

COMPARATIVE CIVIL PROCEDURE

II Semester, Professor Alberto Villa (alberto.villa1@unimib.it)

24 hours - Cfu: 3

Every system should grant its citizens a set of rights, including those fundamental (to live, to join, to study...). And every system should grant its citizens judicial protection of these rights. Unfortunately, not everything goes the right way: the protection is often ineffective or delayed; in one word: denied. What can we do to prevent that? For example, studying the solutions adopted by various systems, and try to understand which are the best ones.

In fact, if the aim of civil justice is to guarantee effective protection of rights in a reasonable time at reasonable costs, this aim cannot be pursued through the same model of procedure. The course attempts to sketch the essential features of different models of procedure adopted in Europe and in the United States.

The lessons will consist in analysing the principles and the main features of, inter alia:

- i. Italian Civil Procedure;
- ii. French Civil Procedure;
- iii. Spanish Civil Procedure;
- iv. U.S. Civil Procedure.

At the end, the course will turn to the main trends and policies which emerge from the analysis of the various systems.

Materials as slides and notes dealt during the course and also available on professor's internet page will represent the 'text-book' of this class and the final evaluation will be based on a written discussion upon one of the topics emerged in the course.

Alberto Villa (1974) held a PhD in Civil Procedure at University of Milano in 2005 and is Researcher in Civil Procedure at University of Milano-Bicocca since 2008.

Since 2010 he is Professor of Bankruptcy Law and Civil Procedure at University of Milano-Bicocca.

His main research areas are Arbitration Law and Alternative Dispute Resolution as well as corporate civil litigation.

He wrote a monograph published by Giuffrè, about "Arbitrato rituale e sospensione delle decisioni sociali" (2007), and many essays concerning Civil Procedure and Arbitration Law.