



UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Procedimenti Disciplinari e Processo Penale

2627-2-FSG02A011-FSG02A01103

Learning objectives

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

- a systematic understanding of the legal framework governing the relationship between criminal proceedings and disciplinary proceedings involving public employees, with particular reference to Law No. 97/2001 and Legislative Decree No. 165/2001;
- an understanding of the various implications of constitutional law within the context of these two types of proceedings;
- the ability to apply the concepts learned to the coordination mechanisms between the two procedural tracks, such as, among others, suspension, the service of documents, and the transmission of the judgment;
- independent judgment in interpreting the rules and identifying the most appropriate legal solutions;
- communication skills in presenting and discussing the legal topics covered in the syllabus, both in written and oral form.
- the ability to engage in independent learning, including through the consultation of statutory, doctrinal, and case law sources.

Contents

The course will focus on the critical analysis of the provisions of Law No. 97 of March 27, 2001 and the related Legislative Decree No. 165 of March 30, 2001 in comparison with the corresponding institutions found in the Code of Criminal Procedure.

In particular, we will analyze those developments in criminal proceedings that determine the activation, conduct and conclusion of disciplinary proceedings and the effects of the criminal judgment on disciplinary proceedings.

Detailed program

The program will focus on the regulations governing the relationship between criminal proceedings and disciplinary proceedings and the effects of criminal judgments against civil service employees. Thus, the provisions of Law No. 97 of March 27, 2001, and Legislative Decree No. 165 of March 30, 2001, will be analyzed, with reference to those developments in criminal proceedings that determine the activation, conduct and conclusion of disciplinary proceedings. Special attention will also be paid to the effectiveness of the criminal judgment in disciplinary proceedings.

Prerequisites

Knowledge of the basic institutes of Criminal Procedure, Labor Law, Labor Law and Administrative Law.

Teaching methods

Lectures will be held in presence and delivery modes.

It is expected that some specific lectures may be recorded and uploaded to the platform or delivered remotely synchronously.

Assessment methods

Oral exam on the topics covered in class and the required reading.

During the oral exam, the following will be assessed:

- (a) knowledge and understanding of commercial law concepts;
- (b) the ability to present ideas using appropriate legal language;
- (c) the ability to apply acquired knowledge to the resolution of legal cases presented by the instructor;
- (d) the ability to argue solutions using critical reasoning and to situate the institutions within the context of the legal system

Optional written exams may be administered at the end of the course and will be evaluated according to the same criteria as the oral exam.

Textbooks and Reading Materials

Sustainable Development Goals

QUALITY EDUCATION | GENDER EQUALITY | DECENT WORK AND ECONOMIC GROWTH | INDUSTRY, INNOVATION AND INFRASTRUCTURE | REDUCED INEQUALITIES | LIFE ON LAND | PEACE, JUSTICE AND STRONG INSTITUTIONS

