**Telematic Procedure**

Prof. Alberto Romano; Prof. Paolo Prandini

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims to introduce students to the legal and IT knowledge of telematic procedures, with special but not exclusive attention to the civil procedure, and to introduce students to the operational use of the related technological tools.

Consequently, at the end of the course, students are expected to have acquired a solid legal knowledge of the basic concepts of the telematic process and be familiar with the use of the related technological tools.

***COURSE CONTENT***

Module 1 *(20 hours): Prof. Alberto Romano*

Introduction, references and possible additional elements of general civil procedural law (with particular reference to first-instance cognisance proceedings before ordinary courts, for the benefit of students enrolled in the degree programme in Legal Services). Incidence of the new IT technologies on civil procedure. IT documents. Digital signatures.

Module 2 *(40 hours): Prof. Paolo Prandini*

1. Fundamentals of the telematic procedure. Architecture of the procedure: reference regulations; the IT systems of the Ministry of Justice; the telematic service portal. 2. Access to the Justice PST and the telematic services. Brief overview of instruments: *hardware* and *software.* 3. Work organisation and functionalities of the telematic procedure. Data storage; legal research; organisation of the court. 4. The electronic dossier for the procedure; creation and organisation of the files for the telematic procedure; formats allowed and the principle of documentary non-discrimination; telematic registration of the claim; telematic deposits; communications and notifications; attestations. 5. Brief overview of telematic bankruptcy proceedings, executive and voluntary; 6. Brief overview of other types of telematic procedures (penal, administrative, tributary); general overview of the different types of telematic procedures and highlighting of differences. 7. Security in the telematic civil procedure. 8. Processing of personal data in private practices. 9. Practical issues and upcoming developments. Brief overview of case law. The expert systems. Predictive systems.

***READING LIST***

Module 1

Aa. Vv., *Il processo telematico nel sistema del diritto processuale civile*, edited by G. Ruffini, Giuffrè, Milan, 2019, p. 1-96.

Module 2

M. Sala, *Processo telematico: tipi e differenze,* Giappichelli, Turin, 2017.

Additional reading list information, also regarding the publication of the new edition of the text, will be provided on the lecturer’s personal webpage at [*www.unicatt.it*](http://www.unicatt.it) and on the Blackboard platform *(*[*www.blackboard.unicatt.it*](http://www.blackboard.unicatt.it)): it is advisable to check in conjunction with the start of the lessons.

***TEACHING METHOD***

Frontal classroom lectures or remote teaching. Part of the second module of the course will take place in the IT lab to help students acquire the basic elements for using the telematic civil procedure tools. Attendance is therefore highly recommended.

***ASSESSMENT METHOD AND CRITERIA***

The exam takes place at the end of the course, separately for each course module; both exams must be sat on the same day and, in any case, during the same exam date (appello).

The exam is oral and consists of one or more questions concerning each module’s syllabus aimed at testing students’ acquired knowledge of the subject. To pass the exam, students must demonstrate to have acquired adequate knowledge of the topics included in the contents of both modules and to be able to present them adequately. To achieve excellent results, students must demonstrate full and critical mastery of the topics included in the contents of both modules, as well as precision, clarity and command of the language while presenting them.

The final mark of the exam is based on a 30-point scale and is single. It is the result of the average of the scores obtained in the answers given by the student to the questions addressed to them.

***NOTES AND PREREQUISITES***

The course requires a basic knowledge of the Civil Proceedings, which is a preparatory course for students enrolled in Legal Services and Law, respectively for the courses of Institutions of civil procedural law and Civil procedural law. The first few hours of the first teaching module will be devoted to concise recollections of the general notions of civil procedural law that are more useful for attending the subsequent lectures.

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.