UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Comparative Civil and Commercial Procedure

2627-4-A5810238

Learning objectives

The course aims to give an overview of civil proceedings in a comparative dimension. The course is open to foreigner students as well as to Italian students who want to give an international characterization to their academic curriculum.

By the end of the course, students should have acquired:

- Knowledge and understanding of the main civil law and common law systems and their differences;
- Ability to apply the learned comparative method to other legal systems;
- Independent judgment in identifying potential institutions that can be exported from other legal systems;
- Communication skills in presenting and discussing legal arguments;
- Ability to learn independently, including through consultation of legislative, doctrinal, and case law sources from the various countries analyzed.

Contents

The aim of civil justice, i.e. to guarantee an effective protection of rights within a reasonable time (and, of course, at reasonable costs), cannot be pursued through the same model of procedure. Focus of the course is to point out the essential features of different models of procedure adopted in Europe as well as in the United States.

Detailed program

Lessons take into account the principles and the main features of common law and civil law systems.

At the end, the course will turn to the main trends and policies which have been raised from the analysis of the above mentioned systems.

Foreigners students are welcome to compare one or more topics of the course with their respective legal systems.

Prerequisites

Knowledge of civil procedure.

Teaching methods

Class lessons, with interactive discussions on practical cases and issues in a comparative perspective:

9 lessons of 2 hrs. in class
2 lesson of 2 hrs. online

Assessment methods

Oral exam where knowledge of the main topics covered in lessons and the differences between procedural systems will be assessed. Alternatively, at the student's choice, a written report, previously drafted by the student, on one of the topics covered in class may be discussed.
The assessment will focus on presentation skills, understanding and application of concepts, independent judgment,
and language skills.

Textbooks and Reading Materials

Slides, materials and notes dealt during the course. Non-attending students are requested to contact the instructor in advance for reference books.

Sustainable Development Goals

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