	The building of the administrative justice system
8	Personal rights and 'legitimate interests' The framework of Republic's Constitution
6	Since "TAR Law" until Administrative Trial Procedure Code
4	The civil jurisdiction
6	The non-judicial remedies
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3	Provisional remedies
5	Appeal remedies
4	Special trials
4	Jurisdictional decisions enforcement