

## 60761 - Administrative Litigation Practice

### Syllabus Information

**Academic year:** 2024/25

**Subject:** 60761 - Administrative Litigation Practice

**Faculty / School:** 102 - Facultad de Derecho

**Degree:** 642 - Master's in Legal Practice

**ECTS:** 6.0

**Year:** 1

**Semester:** Annual

**Subject type:** Compulsory

**Module:**

### 1. General information

The main objective of this subject is for the student to know the characteristics of the administrative justice system: administrative appeals jurisdictional appeals, extrajudicial formulas for conflict resolution. As competencies, they should know how to identify types of appeals and the advantages of their use. In addition, they must acquire competence in abstract reasoning and formal management of procedures and the process They must acquire basic forensic writing skills.

Precision in the use of legal language is a priority objective.

### 2. Learning results

- (CO\_01) To know the techniques aimed at ascertaining and establishing the facts in the different types of proceedings, especially the production of documents, interrogations and procedures, especially the production of documents, interrogations and expert evidence.
- (CO\_02) To have the specialized knowledge to integrate the defense and the postulation of the rights of the clients within the framework of the national and international jurisdictional protection systems.
- (HA\_01) To know how to apply the specialized knowledge acquired in the degree to the professional practice before courts or public authorities, as well as in advisory functions, respecting democratic principles and values and the Sustainable Development Goals
- (HA\_08) To know how to use the notary and registry functions, which in an auxiliary way complement them in the exercise of their activity.
- (HA\_10) To know how to present facts orally and in writing, and to draw legal consequences in an argumentative way, taking into account the context and the addressee, according to the modalities of each procedural area
- To know the purpose of administrative justice in administrative appeals. - To manage the strategy of their interposition.
- To know and locate the contentious-administrative jurisdiction and the composition and organization of the courts and tribunals of this order
- To know the principles and fundamental forms of the contentious-administrative process, its assumptions and basic elements.
- To know, understand and applies, through coherent arguments, the norms and jurisprudence on the contentious-administrative process
- To identifies forensic writings and write basic forensic writings. In particular, they handles and uses with forensic criteria the system of ordinary and special administrative appeals.
- To assess the advantages and disadvantages of this jurisdiction versus alternative means of conflict resolution.
- To know the different special procedures in the contentious-administrative order.
- (CP\_07) Democracy and Sustainability: To develop a commitment to the society in which we live so that it may prosper through the dimensions of democratic values - freedom, justice and equality - and sustainability, materialized in the global framework that defines it at all times.
- (CP\_09) Critical thinking: To reason in a reflective manner on a topic and be able to deliberate on its validity subjecting one's own and external convictions to debate.

### 3. Syllabus

Topic 1. Tax Law. Tax appeal for reconsideration. Economic-administrative claims.

Topic 2. Typology of administrative appeals. Appeals and appeals for review Special remedies or alternative dispute resolution mechanisms. The special appeal for public contracting. The jurisdictional function of control of the accounting responsibility of the Court of Auditors.

Topic 3. The contentious-administrative jurisdiction. Origin, extent and limits. Types of administrative actions susceptible to contentious-administrative control. Organization, plant and competencies.

Topic 4. The contentious-administrative process. General. The parties in the process. Object of the appeal. The determination of the amount. Resource accumulation and expansion.

Topic 5. The ordinary procedure. Interposition, claim of the administrative file, lawsuit, evidence, practice to obtain evidence, conclusions, final proceedings and sentence.

Topic 6. The abbreviated procedure. Demand. Hearing development Sentence.

Topic 7. Special procedures.

Topic 8. Appeals in the contentious-administrative process. In particular, appeals and cassation appeals. Appeal for protection

Topic 9. Precautionary protection in administrative litigation and administrative appeals.

Topic 10. Enforcement of the sentence. Nullity of proceedings. Appraisal of costs.

#### 4. Academic activities

The training activities of the subject will consist of the resolution of practical cases proposed in class. This includes the preparation and resolution of the cases, their presentation in class, analysis and defense of the proposed solutions and participation in the debates about the different possible solutions that the students who support them will have to argue.

#### 5. Assessment system

In the first call, this subject is evaluated only by the continuous evaluation system. In order to pass students must attend at least 80% of the sessions. The evaluation will be carried out through the resolution and drafting of mandatory practical cases (administrative or procedural documents, such as the drafting of pleadings, appeals, reports, rulings, legal briefs, etc.), whose value will be 50 percent for each semester, the sum of which will be the final grade. The criteria for the evaluation of the evaluation tasks will be provided by the teachers.

The **second call** is a global test. This test will consist of a forensic writing in relation to a real practical case, for which they may use the resources they considers appropriate.

#### 6. Sustainable Development Goals

8 - Decent Work and Economic Growth

10 - Reduction of Inequalities

16 - Peace, Justice and Strong Institutions