

**Call for a Research fellowship on *Looking for Legislative Intent in Judicial Reasoning* - Università Ca' Foscari Venezia (Italian law 30 December 2010, n.240, art. 22 and subsequent amendments and additions). PRIN\_2022 Project: “Econometric and Macro-Financial Models of Climate Change: Transition, Policies and Extreme Events, Code n. 20225J7H4K, CUP H53D23002190006. Call issued by Ca’ Foscari University of Venice.**

The present document in English is to be considered as a mere summary of the main provisions of the notice of competition which is available in Italian at the following link: <http://www.unive.it/data/12137/> The text in Italian is the official text of the notice of competition for all legal intents and purposes and, in the event of non-conformity with the present document, it shall prevail.

**Title: *Looking for Legislative Intent in Judicial Reasoning***

- **funding** – PRIN\_2022 Project: “Looking for Legislative Intent in Judicial Reasoning: An Empirical Account”, Codice Progetto 2022ZPA2N4, CUP H53D23002990001
- **start of the programme:** The research programme envisages the start of the activity approximately in February 2024.
- **SSD:** IUS/09
- **Duration:** 12 months
- **Stipend:** The research fellowship amounts to **Euro 19.541,00.=per year**, gross to the recipient, net of the expenses to be sustained by the Provider. The amount may be subject to adjustment in the event of variations in the law
- **scientific coordinators and tutors:** Prof. Marco Mancini

***abstract:***

The research project is in the field of legal argumentation and focuses on the argument from legislative intent. The research seeks to examine how legislative intent is conceived by Italian courts, the different forms that this argument takes in judicial reasoning, to what extent these forms are respectively employed, and the theoretical implications of these findings. In particular, the research has three goals. First, it aims to collect a number of decisions of Italian courts in which the argument from legislative intent is used, and to organize them into a database that will include the more relevant decisions of the last 5 years within 4 branches of Italian law (constitutional law, civil law, criminal law, administrative law). The database will be updated in the course of the research, so that to incorporate into it the qualitative and statistical analysis. Second, the research will carry out a reconstruction and an evaluation of the argument from legislative intent, as it is actually applied by Italian courts, on the basis of the selected data. Third, the structural and qualitative analysis will be used to address theoretical issues related to the nature of legislative intent, its weight in legal adjudication, its interplay with other argumentative standards. Finally, the research will approach the normative questions surrounding the argument from legislative intent, from the perspective both of the legislature and of the judiciary, in order to make the use of the argument more rigorous and compelling.

## Who can apply

Prospective candidates are expected to hold a Ph.D degree in the subjects of the research, or related disciplines.

Ca' Foscari encourages applications from researchers with positive evaluation in all the criteria in individual proposals such as Marie Skłodowska Curie Actions - Individual Fellowships/ERC Starting Grants/FIRB (Italian Fund for basic research investments)/SIR (Scientific Young Independence Research) or similar.

Researchers having successfully completed Marie Skłodowska Curie Actions - Individual Fellowships/ERC Starting Grants/FIRB (Italian Fund for basic research investments)/SIR (Scientific Young Independence Research) or similar funded projects are warmly encouraged to apply.

## Favourite headlines

- specialization diplomas and certificates of attendance at postgraduate specialization courses, obtained both in Italy and abroad, the performance of documented research activities at public and private entities with contracts, scholarships or assignments both in Italy and abroad;

**Deadline for submission of applications: by and no later than 2024-01-08, h. 12:00 noon – local time.**

**WARNING! Please note that the University is closed for the Christmas festivities from 23rd December 2023 to 7th January 2024. We strongly recommend that you DO NOT send applications for participation that must be received during the closing period indicated**

## How to apply:

Candidates should submit:

1. The application form;
2. A motivation letter (max 1 page) along with their CV in European format, duly dated and signed, both to enclosed as a one single.pdf file. (<http://www.unive.it/pag/28830>)
3. A copy of a valid identity document (either Identity Card or Passport);
4. If available, Evaluation Summary Reports of Marie Skłodowska Curie Actions - Individual Fellowships/ ERC Starting Grants/FIRB (Italian Fund for basic research investments)/SIR (Scientific Young Independence Research) individual proposals having passed all the evaluation thresholds;
5. Doctoral degree ;
6. Declaration on availability to held the interview in remote (<https://www.unive.it/pag/28830>) to be send via email at the following address: [simar@unive.it](mailto:simar@unive.it):
7. If available, Details of Marie Skłodowska Curie Actions - Individual Fellowships, ERC Starting Grants, FIRB (Italian Fund for basic research investments)/ SIR Scientific Young Independence Research funded projects;
8. All documents, qualifications and publications relevant for the selection procedure (please, see the notice <http://www.unive.it/data/28825/>).

All the schemes of the quoted documentation are available on the website <http://www.unive.it/pag/28830>.

**Incomplete applications will be rejected**

## How to submit your application

Applications should be submitted by the online procedure, available on the notice webpage <http://www.unive.it/data/28825/>

Or submit here:

<https://apps.unive.it/domandeconcorso-en/accesso/dec-manciniprin-12122023>

The candidate, after the uploading, will receive a submission number and an e-mail acknowledging receipt of his/her application.

The candidate if necessary could access the procedures for updating any data and materials by the link provided by the e-mail, in any case any updates must be made no later than the deadline **2024-01-08, h. 12:00 noon – local time.**

If the deadline is on Saturday or on holidays, the deadline is extended to the first working day thereafter.

### Please note:

- The candidate can contact the University for any support until 24 hours prior to the deadline.
- In case of an high number of applications and / or weight of the materials loaded by the candidates the system might become slower, Therefore it is suggested not to start the process close to the deadline;
- The University does not take on responsibility for wrong or late communication of addresses, nor for any communication problem not depending on the University.

### Evaluation

Up to 100 points, specifically:

For qualifications, publications and possible tests, from 0 to 60;

For interview, from 0 to 40.

### Selection procedure

*The selection will take into account the cross-cutting priorities of the PNRR in relation to generational, gender and territorial equal opportunities*

The interview will held in remote only. Further details on how to connect online will published on the web page alongside the convocation notice.

The interviews will take place telematically between **2024-01-18, from 9.00 AM.**

The short-list of the candidates admitted to the interview and the exact date of the interview, or any postponement, will be published on the University's webpage on **2024-01-16** (<http://www.unive.it/data/28899/>).

### Interview Topics

The interview, which will be held telematically, will focus on general topics of Italian public and administrative law.



## Scientific products

The research fellow, at the end of his/her activity must also provide the department with the following scientific products:

- *A paper on research topics*

## Information and contacts

Candidates may find further details about the application process and the research project in the official call published on the following webpage <http://www.unive.it/data/28825/>

For further information please contact: Segreteria Amministrativa del Dipartimento di Economia, phone number: 041-2349173; e-mail: [simar@unive.i](mailto:simar@unive.i)