



Teaching Guide

Identifying Data					2022/23
Subject (*)	Administrative practice		Code	612499006	
Study programme	Mestrado Universitario en Avogacía (plan 2012)				
Descriptors					
Cycle	Period	Year	Type	Credits	
Official Master's Degree	1st four-month period	First	Obligatory	6	
Language	SpanishGalician				
Teaching method	Face-to-face				
Prerequisites					
Department	Dereito Público				
Coordinador	Barrio Garcia, Gonzalo	E-mail	gonzalo.barrio@udc.es		
Lecturers	Barrio Garcia, Gonzalo	E-mail	gonzalo.barrio@udc.es		
Web					



General description

General objective: The training aims for the student to acquire the skills, attitudes and knowledge in administrative law, in order to develop and relate legally with the different public administrations, knowing their procedures and methodology, as well as with the contentious-administrative jurisdictional order. This should allow the student to acquire a level of knowledge that allows him/her to advise companies and individuals in their actions before the Public Administrations and the public sector. Likewise, an analysis and drafting of legal documents, management of administrative procedures and, in general, the correct exercise of the profession in this field will be carried out. The following aspects will be examined: 1.- Legal system of public administrations and common administrative procedure. Objectives: to know the phases of the administrative act. To know the form of the acts of communication and notification. To know the consequences of the lack of resolution within the legal deadlines. To know the regime of positive and negative administrative silence. To know the allegations and appeals. To know and handle the formal structure of the most common appeals. To know the rights and duties of the administration and the administered. To know the peculiarities of the sanctioning power. Skills: distinguish between express and presumed acts. To identify defective notifications. Differentiate the types of nullity, annulment and invalidity of administrative acts. Manage the terms and deadlines of the procedure. Analyze the presence of procedural guarantees in the administrative sanctioning activity. To draft written pleadings. Attitudes: to value the rights and duties of citizens before the administration. To value the importance of the acts of communication and the vices of the administrative act. To value the importance of intervening in the evidence of the procedure. 2.- Regulation of the contentious-administrative jurisdiction. Objectives: to know the scope of the jurisdiction. To know the conditions to be part of the procedure. To know the requirements and specialties of the process. To know how to differentiate the different forms of termination of the process. To know the system of appeals as well as its processing technique. Skills: to be able to manage in the different procedural positions. To know how to determine the objective and territorial competence. Proper use of precautionary measures. Prepare and develop the oral trial. Act safely and correctly in hearings. Intervene in the proposition and practice of evidence. Master the technique of final conclusions. Detect the reasons for challenging the court decision and correctly choose the appropriate remedy. Attitudes: to be aware of the strictness of deadlines and appointments. To value the convenience of filing appeals. Evaluate the options of dismissal, settlement and judicial conciliation. To prepare responsibly the processes in which one is going to intervene. Assess the advisability of challenging a court decision. 3.- Patrimonial liability of public administrations. Objectives: to know the elements that intervene in the assumptions of patrimonial responsibility. To know the consequences of the process (calculation of compensation). To know the specialties of the procedure. Scope of action of the Advisory Council of the Xunta de Galicia. Skills: to know how to discern the cases in which there is patrimonial responsibility of the administration. To know how to evaluate the existing evidence. Mastering the procedure. Inform the client about the foreseeable outcome of the procedure. Attitudes: to value the concurrence of the necessary requirements for the existence of liability of the public administrations. 4.- Compulsory expropriation. Objectives: to know the channels to initiate an expropriation procedure. To distinguish the phases of the expropriation procedure. To know the relevance of the minutes as a prerequisite to the occupation. To know the scope, phases and operation of the expropriation process. Skills: differentiate the different types of expropriation. To draft writings with special reference to the allegations to the appraisal sheet. Take into account the criteria for setting the price. To value the possibilities of proof for the accreditation of the value. To initiate the reversion procedure. Attitudes: to value the convenience of going to the contentious route in the assumptions of disagreement with the price. To value the appraisal sheet and its grounds. 5.- Contracting in the public sector. Objectives: to know the legislation on contracting of the Public Administrations and the public sector, both in the phases of preparation of the contract, awarding and in the phases of execution and liquidation of the contract. To know the mechanisms of public sector contracting. Attitudes: Approximation to the determining factors of public sector contracting and knowledge of the contracting procedure and its specialties. 6.- Rights and freedoms of foreigners in Spain and their social integration. Objectives: to master the legislation on foreigners. To know the functioning of the administration in this matter. To know the judicial control in foreigners. Skills: to differentiate the different regimes in matters of foreigners. Identify the most suitable way for the regularization of foreigners. To inform the client of his rights and duties as an illegal or resident alien. To formulate writs for the competent administration. Formulate jurisdictional appeals. Attitudes: assess the convenience of requesting the regularization of foreigners. To give responsible advice to the client. To prepare in a responsible way the procedures in the matter. 7.- Territorial planning, environment and urbanism. Objectives: to know the different types of land, its legal regime and the rights and obligations of the owners. To know the legal regime of the different administrative titles of intervention in the urban development field. To know the different models of land planning and, in particular, sectoral plans and other land

management plans. To know the different types of urban plans, their effects, viability and processing procedure. To know the legal regime of the out of management. To know the different systems of action and appraisal. To know the types of urban planning licenses, their processing and effects. To know the regime of town planning inspection. To know the types of infractions, sanctions, prescription and town planning procedures. To know the most frequent regulations and jurisprudence on the environment. To know the programs and competences of the public administrations in environmental matters. To know the forms of environmental control and protection. Skills: differentiate the types of land. To know how to proceed to request a license or responsible declarations and previous communications. Handle with ease the different types of plans. Easily handle the specific terminology. To analyze the systems of action of the plans. Handle the different types of urban planning licenses. To know how to act in the licensing procedures. Recognize the legal regime applicable at all times and to each type of infraction. To be able to intervene in a sanctioning procedure. To know how to distinguish between urban infraction and crime. Handle the regulations, jurisprudence and doctrine on environmental matters. Attitudes: to value the possible existing alternatives at the time of requesting administrative authorizations in the matter. To value the economic effects of the development of an urban development plan. To inform the client of the consequences of the plan on a property or right. Assess the appropriateness of initiating an administrative procedure for the granting of licenses. To advise correctly in cases of ruin, aggregations or segregations. To be able to intervene in a sanctioning procedure. Advise the client on environmental matters in their actions.



Study programme competences	
Code	Study programme competences
A1	Posuír, comprender e desenvolver habilidades que posibiliten aplicar os coñecementos académicos especializados adquiridos no grao á realidade cambiante á que se enfrontan os avogados para evitar situacións de lesión, risco ou conflito en relación aos intereses encomendados ou o seu exercicio profesional ante tribunais ou autoridades públicas e nas funcións de asesoramento
A2	Coñecer as técnicas dirixidas á investigación e establecemento dos feitos nos distintos tipos de procedemento, especialmente a produción de documentos, os interrogatorios e as probas periciais
A3	Coñecer e ser capaz de integrar a defensa dos dereitos dos clientes no marco dos sistemas de tutela xurisdicionais nacionais e internacionais
A4	Coñecer as diferentes técnicas de composición de intereses e saber atopar solucións a problemas mediante métodos alternativos á vía xurisdiccional
A5	Coñecer e saber aplicar os dereitos e deberes deontolóxicos profesionais nas relacións do avogado co cliente, as outras partes, o tribunal ou autoridade pública e entre avogados
A6	Coñecer e avaliar as distintas responsabilidades vinculadas ao exercicio da actividade profesional, incluíndo o funcionamento básico da asistencia xurídica gratuíta e a promoción da responsabilidade social do avogado
A7	Saber identificar conflitos de intereses e coñecer as técnicas para a súa resolución, establecer o alcance do segredo profesional e da confidencialidade, e preservar a independencia de criterio
A8	Saber identificar os requirimentos de prestación e organización determinantes para o asesoramento xurídico
A9	Coñecer e saber aplicar na práctica a contorna organizativa, de xestión e comercial da profesión de avogado, así como o seu marco xurídico asociativo, fiscal, laboral e de protección de datos de carácter persoal
A10	Desenvolver destrezas e habilidades para a elección da estratexia correcta para a defensa dos dereitos dos clientes tendo en conta as esixencias dos distintos ámbitos da práctica profesional
A11	Saber desenvolver destrezas que permitan ao avogado mellorar a eficiencia do seu traballo e potenciar o funcionamento global do equipo ou institución en que o desenvolve mediante o acceso a fontes de información, o coñecemento de idiomas, a xestión do coñecemento e o manexo de técnicas e ferramentas aplicadas
A12	Coñecer, saber organizar e planificar os recursos individuais e colectivos dispoñibles para o exercicio nas súas distintas modalidades organizativas da profesión de avogado
A13	Saber expor de forma oral e escrita feitos, e extraer argumentalmente consecuencias xurídicas, en atención ao contexto e ao destinatario ao que vaian dirixidas, de acordo no seu caso coas modalidades propias de cada ámbito procedimental
A14	Saber desenvolver traballos profesionais en equipos específicos e interdisciplinares
A15	Saber desenvolver habilidades e destrezas interpersoais, que faciliten o exercicio da profesión de avogado nas súas relacións cos cidadáns, con outros profesionais e coas institucións
B1	Posuír e comprender coñecementos que acheguen unha base ou oportunidade de ser orixinais no desenvolvemento e/ou aplicación de ideas, a miúdo nun contexto de investigación
B2	Que os estudantes saiban aplicar os coñecementos adquiridos e a súa capacidade de resolución de problemas en contornas novas ou pouco coñecidas dentro de contextos máis amplos (ou multidisciplinares) relacionados coa súa área de estudo
B3	Que os estudantes sexan capaces de integrar coñecementos e enfrontarse á complexidade de formular xuízos a partir dunha información que, sendo incompleta ou limitada, inclúa reflexións sobre as responsabilidades sociais e éticas vinculadas á aplicación dos seus coñecementos e xuízos
B4	Que os estudantes saiban comunicar as súas conclusións e os coñecementos e razóns últimas que as sustentan a públicos especializados e non especializados dun modo claro e sen ambigüidades
B5	Que os estudantes posúan as habilidades de aprendizaxe que lles permitan continuar estudando dun modo que haberá de ser en gran medida autodirixido ou autónomo
B6	Capacidade de traballo en equipo
B7	Capacidade de liderado
B8	Compromiso ético e moral coa sociedade analizado, ademais, desde unha perspectiva solidaria
B9	Capacidade de resolución de problemas
B10	Desenvolvemento dos principios de lealdade e confidencialidade
B11	Capacidade de argumentar tanto en forma oral como escrita



B12	Desenvolvemento dun espírito crítico, lóxico e creativo
B13	Capacidade de manexo das tecnoloxías da información e comunicación no desenvolvemento da súa actividade laboral
C1	Expresarse correctamente, tanto de forma oral como escrita, nas linguas oficiais da Comunidade Autónoma
C2	Utilizar as ferramentas básicas das tecnoloxías da información e as comunicacións (TIC) necesarias para o exercicio da súa profesión e para a aprendizaxe ao longo da súa vida
C3	Desenvolverse para o exercicio dunha cidadanía aberta, culta, crítica, comprometida, democrática e solidaria, capaz de analizar a realidade, diagnosticar problemas, formular e implantar solucións baseadas no coñecemento e orientadas ao ben común
C4	Entender a importancia da cultura emprendedora e coñecer os medios ao alcance das persoas emprendedoras
C5	Valorar críticamente o coñecemento, a tecnoloxía e a información dispoñible para resolver os problemas cos que deben enfrontarse
C6	Asumir como profesional e cidadán a importancia da aprendizaxe ao longo da vida
C7	Valorar a importancia que ten a investigación, a innovación e o desenvolvemento tecnolóxico no avance socioeconómico e cultural da sociedade

Learning outcomes			
Learning outcomes	Study programme competences		
1.- To train the student in a practical learning process in the field of administrative law 2.- To know the normative set and jurisprudential doctrine in the field of action of public entities 3.- To identify, know how to interpret and face the different problems that affect administrative and inter-administrative relations 4.- To elaborate, communicate and defend with fluency legal positions 5.- Ability to structure in an orderly manner the relevant facts and legal provisions of a case 6. - Ability to identify and apply all relevant legal sources in a specific issue 7.- Ability to analyze legal problems from a plurality of approaches and choose the most appropriate in the specific case 8.- Ability to present knowledge with an adequate command of oral and written skills specific to law 9.- Ability to structure and write fluently legal texts using technically appropriate terminology 10.Ability to advise on possible resolutions of a case legal advice			
1.- Formar o estudante nun proceso de aprendizaxe práctica no campo do dereito administrativo	AC1	BC1	CC1
2.- Coñecer o conxunto normativo e a doutrina xurisprudencial no ámbito de actuación das entidades públicas	AC2	BC2	CC2
3.- Identificar, saber interpretar e facer fronte as diferentes problemáticas que afecten as relacións administrativas e interadministrativas	AC3	BC3	CC3
4.- Elaborar, comunicar e defender con soltura posicionamentos xurídicos	AC4	BC4	CC4
5.- Capacidade para estruturar ordenadamente os feitos e disposicións xurídicas relevantes dun caso	AC5	BC5	CC5
6.- Capacidade para identificar e aplicar todas as fontes xurídicas relevantes nunha cuestión concreta	AC6	BC6	CC6
7.- Capacidade para analizar os problemas xurídicos dende unha pluralidade de enfoques e elixir o máis idóneo no caso concreto	AC7	BC7	CC7
8.- Capacidade para expoñer o coñecemento con un dominio adecuado das habilidades oratorias e preparación de escritos propios do asesoramento xurídico	AC8	BC8	
9.-Capacidade para estruturar e redactar con fluidez textos xurídicos utilizando a terminoloxía técnica apropiada	AC9	BC9	
10.- Capacidade para asesorar sobre as posibles resolucións dun caso	AC10	BC10	
	AC11	BC11	
	AC12	BC12	
	AC13	BC13	
	AC14		
	AC15		

Contents	
Topic	Sub-topic



General objective: The training aims for the student to acquire the skills, attitudes and knowledge in administrative law, in order to develop and relate legally with the different public administrations, knowing their procedures and methodology, as well as with the contentious-administrative jurisdictional order. This should allow the student to acquire a level of knowledge that allows him/her to advise companies and individuals in their actions before the Public Administrations and the public sector. Likewise, an analysis and drafting of legal documents, management of administrative procedures and, in general, the correct exercise of the profession in this field will be carried out. The following aspects will be examined:

1.- Legal system of public administrations and common administrative procedure.

Objectives: to know the phases of the administrative act. To know the form of the acts of communication and notification. To know the consequences of the lack of resolution within the legal deadlines. To know the regime of positive and negative administrative silence. To know the allegations and appeals. To know and handle the formal structure of the most common appeals. To know the rights and duties of the administration and the administered. To know the peculiarities of the sanctioning power. Skills: distinguish between express and presumed acts. To identify defective notifications. Differentiate the types of nullity, annulment and invalidity of administrative acts. Manage the terms and deadlines of the procedure. Analyze the presence of procedural guarantees in the administrative sanctioning activity. To draft written pleadings. Attitudes: to value the rights and duties of citizens before the administration. To value the importance of the acts of communication and the vices of the administrative act. To value the importance of intervening in the evidence of the procedure

2.- Regulation of the contentious-administrative jurisdiction.

Objectives: to know the scope of the jurisdiction. To know the conditions to be part of the procedure. To know the requirements and specialties of the process. To know how to differentiate the different forms of termination of the process. To know the system of appeals as well as its processing technique. Skills: to be able to manage in the different procedural positions. To know how to determine the objective and territorial competence. Proper use of precautionary measures. Prepare and develop the oral trial. Act safely and correctly in hearings. Intervene in the proposition and practice of evidence. Master the technique of final conclusions. Detect the reasons for challenging the court decision and correctly choose the appropriate remedy. Attitudes: to be aware of the strictness of deadlines and appointments. To value the



convenience of filing appeals. Evaluate the options of dismissal, settlement and judicial conciliation. To prepare responsibly the processes in which one is going to intervene. Assess the advisability of challenging a court decision.

3.- Patrimonial liability of public administrations. ç

Objectives: to know the elements that intervene in the assumptions of patrimonial responsibility. To know the consequences of the process (calculation of compensation). To know the specialities of the procedure. Scope of action of the Advisory Council of the Xunta de Galicia. Skills: to know how to discern the cases in which there is patrimonial responsibility of the administration. To know how to evaluate the existing evidence. Mastering the procedure. Inform the client about the foreseeable outcome of the procedure. Attitudes: to value the concurrence of the necessary requirements for the existence of liability of the public administrations.

4.- Compulsory expropriation.

Objectives: to know the channels to initiate an expropriation procedure. To distinguish the phases of the expropriation procedure. To know the relevance of the minutes as a prerequisite to the occupation. To know the scope, phases and operation of the expropriation process. Skills: differentiate the different types of expropriation. To draft writings with special reference to the allegations to the appraisal sheet. Take into account the criteria for setting the price. To value the possibilities of proof for the accreditation of the value. To initiate the reversion procedure. Attitudes: to value the convenience of going to the contentious route in the assumptions of disagreement with the price. To value the appraisal sheet and its grounds.

5.- Contracting in the public sector.

Objectives: to know the legislation on contracting of the Public Administrations and the public sector, both in the phases of preparation of the contract, awarding and in the phases of execution and liquidation of the contract. To know the mechanisms of administrative contracting.



I.- Procedimento administrativo. Prof. responsable: Augusto Pérez-Cepeda Vila, Abogado	Formalización da actuación administrativa
2.- Proceso contencioso-administrativo. Prof. responsable: Asunción Montero Carré, Abogada	Garantía xurisdiccional contencioso-administrativa
I. Administrative Procedure. PROF. RESPONSIBLE: Augusto Pérez-Cepeda Vila- Lawyer II. Contentious-Administrative Proceedings. PROF. PROFESSOR RESPONSIBLE: Asunción Montero Carré- Lawyer III. Public Administrations' Patrimonial Liability. PROF. PROFESSOR RESPONSIBLE: Luis Vázquez Forno -Legal Counsel of SERGAS-. IV. Public Sector Contracting. PROF. PERSON IN CHARGE: Gonzalo Barrio V. Forced Expropriation. PROF. PROFESSOR RESPONSIBLE: Carolina Pardo-Ciorraga Barros -Lawyer-. VI. Rights and Freedoms of Foreigners in Spain and their Social Integration. PROF. PROFESSOR RESPONSIBLE: Juan José Vázquez Rodríguez -Abogado- VII. Spatial Planning, Urbanism and Environment. PROF. PROFESSOR IN CHARGE: Gonzalo Barrio	Formalization of the administrative activity. Contentious-administrative jurisdictional guarantee. Compensation for administrative actions. Contracting regime of public administrations and other public sector entities. Analysis of compulsory expropriation legislation. Legal status of foreigners. Urban and territorial planning. Environmental protection.
4. Contratación do sector público. Prof. responsable: Gonzalo Barrio	Réxime de contratación das administracións públicas e outras entidades do sector público
5. Expropiación forzosa. Prof. responsable: Carolina Pardo-Ciorraga. Abogada.	Análise da lexislación de expropiación forzosa.
6. Dereitos e libertades das persoas extranxeiras en España e a súa integración social. Prof. responsable: Juan José Vázquez Rodríguez. Abogado	Estatuto xurídico da persoa extranxeira.
7. Ordenación do territorio, urbanismo e medio ambiente. Prof. responsable: Gonzalo Barrio	Ordenación urbanística e territorial. Tutela ambiental.

Planning				
Methodologies / tests	Competencies	Ordinary class hours	Student?s personal work hours	Total hours
Document analysis	A1 A2 A3 A4 A5 A6 A7 A8 A9 A10 A11 A12 A13 A14 B1 B2 B3 B4 B5 B6 B7 B8 B9 B10 B11 B12 B13 C1 C2 C3 C4 C5	6	20	26
Guest lecture / keynote speech	A1 A5 A8 A10 A13 A15 B1 B3 B5 B8 B9 C1 C6 C7	25	40	65
Mixed objective/subjective test	A7 A10 A13	2	0	2
Case study	A2 A3 A4 A5 A8 A10 A15 B4 B6 B7 B9 B11 C1 C5 C7	20	27	47
Personalized attention		10	0	10

(*)The information in the planning table is for guidance only and does not take into account the heterogeneity of the students.



Methodologies

Methodologies	Description
Document analysis	Formación do alumno na tipoloxía de fontes aplicables non dereito público
Guest lecture / keynote speech	Exposicións teórico-prácticas sobre os contenidos do programa
Mixed objective/subjective test	Integra preguntas tipo de probas de ensaio e tamén preguntas tipo de probas obxectivas. En canto a preguntas de ensaio, recolle preguntas abertas de desenvolvemento. Ademais, en canto a preguntas obxectivas, pode combinar preguntas de resposta múltiple, de ordenación, de resposta breve, de discriminación, de completar e/o de asociación.
Case study	Plantexamento de supostos de feito que deben ser resolto aplicando o réxime jurídico que corresponda a cada caso

Personalized attention

Methodologies	Description
Case study	Follow-up of the student's evolution in the understanding of the legal system and solution of problems raised as a consequence of administrative actions.

Assessment

Methodologies	Competencies	Description	Qualification
Case study	A2 A3 A4 A5 A8 A10 A15 B4 B6 B7 B9 B11 C1 C5 C7	Practical resolution of a legal problem. Assessment of the solvency and depth of the reasoning used and the suitability of the proposed solution, as well as the quality of the writing used, the rigor of the work done and also the capacity of oral expression in its public presentation.	20
Document analysis	A1 A2 A3 A4 A5 A6 A7 A8 A9 A10 A11 A12 A13 A14 B1 B2 B3 B4 B5 B6 B7 B8 B9 B10 B11 B12 B13 C1 C2 C3 C4 C5	Orderly and hierarchical resolution of the normative sources applicable to a given case.	30
Mixed objective/subjective test	A7 A10 A13	It allows to determine the level reached by the student in relation to the subjects taught in the module.	50

Assessment comments

<p>SECOND CHANCE</p> <p>The grades obtained in continuous evaluation (in the event that this has been the option chosen by the teacher of each lesson) will be maintained in the second opportunity.</p> <p>Plagiarism</p> <p>The plagiarism in the performance of activities or tests will determine the qualification of suspense in them, without prejudice to other responsibilities that may arise from the academic regulations of the UDC.</p>

Sources of information

Basic	Códigos xerais de leis administrativas Manuais de referencia xeneral no ámbito do Dereito administrativo Comentarios específicos de leis Bases de datos xurisprudenciais Páxinas web de contido xurídico
Complementary	

Recommendations

Subjects that it is recommended to have taken before



Subjects that are recommended to be taken simultaneously
Subjects that continue the syllabus
Other comments

(*)The teaching guide is the document in which the URV publishes the information about all its courses. It is a public document and cannot be modified. Only in exceptional cases can it be revised by the competent agent or duly revised so that it is in line with current legislation.