UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Giustizia Amministrativa

2526-4-A5810011

Learning objectives

The Administrative Justice course aims to provide students with a clear framework and an in-depth understanding of the administrative justice system in Italy, including both judicial and administrative remedies available against public administration. The course is designed to foster a critical approach to the subject and to equip students with the tools for legal analysis of issues in administrative justice and their development over time.
Specifically, the course is structured to achieve the following learning objectives:

1. Knowledge and Understanding
To acquire advanced knowledge and a clear framework of the principles and key institutions of administrative justice, with particular reference to the regulation of administrative proceedings and other remedies against public authorities. This includes understanding their historical development, theoretical and practical foundations, structure, institutions, and prevailing case law.

2. Applying Knowledge and Understanding
To develop the ability to apply the acquired knowledge in the analysis of real cases requiring administrative justice remedies, and in solving issues related to the application of administrative justice instruments.

3. Independent Judgment
To foster a critical approach to the topics of administrative justice and to develop the ability to form independent judgments in the analysis of legal issues related to the protection against public administration, by evaluating different legal and jurisprudential solutions.

4. Communication Skills
To promote the ability to communicate legal issues related to administrative proceedings and other remedies clearly and accurately, using appropriate legal language. This includes both written and oral communication, particularly in professional contexts, with a critical perspective and attention to current issues.

5. Learning Skills
To develop the ability to update and deepen one's knowledge of the topics covered in the course even after completing the academic program, through the study of legal sources, case law, and scholarly literature.

Contents

The purpose of the first part of the course is the specialistic analysis of some subjects of the administrative law (expropriation, town and country planning, contracts of public administrations).
The second part of the course focuses on administrative justice.

Detailed program

Program for all students

a) Town and country planning;
b) Expropriation for reasons of public utility and similar procedures;
c) The contracts of public administrations;
d) General framework of administrative justice; origins and development of administrative justice in Italy, constitutional principles regarding the judicial review of administrative action, the allocation of the jurisdiction;
e) Ordinary judge and public administration;
f) Administrative grievances;
g) Administrative jurisdiction: administrative courts, legal action in the administrative courts, participants in proceedings; the general procedure for first instance action, temporary measures, the decision; legal remedies; enforcement of sentences.

Prerequisites

Fairly good skills in learning, writing and speaking, together with a general knowledge of public law.

Teaching methods

Classroom lessons. Some lectures may be conducted remotely in synchronous mode and/or recorded and posted on the e-learnig platform

Assessment methods

Type of exam for all students:

Oral exam. Colloquium on topics covered in class and/or exam texts.

Textbooks and Reading Materials

Reference texts for all students

parts a), b), c):

F. G. SCOCA (cur.), *Diritto Amministrativo*, ottava edizione, Torino, Giappichelli, 2025: 1) M. Immordino, *I contratti della pubblica amministrazione* (parte V, capitolo 2, pagine da 364 a 388); 2) N. Paolantonio, *Beni culturali, beni paesaggistici e tutela dell'ambiente* (parte IX, capitolo 1, pagine da 613 a 631); 3) C. Cacciavillani, A. Police, *Governo del territorio* (parte IX, capitolo 2, pagine da 632 a 652); 4) C. Cacciavillani, *Vincoli sulla proprietà privata* (parte IX, capitolo 3, pagine da 653 a 664); 5) C. Cacciavillani, *Le espropriazioni* (parte IX, capitolo 4, pagine da 665 a 683).

parts d), e), f), g):
A. TRAVI, Lezioni di Giustizia Amministrativa, Giappichelli, Torino, 2024, or later edition.

Alternative texts may be suggested in class or through notices published on e-learning web site.
Students are responsible for reading the main legislation concerning the subjects of the course.

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS