UNIVERSITÀ DEGLI STUDI DI BARI ALDO MORO

Dipartimento di Giurisprudenza

General information		
Academic subject	***Civil Procedural Law 1 (A-L)***	
Degree course	*LMG*	
Academic Year	*4th*	
European Credit Transfer and Accumulation System (ECTS)		9
DSS	*GIUR-12/A Civil procedural law*	
Language	*Italian*	
Academic calendar (starting and ending date)	*2nd semester from 17/2/2025 to 23/5/2025*	
Attendance	*Strongly recommended*	

Professor/ Lecturer	
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Department and address	*Corso Italia, 23 – 2nd floor on left, room 9*
Tutoring (time and day)	Monday and Tuesday from 10,15 to 11,15 a.m.

Syllabus	
Learning Objectives	*Knowledge of the general principles of civil proceedings as well as of the specific discipline of the ordinary trial in first degree*
Course prerequisites	*Fundamentals of private law; Constitutional law*
Contents	*Fundamental principles and general rules.* *Contentious jurisdiction and cognitive actions; the trial civil process and the Constitution; the court application and the defendant's defenses; the judge and judicial offices; the prosecutor; links between actions and trials; the parties and defendants; trial with multiple parties; amendments concerning the parties; procedural acts; court costs. Mediation and assisted negotiation; the introductory phase of the trial at first instance; the handling of the case; the discipline of third-party intervention; the investigating judge; evidentiary instruction; individual means of proof; the decisional phase and enforceability of judgments; the conciliation and termination of the trial; summary orders; default, suspension and interruption of proceedings; the simplified trial of cognition; the trial before the justice of the peace.*
Books and bibliography	*BALENA G., Istituzioni di diritto processuale civile, 7a ed., Bari, 2024, ed. Cacucci, vol. I (full);* *BALENA G., Istituzioni di diritto processuale civile, **7**a ed., Bari 202**4**, ed. Cacucci, vol. II, chapters from I to XIII.*
Additional materials	*Since this is a matter of positive law, it is essential to use a code of civil procedure that is as up to date as possible*

Work schedule			
Total	Lectures	Hands on (Laboratory, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
Hours			
225	*66*	*6*	*153*

ECTS			
Teaching strategy	*Conventional teaching methodology, assisted by the use of slides (PowerPoint), made available to all students, and exercises relating to procedural documents*		
Expected learning outcomes			
Knowledge and understanding on:	The student will first acquire adequate knowledge of the concepts and general institutions of the civil trial, through a critical analysis of the different doctrinal and jurisprudential orientations, and then move on to the examination of the discipline relating to the ordinary trial of first instance and the simplified trial.		
Applying knowledge and understanding on:	The student should be able to orient himself in the drafting of an arraignment.		
Soft skills	• *Making informed judgments and choices* The student will be able to understand the connections between the various institutes and evaluate the choice of the most correct procedural model for the judicial protection of the contested right. • *Communicating knowledge and understanding* The student will acquire mastery of the specific technical-legal language in civil procedural matters, largely common to other procedural disciplines • *Capacities to continue learning* The student will be able to independently research and interpret the regulatory sources relating to civil proceedings, even external to the civil procedure code		

Assessment and feedback	
Methods of assessment	*single oral examination*
Evaluation criteria	• *Knowledge and understanding* Ability to fully illustrate the essential notions of civil procedural law, with particular regard to the general provisions of the code and the ordinary or simplified first instance trial • *Applying knowledge and understanding* Ability to understand the rationale of the different institutes and to offer examples • *Autonomy of judgment* Ability to formulate personal assessments or opinions on controversial issues. • *Communicating knowledge and understanding* Ability to fully illustrate an institution through correct technical legal language • *Communication skills* Mastery of legal language and correct use of examples and connections • *Capacities to continue learning* Ability to make systematic connections between different institutes
Criteria for assessment and attribution of the final mark	*The exam takes place orally and includes three to four questions on rather broad topics.* *The vote is expressed in thirtieths.* *For the attribution of the final grade, the level of preparation achieved in accordance with the aforementioned criteria will be taken into account and, in line with the expected learning outcomes, the different levels of*

	preparation will lead to different judgments: excellent (30/30 with honours), very good (28/29), good (25/27), satisfactory (21/24), sufficient (18/20). The honours are awarded on the basis of the previous unanimous consent of the examination committee in case of high-quality performance.
Additional information	