# Seminar: drafting of opinions on Civil Law cases

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

The seminar aims to provide attending students with the skills and techniques necessary for drafting opinions on Civil law cases. To this end, some of the course contents addressed by the seminar will be examined from the perspective of a professional who must provide written answers to one or more questions regarding the interpretation and application of legal rules in concrete situations.

At the end of the activities, students are expected to achieve the following learning outcomes:

*Knowledge and understanding*

Students will have acquired knowledge about the law of obligations in its practical implications and will be able to grasp the systematic links between the various rules relevant to the resolution of disputes.

*Ability to apply knowledge and understanding*

Students will be able to use the notions acquired during the Civil Law I course to solve the most topical problems in the jurisprudential and doctrinal debate.

*Independent judgement*

Students will be able to critically examine the concrete cases governed by the law of obligations and choose the most appropriate solution for the case examined.

*Communication skills*

Students will have acquired the functional skills for the preparation and drafting of written opinions relating to law of obligations issues.

*Learning skills*

Students will be able to identify the normative, jurisprudential, and doctrinal sources, which constitute the knowledge tools necessary to resolve disputes between individuals regarding the fulfilment and non-fulfilment of obligations.

***COURSE CONTENT***

Performance. Duties of good faith and fair dealing. Compliance due diligence. Compliance. Non-performance and liability. Protection obligations without performance. Compensation for damage.

***READING LIST***

The materials and slides will be provided to the participants during the exercises and made available on the related Blackboard page of the lecturer.

***TEACHING METHOD***

Frontal lectures and individual practical exercises (10 hours - 1 ECTS credit). In the first lecture, participants will learn what an opinion is, then the lecturer will show how to use the main online legal databases, and finally, students will draw up an opinion “in the classroom” with the help of the lecturer. In the following session, participants will be asked to independently deal with an initial question by drafting an opinion. This will be followed by the correction of everyone's papers by the lecturer, who will point out any errors and aspects to improve in a personal interview. This information must be put to good use in the drafting of subsequent opinions, each of which will be followed up by the lecturer’s correction and the relative interview with each participant.

***ASSESSMENT METHOD AND CRITERIA***

During the correction phase of the opinions, the lecturers will verify the students’ acquisition of basic techniques for drafting opinions on civil law cases. In particular, they will verify the students’ ability to argue in logical-juridical terms the solutions elaborated by jurisprudence and doctrine regarding the practical case, by critically evaluating the different theses. The assessment will also consider the students’ ability to express themselves in an appropriate technical-legal language. The final assessment will be expressed in terms of “approved” or “not approved”.

***NOTES AND PREREQUISITES***

Prerequisites for attending the course is the knowledge of the fundamental institutions of private law and attendance at civil law I lectures.

In case the current Covid-19 health emergency does not allow frontal teaching, remote teaching will be carried out following procedures that will be promptly notified to students.

For further information

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