Administrative Law

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COURSE AIMS AND INTENDED LEARNING OUTCOMES

The course aims to teach students the basic notions of Italian administrative law, in order to acquire the ability to professionally use the related tools in legal practice, with particular reference to the social services sector.

At the end of the course, students will be able to understand the principles and rules governing the organisation and activity of public administrations.

In particular, students will be able to:

* communicate and collaborate effectively with other professionals;
* cooperate, negotiate and mediate with other professionals, with public and private stakeholders, etc*.*;
* get in touch and dialogue with the various recipients or interlocutors of activities involved in the profession of coordination, design, research and consultancy, respecting their skills and unique features;
* relate to and collaborate with other professional figures according to common objectives;
* critically carry out study, design and research activities within interdisciplinary and inter-institutional teams;
* study independently and manage their own learning processes independently.

COURSE CONTENT

**Introductory notions**

– The motives and specialty of administrative law.

– The administration and administrative law in the Italian constitutional system.

– The sources of administrative law.

– Administrative discretion.

– The legal-administrative relationship: public power and legitimate interests.

The public administration in a "subjective" sense (administrative organisation)

– Organisation of the public administration in general (administrations, offices, bodies), organisational relations and public personnel.

– State, regional and local administration; functional public bodies; independent administrative authorities.

– The responsibilities of the administration and public employees.

– Public goods.

The public administration in an "objective" sense (administrative activity)

– The administrative procedure and its phases (initiation, investigation, procedural participation, conclusion). Administrative inertia and its remedies.

– Types of administrative measures.

– The administrative measure: structure (with drafting profiles) and legal qualifications; invalidity.

– Second-degree measures.

– The contractual activity of the administration.

– The "provision" administration (public services), with particular reference to social services.

READING LIST

B.G. Mattarella, *Lezioni di diritto amministrativo*, Giappichelli, Turin, last ed. available, with the exception of Chapters 3, 12 and 20.

Students must also demonstrate direct knowledge of the Constitution's provisions on administration, as well as Law no. 241 of 7 August 1990, and the other provisions referred to in the texts.

TEACHING METHOD

Lectures will be delivered in blended mode (partly online, partly in person).

Telematic teaching will be reserved for presenting the general content of the course, through a series of topical video lectures (each of short duration) dedicated to individual topics being studied. *Ppt* presentations and summary and/or in-depth materials will also be shared and made available to students from time to time, which will allow them to achieve an in-depth, but synthetic, knowledge of the different topical nuclei of the subject.

The in-person teaching, together with the coverage of the general topics, will be accompanied by experiential workshops aimed at a "practical" exploration of the most relevant institutions in the field of social services, and by "experiential" discussions with managers responsible for the Planning, Social Planning and Specialist Support Unit of the Municipality of Brescia, Social Assistants coordinators of services for serious marginality, and representatives of the Third Sector subjects operating in the municipal territory; the involvement of expert lecturers in the field of migrant integration services (book presentations, topical insights, lectures, etc*.*) is also foreseen.

ASSESSMENT METHOD AND CRITERIA

An oral exam consisting of an interview aimed at verifying the student's knowledge of the subject of administrative law, as well as their autonomous ability to draw connections between the different institutes of the system and to apply the principles and rules in the social context. References to the "experiential" in-depth studies carried out in class will be appreciated.

NOTES AND PREREQUISITES

Students must possess basic knowledge of the constitutional order of the Republic.

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Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG or on the Faculty notice board.