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CIVIL AND COMMERCIAL LAWSUIT IN ITALY

DEBT COLLECTION CLAIM IN ITALY: Litigation in Italy

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In order to start a debt collection recovery claim in Italy is necessary to consider the following rules.

Italian *Codice di Procedura Civile* (Codes of Civil Procedure, C.P.C.) contains the rules governing procedure of civil actions.

For starting a civil action is necessary the summons. The plaintiff and the sued party must be represented in front of the courts by attorney acting with a proxy, but, in some cases before the Judge of Peace (Giudice di Pace) or before the Tribunal in case of personal separation of spouses or in front of the Judge of Work (Giudice del Lavoro) is not mandatory for parties to be represented by an attorney, but they can act personally.

All decision concerning civil cases that are taken by Italian court are founded on law, unless, they may be founded on equity as a consequence of a common decision of parties about any rights that they may dispose of.



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Since January 1st 2004 has been introduced specific procedure for litigation on matters about banking law, corporate law, capital markets, public works finance.

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