

## COURSE OF STUDY *Master's degree in Law*

ACADEMIC YEAR 2023-2024

### ACADEMIC SUBJECT *Civil procedural law II*

General information	
Year of the course	V
Academic calendar (starting and ending date)	I semester (11.9.2023 – 7.12.2023)
Credits (CFU/ETCS):	6
SSD	IUS 15 – Diritto processuale civile
Language	Italian
Mode of attendance	Voluntary

Professor/ Lecturer	
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Department and address	Dipartimento Jonico- Via Duomo n. 259 – Taranto. Stanza 6 bis
Virtual room	Microsoft Teams
Office Hours (and modalities: e.g., by appointment, on line, etc.)	To be agreed with the teacher by email and to be held on site or on Teams depending on the requests

Work schedule			
Hours			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
150	48	0	102
CFU/ETCS			
6			

<b>Learning Objectives</b>	<i>The training activity has the objective of acquiring the foundations of the discipline of the civil procedural system. Basic knowledge for the future development of the legal professions and for the preparation of public competitions.</i>
<b>Course prerequisites</b>	<i>Institutions of private law</i>

<b>Teaching strategie</b>	<i>Conventional teaching methodology, assisted by the use of slides (PowerPoint)</i>
<b>Expected learning outcomes in terms of</b>	
<b>Knowledge and understanding on:</b>	<b>Knowledge and understanding:</b> students will have the opportunity to learn the central themes of the civil process system to protect subjective rights and/ or status as well as individual civil proceedings provided for the implementation of safeguards
<b>Applying knowledge and understanding on:</b>	<b>Applying knowledge and understanding:</b> through the continuous connection between theoretical notions and practical cases, the student will acquire an excellent knowledge of the application profiles of the subject developing a special method to allow him to identify the discipline applicable to individual cases.

<b>Soft skills</b>	<ul style="list-style-type: none"> <li>• <i>Making informed judgments and choices: through the analysis of regulatory sources and the comment of case law, the student will be able to acquire flexibility, initiative, ability to problem solving, critical problem assessment, as well as the general capacity to draft procedural documents;</i></li> <li>• <i>Communicating knowledge and understanding: the student will be able to re-elaborate and communicate with methodological rigor information, ideas, problems and solutions related to all the topics of the course.</i></li> <li>• <i>Capacities to continue learning: the student, addressing the topics covered by the course, will learn the systematic reconstruction of the theme of the protection of rights and/or status.</i></li> </ul>
<b>Syllabus</b>	
<b>Content knowledge</b>	<ol style="list-style-type: none"> <li>1. <i>The judged, the correction of the measures taken by the court, appeals in general and individual legal remedies.</i></li> <li>2. <i>Summary protection in general, the injunction procedure, the validation procedure for eviction.</i></li> <li>3. <i>Protective protection in general, the individual protective proceedings provided for in the Code of Procedure (judicial seizure, preservation, new and feared damage complaints, preventive investigation measures, emergency measures) and the discipline of precautionary proceedings in general.</i></li> <li>4. <i>The possessor proceedings.</i></li> <li>5. <i>Proceedings in chambers.</i></li> <li>6. <i>Enforced execution.</i></li> <li>7. <i>The uniform family process.</i></li> <li>8. <i>The work process.</i></li> </ol>
<b>Texts and readings</b>	<i>G. Balena, Istituzioni di diritto processuale civile, Bari, 2023, voll. II e III</i>
<b>Notes, additional materials</b>	<i>No additional teaching materials</i>
<b>Repository</b>	<i>No additional teaching materials</i>

<b>Assessment</b>	
<b>Assessment methods</b>	<i>The exam is oral only. The student can freely choose whether to take the exemption exam or a single test at the end of the second year (Civil procedural law II)</i>
<b>Assessment criteria</b>	<ul style="list-style-type: none"> <li>• <i>Knowledge and understanding</i> <ul style="list-style-type: none"> <li>○ ability to argue on the central issues of the civil procedural system to protect subjective rights and/or status and on individual civil proceedings provided for the implementation of the safeguards on the issues under examination</li> <li>○ understanding the ratio of institutions</li> </ul> </li> <li>• <i>Applying knowledge and understanding</i> <ul style="list-style-type: none"> <li>○ ability to link theoretical knowledge with practical cases</li> <li>○ ability to develop practical examples</li> <li>○ ability to identify the rules applicable to individual cases</li> </ul> </li> <li>• <i>Autonomy of judgment</i> <ul style="list-style-type: none"> <li>○ ability to critically address the most common issues related to the topics of the course</li> </ul> </li> <li>• <i>Communicating knowledge and understanding and Communication skills</i> <ul style="list-style-type: none"> <li>○ care in the quality of the contents</li> <li>○ properties of technical language</li> </ul> </li> <li>• <i>Capacities to continue learning</i> <ul style="list-style-type: none"> <li>○ acquisition of an analytical and critical sense-oriented method of study</li> </ul> </li> </ul>
<b>Final exam and grading criteria</b>	<i>The final grade is awarded in thirtieth grade. The exam is considered passed when the grade is greater than or equal to 18. In the verification of learning, the answers provided by the student contribute to the definition of the final grade</i>

	<p><i>of the examination of Civil Procedure Law II according to the following percentage indicators:</i></p> <ul style="list-style-type: none"><li>- <i>question on appeals = 30% of the overall assessment</i></li><li>- <i>question on enforcement = 30% of the overall assessment</i></li><li>- <i>question on special processes = 30% of the overall assessment</i></li><li>- <i>10% of the final assessment takes into account the overall expressive ability of the student.</i></li></ul>
<b>Further information</b>	
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