



Information about the subject

Degree: Official Master's Degree in Law and procure

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 1810001 **Name:** Administrative Law and Practice of the Common Administrative Procedure and the Contentious Administrative Process

Credits: 8,00 **ECTS Year:** 1 **Semester:** 2

Module: Administrative law and practice of the common administrative procedure and contentious-administrative process

Subject Matter: Administrative law and practice of the common administrative procedure and contentious-administrative process **Type:** Compulsory

Field of knowledge: Social and Legal Sciences

Department:

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

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Module organization

Administrative law and practice of the common administrative procedure

Subject Matter	ECTS	Subject	ECTS	Year/semester
Administrative law and practice of the common administrative procedure and contentious-administrative process	8,00	Administrative Law and Practice of the Common Administrative Procedure and the Contentious Administrative Process	8,00	1/2

Recommended knowledge

This module aims to put the student in contact with the reality of the practice of administrative proceedings and the administrative procedure and the contentious-administrative process in its different channels and matters, allowing him/her to manage a case with professional success, highlighting the link with the different jurisdictions and procedures. No previous knowledge is required.



Learning outcomes

At the end of the course, the student must be able to prove that he/she has acquired the following learning outcomes:

- R1 Students know the relations of the companies with the different Public Administrations.
- R2 Know the whole contractual typology of the Public Administrations.
- R3 Understand the entirety of the contractual typology of the different Public Sector Entities.
- R4 Understand the entire basic administrative procedure and the various essential issues from the perspective of both the Administration and private law.
- R5 Students know the whole of the contentious-administrative process and the different essential questions to be raised both from the perspective of the Administration and from the perspective of private law.
- R6 Master the process of executing court rulings as well as the non-execution of such rulings.
- R7 Master the topology of special judicial resources in the contentious-administrative order and their strategic approach.
- R8 Master the compulsory purchase procedure.
- R9 Master the regulations and procedures applicable to town planning and the environment.
- R10 Master the relational aspect of the practice of Administrative Law resulting in the development of work capacity.
- R11 Students can manage the defence of the Administration from a global perspective by calibrating the specific risks produced by each situation.
- R12 Students can manage the defence of the companies against the different Public Administrations involved in the situation.
- R13 Demonstrate a deep knowledge of the different national and international Public Administrations that enjoy public prerogatives.
- R14 Master the actions of the different public sector entities that have the condition of contracting authorities not being Public Administration.



- R15 Master the use of administrative legal figures that constitute an exception to the common civil law regime.
- R16 Master the use of administrative contractual figures in the field of public-private collaboration in relation to the management of public services today.



Competencies

Depending on the learning outcomes, the competencies to which the subject contributes are (please score from 1 to 4, being 4 the highest score):

BASIC		Weighting			
		1	2	3	4
B6	Students have abilities to understand knowledge that provides a basis or opportunity to be original in the development and/or application of ideas, often in a research context.			X	
B7	Students can apply their acquired knowledge and problem-solving skills in new or unfamiliar environments within broader (or multidisciplinary) contexts related to their area of study.				X
B8	Students integrate knowledge and deal with the complexity of making judgements based on incomplete or limited information, including reflections on the social and ethical responsibilities linked to the application of their knowledge and judgements.				X
B9	Students communicate their findings and the ultimate knowledge and reasons behind them to specialist and non-specialist audiences in a clear and unambiguous manner.			X	
B10	Students develop the learning skills that will enable them to continue studying in a largely self-directed or autonomous manner.			X	
GENERAL		Weighting			
		1	2	3	4
G1	Students can find and select information and relevant sources for problem solving, development of action strategies and advice to clients.				X
G2	Prepare and handle the writings, reports and procedures of action most suitable for the problems raised.			X	
G3	Relate the instruments to be able to plan, order and channel activities in such a way that unforeseen events are avoided as much as possible, possible problems are foreseen and minimized, and their solutions are anticipated.		X		



G4	Apply a set and take into account the different aspects and implications in the different aspects of the decisions and options adopted, knowing how to choose or advise the most convenient within the ethics, legality and values of social convenience .				X
G5	Demonstrate working in professional and multi-professional teams with efficacy and efficiency reproducing real contexts and contributing and coordinating one's own knowledge with that of other branches and participants.				X
G6	Provide individual decisions and actively contribute to collective decision making.				X
G7	Project and incorporate new technologies to the professional practice.				X
G8	Control contradictory information and provide a critical judgment on it.				X
G9	Relate and relate cases, problems or situations and provide and defend possible solutions through different techniques of presentation - oral, written, presentations, etc.				X
G10	Students assume the legal profession as a social and solidarity function, beyond the strict free justice.				X

SPECIFIC		Weighting			
		1	2	3	4
E1	Possess skills that allow applying the specialized knowledge acquired in the bachelor's degree or degree to the exercise before courts or public authorities, as well as in advisory functions.				X
E2	Know the techniques aimed at establishing the facts in the different types of proceedings, especially the production of documents, interrogations and expert evidence. x				X
E4	Students know the different techniques of composition of interests and to be able to find solutions to problems by means of alternative methods to the jurisdictional route.			X	
E5	Know the procedural techniques and be able to execute as many acts as are entrusted to them or for which they are authorized to carry out in the different jurisdictional orders, with special attention to deadlines, acts of communication, execution and means of enforcement.				X



E6	Develop the skills and abilities necessary for the correct and effective performance of communication acts to the parties in the process, and for effective collaboration with the courts in the execution of judicial decisions, knowing and differentiating the private interests that it represents from those of a public nature whose execution the Law and the courts allow entrust.			X	
E9	Know and apply the techniques aimed at the identification and liquidation of customs duties, tax obligations, of constitution of judicial deposits and of attention of all the expenses and costs that are necessary to guarantee the effective guardianship court of the rights of those they represent.	X			
E10	Know how to identify conflicts of interest and know the techniques for their resolution, establish the scope of professional secrecy and confidentiality, and preserve the independence of criteria.	X			
E11	Know how to identify the delivery and organizational requirements that are decisive for legal advice and procedural representation.			X	
E13	Develop skills and abilities to choose the correct strategy to defend the rights of clients taking into account the demands of the different fields of professional practice.				X
E15	Develop the skills and abilities necessary for the use of procedures, protocols, systems, and judicial applications, which require the acts of communication and cooperation with the Administration of Justice with special attention to those of an electronic, computer and telematics nature.				X
E19	Know how to present facts orally and in writing, and extract legal consequences from arguments, in attention to the context and the recipient to whom they are addressed, in accordance with the modalities of each procedural area.				X
E21	Know how to develop interpersonal skills and abilities, which facilitate professional practice in their relations with the citizens, with other professionals and with institutions.			X	

TRANSVERSAL

Weighting

		1	2	3	4
CT1	Elaborate theoretical-practical answers based on the sincere search for the full truth and the integration of all the dimensions of the human being before the great questions of life.				X



CT2 Apply the principles derived from the concept of integral ecology in their proposals or actions, whatever the scope and purpose. area of ??knowledge and the contexts in which they arise.

x

CT3 Respect and put into practice the ethical principles and proposals for action derived from the Development Goals Sustainable by transferring them to all academic and professional activities.

x



Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
	40,00%	Objective tests and final examination in person.
	40,00%	Theoretical and practical activities.
	20,00%	Attendance and participation in class.

Observations

Observations1) EVALUATION SYSTEM:- It is essential to obtain a 5 out of 10 on the exam in order to be able to compute to be able to compute or evaluate the other 2 evaluation instruments (on the one hand the "attendance and active participation" and on the other hand the "practical tests") in the first call."The other two evaluation instruments (attendance and active participation on the one hand and the practical tests on the other) must be obtained in order to be able to compute or evaluate the other two evaluation instruments in the first call.In the second call, only the grade of the exam will be taken into account, without taking into accountthe practices delivered during the course, nor the practical tests or questionnaires carried out in the classroom, nor the attendance or participationthe classroom, nor the attendance or participation of the student during the course will be taken into account. In second call the exam will consist of aThe exam will consist of a theoretical test and a practical test on the same day of the official theoretical exam .official theoretical exam. The grade obtained in this test will represent 50% of the official grade.In relation to the concept of "attendance, active participation and favorable attitude in the course" (20%), the mere attendance, active participation and favorable attitude in the course (20%).(20%), the mere attendance or physical presence at the classes will compute a maximum of 5%,while the remaining 15% will derive from the favorable attitude in the subject shown in any of the following ways: 1.1.The students' interventions in the classes themselves (face-to-face or online), with a maximum of 5%, while the remaining 15% will derive from a favorable attitude towards the subject.(face-to-face or online), with the corresponding records or annotations. 2. Virtual tutorials through thethrough the virtual Campus UCVnet or the online sessions through Teams developed as a group tutorial .group or individual tutoring. 3.Interventions in the forum created in the UCVnet platform to raise and answerdoubts about the agenda. The e-mails or messages received received asking questions about the syllabus of the subject. Therefore, only if the final grade is equal or higher than 5, the course will be approved.

CRITERIA FOR THE AWARDING OF HONORS:According to article 22 of the Regulatory Regulations for the Evaluation and Grading of UCV's the UCV, the mention of "Matrícula de Honor"



may be awarded by the professor responsible for the subject to students who responsible for the subject to students who have obtained the grade of "Outstanding". The number of "Matrícula de Honor" mentions that may be awarded may not exceed five percent of the students included in the of the students included in the same official transcript, unless this is less than 20, in which case only one "Honorable Mention" may be awarded.

MENTION OF DISTINCTION:

According to Article 22 of the Regulations governing the Evaluation and Qualification of UCV Courses, the mention of "Distinction of Honor" may be awarded by the professor responsible for the course to students who have obtained, at least, the qualification of 9 over 10 ("Sobresaliente"). The number of "Distinction of Honor" mentions that may be awarded may not exceed five percent of the number of students included in the same official record, unless this number is lower than 20, in which case only one "Distinction of Honor" may be awarded.

Learning activities

The following methodologies will be used so that the students can achieve the learning outcomes of the subject:

- M1 Exposition of contents by the teacher, analysis of competencies, explanation and demonstration of capacities, skills and knowledge in the classroom. Specific instructions about group and individual work on each topic.
- M2 Group work sessions in groups supervised by the teacher. Study of legal cases, both true and fictitious, diagnostic analysis, problems, field study, computer room, visits, data search, libraries, network, Internet, etc. Significant construction of knowledge through student interaction and activity.
- M3 Application of interdisciplinary knowledge.
- M4 Personalized attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the objective of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc.
- M5 Set of oral and/or written tests used in the initial, formative or summative evaluation of the student.
- M6 Group preparation of readings, assumptions and problem solving to present, discuss or deliver in the classes or tutorial.
- M7 Student's study: Individual reading preparation, study of practical cases, jurisprudence. Writing of writings and papers to present or deliver in classes or tutorials.



IN-CLASS LEARNING

IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Face-to-face lessons. M1	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16	25,00	1,00
Practice class. M2, M6	R2, R3, R4, R5, R6, R11, R12	50,00	2,00
Seminar. M4	R15, R16	2,50	0,10
Presentations of group work. M7	R4, R5, R6, R7, R11, R12, R14	10,00	0,40
Tutorial. M4	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16	10,00	0,40
Evaluation. M3, M5	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16	2,50	0,10
TOTAL		100,00	4,00

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M2, M6	R2, R3, R4, R5, R6, R7, R8, R11, R12, R14	30,00	1,20
Individual work. M7	R2, R4, R5, R6, R7, R8, R9, R14, R16	70,00	2,80
TOTAL		100,00	4,00



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block	Contents
1. BASICS CONCEPTS	INTRODUCTION TO THE ADMINISTRATIVE LAW MODULETHE ADMINISTRATIVE PROCEDURE: PHASES, COMPUTATION OF DEADLINES AND TERMINATION.THE OBLIGATION TO RESOLVE. ADMINISTRATIVE SILENCE. EFFECTIVENESS AND ENFORCEABILITY OF ADMINISTRATIVE ACTS.NULLITY AND ANNULMENT OF ADMINISTRATIVE ACTS. REVIEW OF ADMINISTRATIVE ACTS. ADMINISTRATIVE APPEALS.CONTENTIOUS-ADMINISTRATIVE JURISDICTION. ESSENTIAL PROCEDURAL ASPECTSTHE SANCTIONING POWER
2. THE LITIGATION PROCESS	Workshop: The ordinary administrative litigation process (1) Workshop: The ordinary contentious administrative proceeding (2) Workshop: The ordinary contentious-administrative process (3) Workshop: The ordinary contentious-administrative proceeding (4) THE ABBREVIATED CONTENTIOUS PROCESS THE APPEAL THE APPEAL IN CASSATION. PRACTICE APPEALS PRACTICE APPEAL IN CASSATION ENFORCEMENT OF JUDGMENTS SPECIAL PROCEDURES IN PROCEDURAL LAW



3. PUBLIC SECTOR CONTRACTING

General Theory on the contracts of the Public Sector. The condition of contracting authority. Consequences.

Typology of contracts.

Contractor selection procedures.

The extinction of public contracts.

The special appeal in matters of contracting.

PRACTICE OF PUBLIC CONTRACTING

4. THEORY OF THE ESSENTIAL POWERS OF THE ADMINISTRATION.

REGULATORY POWER

THE EXPROPRIATION POWER

THE PATRIMONIAL RESPONSIBILITY OF THE ADMINISTRATION.

MAIN ASPECTS OF THE REGULATORY ACTIVITY OF THE ADMINISTRATION.

5. THE ADMINISTRATION BEFORE THE ORDINARY JUSTICE SYSTEM

THE ADMINISTRATION BEFORE THE ORDINARY JUSTICE SYSTEM

ALTERNATIVE DISPUTE RESOLUTION METHODS

Temporary organization of learning:

Block of content	Number of sessions	Hours
1. BASICS CONCEPTS	10,00	20,00
2. THE LITIGATION PROCESS	20,00	40,00
3. PUBLIC SECTOR CONTRACTING	7,00	14,00
4. THEORY OF THE ESSENTIAL POWERS OF THE ADMINISTRATION.	8,00	16,00
5. THE ADMINISTRATION BEFORE THE ORDINARY JUSTICE SYSTEM	5,00	10,00



References

ÁNCHEZ MORÓN, MIGUEL. Derecho Administrativo Parte General ISBN: 9788430974726 Editorial: Editorial Tecnos Date of edition: 2018 Place of edition: Madrid. Spain Edition number: 14th ed. RODRÍGUEZ DE SANTIAGO, JOSÉ MARÍA Metodología del Derecho administrativo Reglas de racionalidad para la adopción y el control de la decisión administrativa ISBN: 9788491230021 Publisher: Marcial Pons, Ediciones Jurídicas y Sociales Date of edition: 2016 Place of edition: Madrid. Spain Collection: Monografías jurídicas RECUERDA GIRELA, MIGUEL ÁNGEL Coord. Problemas prácticos y actualidad del Administrative Law Yearbook 2015 ISBN: 9788447051342 Publisher: Editorial Civitas Date of edition: 2015 Place of edition: Madrid. Spain. JOSÉ GARBERÍ LLOBREGAT GUADALUPE BUITRÓN RAMÍREZ: El Procedimiento Administrativo Sancionador 6ª Edición. Administrativo Sancionador 6ª Edición 2016 2 Vols ISBN13: 9788491199557.. Date Publication: 09/2016 Publisher: Tirant lo Blanch Collection: Treatises, Comments and Practices. Procedural 6th Edition. ALCÁZAR MOLINA, MANUEL G Expropriation proceedings and the calculation of the price of real estate ISBN: real estate ISBN: 9788416383252 Publisher: Delta Date of edition: 2017 Place of edition: Madrid. edition: Madrid. Spain Mª DOLORES PÉREZ PINO MIGUEL SÁNCHEZ CARMONA Manual de Responsabilidad Patrimonial de la Administración Pública ISBN: ISBN: 1.003.003.003.003.003.003. Patrimonial Liability of the Public Administration ISBN13: 9788483336526 Date of publication 2015 Publishing House: Instituto Andaluz de la Admon Pública Collection: 1st Edition / 609 pp. DOMINGO ZABALLOS, MANUEL J., Director. Forms of Public Sector Contracts ISBN: 9788491903314 Editorial: Editorial Tirant lo Blanch Date of edition: 2018 Place of edition: Valencia. edition: Valencia. Spain PINTOS SANTIAGO, JAIME, Director: The electronic consequences of the new Public Sector Contracts Law. Contratos del sector público practical electronic code of the law 9/2017, of 8 November. November ISBN: 9788417365073 Publisher: Punto Rojo Libros Date of publication: 2018 Place of publication: Seville. of edition: Seville. Spain MORENO MOLINA, JOSÉ ANTONIO Y PINTOS SANTIAGO, JAIME Los contratos administrativos y su aplicación obras, suministros and its application works, supplies, services and concessions of works and services ISBN: ISBN: 9788470527791 Publisher: El Consultor