UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto dell'Esecuzione Civile

2526-3-E1401A039

Learning objectives

Object of the course is the analysis of enforcement general rules, as described in the 3rd book of procedural civil code. This discipline represents an important phase of jurisdictional protection: the main purpose is to obtain the observance of the will of law and the material realization of the substantial rights. It constitutes a privileged observatory to study the relationships between substantial rights and the process itself. While the first part of the course is based on the analysis of the basic principles related to the concept of enforcement, the second part is centered on a more detailed study of the entire process related to the various enforcement proceedings.

In particular, the following training objectives are identified:

A) Knowledge and understanding

Know and understand the constitutional and code sources of civil enforcement.

B) Applied knowledge and understanding

Be able to identify and apply the rules to a concrete case, demonstrating that you have understood the functioning of the different types of enforcement and to evaluate the most effective one in relation to the specific case.

C) Ability to learn

Develop capacity and autonomy in identifying the different provisions that regulate civil enforcement between the different sources of law and resolve any gaps and/or antinomies between the rules.

Contents

Detailed program

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Prerequisites

It is strongly recommended to take the civil procedure exam before taking the civil enforcement exam

Teaching methods

16 lessons of 2 hrs. in class
3 lessons of 2 hrs. online
1 exercise of 4 hrs. in class

Assessment methods

Oral exam where the legal skills acquired in the field of civil enforcement law, regulated by Book III of the Code of Civil Procedure, will be assessed.
Interview on the topics covered in class and on the exam handbook.
Special attention is paid to the different aspects discussed during the lessons; the aim is to verify the ability to understand and explain all the topics and fundamental aspects of the subject in a clear and personal way.

Textbooks and Reading Materials

Luiso, *Diritto processuale civile, III, Il processo esecutivo*, Giuffrè, last. ed.

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS