



Milan, 3 December 2010

CIVIL AND COMMERCIAL LAWSUIT IN ITALY

COURT JUDGEMENTS
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Rules governing procedure of civil actions are set forth in Code of Civil Procedure (C.C.P.), and the judgment rendered in first degree may be appealed to next higher court (these are basic principles).

Given that decisions are given upon the facts and the demands brought by the parties, then they are:

- (a) Ordinanze.—summoning the counterpart
- (b) Decreti.—not summoning the counterpart.
- (c) Sentenze.—definitive decisions.

Main Judges in Italy are:

- Giudice di Pace (Justice of Peace) for lower litigation cases
- Tribunali Civili e Penali (Civil and Penal Tribunals) with jurisdiction, civil and penal,
- Corte d'Appello (Court of Appeals),



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- Corte di Cassazione (Court of Cassation), supreme judicial court.

Any judgment rendered in first degree may be appealed to next higher court, until supreme court (Court of Cassation, third and final degree).

A foreigner can be summoned before an Italian court if he is a resident of or domiciled in or has a representative in Italy specifically authorized to appear in court or has accepted Italian Jurisdiction, and foreign judgments are recognized in Italy.

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