



UNIVERSITÀ  
DEGLI STUDI DI MILANO-BICOCCA

## SYLLABUS DEL CORSO

### Adr- Strumenti di Composizione delle Liti nel Diritto Civile

2324-3-E1401A088

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#### Learning objectives

The course provides students with the general rules governing every Alternative Dispute Resolution tool (s.c. A.D.R.) in civil and commercial cases

#### Contents

The course provides students with an opportunity to explore the area of A.D.R. (Alternative dispute resolution) world. It takes into account the mediation proceeding as provided by d.lgs. n. 28/2010, an act that has firstly set the mediation as a general A.D.R. means within the Italian legal system, the s.c. assisted negotiation procedure pursuant to d.l. n. 132/2014, ADR tools in family matters, the s.c. collaborative law and general notions of the arbitration proceedings under the Italian civil procedure code. Depending on the available teaching options, the course will make extensive use of simulations, in order to provide students with the essential practical skills for a successful negotiation.

#### Detailed program

Mediation and conciliation;

Duties of the mediator;

Mediation bodies;

Mediation proceedings;

Mediation agreement and proposal;  
Connections mediation-judicial proceedings;  
Kind of arbitration;  
Duties of the arbitrator;  
Arbitration pleadings;  
Arbitration proceedings and evidence;  
Award and remedies;  
Assisted negotiation;  
Collaborative practice.

### **Prerequisites**

Students need to know the general principles of the Italian civil law and procedure.

### **Teaching methods**

Lessons; negotiation practice; moot mediations; negotiation lab.

### **Assessment methods**

Oral exam

### **Textbooks and Reading Materials**

Danovi F., Ferraris F. (a cura di), ADR. Una giustizia complementare, Milano, Giuffrè, 2018.

Integrations related to the "Cartabia" reform will be indicated the first day of class

### **Sustainable Development Goals**

DECENT WORK AND ECONOMIC GROWTH | PEACE, JUSTICE AND STRONG INSTITUTIONS

