

**WEST UNIVERSITY TIMIȘOARA
DOMAIN OF LAW**

ADMINISTRATIVE LAW AND THE SOCIAL PURPOSE

ABSTRACT OF THE THESIS

**CANDIDATE:
Nicu Alina Livia, Associate Professor;
University of Craiova, Faculty of Law**

2017

The present work, elaborated in accordance with the legal exigencies concerning the habilitation theses contain references to the most important original results of my activity of scientific research, as well as references to my professional and academic achievements together with the directing lines of a career development project. This is not a monograph, but an accumulation.

I. Synthesis of my career

I.1 Scientific achievements. Contributions in modernizing the Administrative Law

a) The Doctoral Thesis – an initial point for the action of presenting my scientific achievements

My post-doctoral scientific research activity does also rely upon a few among the results obtained during the period of the doctoral studies. I have obtained the title of LLD (Doctor of LAW) in 2003, by sustaining the thesis: "The Public Institution in Administrative Law" under the scientific guidance of Professor Alexandru Negoitzã. In the conclusions of the thesis some original opinions have been expressed in what concerns: the definition of the concept of public institution in Administrative Law; the configuration issues of the Administrative Law; the relationship of biunivocal dependence between the public administration and the social purpose.

b) The main interest in the scientific research and original contributions

My main interest in the scientific research since obtaining the LLD title till the present day has been the one of studying the: „Elements of the administrative phenomenon in the Romanian and European space” with an emphasis upon the issues which concern the regulation upon the public administration and upon the determining items in defining the social purpose in the context of Romania's integration to the European Union, respectively upon the way through which the concept of European Administrative Law should be understood. Most of the tomes and papers I have written as well as most of the grants/projects I have implemented or to the implementing of which I have participated in the quality of an external expert had themes/specific activities related to the current administrative phenomenon within the Romanian and European spaces, to the determining items in defining the social purpose or to the juridical and administration's academic training. I have analyzed the consequences of the action exerted by the civil society's structuring forces upon the way through which the public administration is ruled, I have analyzed critically the regulations which concern the stability into the public office seen as a counterparty to the juridical institution of the public servants' mobility, the applying of the principle of equality in the Administrative Law and in the European Community's Law,

the appointment and the personnel rights of the public servants respectively, some aspects related to the distinct steps from the administrative contentious procedure and to the owned right to an equitable lawsuit, I have analyzed some issues related to the liability of the public agents which do issue rules and to its consequences upon the citizens, respectively upon the quality of the public administration, upon the very rapid modification of the administrative norms and not only about these.

In the thesis I have organized the presentation of the results of my scientific research into three chapters. In Chapter I are presented the issues related to the idea that the public administration has the mission of being the guarantor of the respect vowed to the citizen's rights and liberties, thus contributing to the defining of the social purpose at a certain given moment. The conclusions are presented of the studies which concern the functions exerted by the public administration in the Romanian society, the conclusions concerning some principles which ought to rule over the public administration in the context of Romania's integration to the European Union and some aspects concerning the action exerted by the public administration in order to define and materialize the social purpose. All of these do have to take into consideration the particular features of the juridical relations which pertain to the Administrative Law. Chapter II is dedicated to the presentation of the conclusions which I have considered to be the most important and which I have drawn from the critical analysis of how some issues related to the public administration are ruled, such as: the regulations in the matter of the good administration conduct, the regulations in the matter of the public office, the regulations in the matter of the liability of the agents entitled to issue or adopt some normative acts, the regulations in the matter of the administrative contentious procedure understood as a protective mean for the citizen but as well as a lever to be made use of by the public administration's entities in order to adjust the occurring errors, the necessity of codifying in the matter of the Administrative Law. Chapter III is reserved to the contributions to the modernizing of the Administrative Law through other works and research activities: results issued from research projects, from participating in national and international conferences, from the quality of appointed reviewer that I own as a member of the boards of many specialized journals. In the same chapter I have presented an autoevaluation of my most significant scientific contributions.

In respect to the requirements of the MERYS' Order nr.4204/2013, I have published 13 specialized tomes as sole author, issued at the Didactică și Pedagogică, Sitech and Universitaria publishing houses. I also was a member of the authors' collective for 6 works

of the highest importance in the landscape of the Romanian juridical literature, due to their scientific value, which has come to be proven by their public success and by the fact that, in what concerned the matter they had approached and the modality through which they had approached it, four among those six were the first ever editorial appearances within the specialized Romanian doctrine. As a result of my permanent preoccupation for elaborating some didactic material for the students' activities among my 13 books as an unique author are some methodology works. To the mentioned 19 tomes do come to join 5 books as a sole author and 2 books of which I am the co-author published at publishing houses and having a number of copies printed which isn't according with the MERYS' Order nr.4204/2013. Until now I have published 43 papers and studies in scientific journals that are indexed into international databases or enjoying an acknowledged prestige. I have published 36 communications in the proceedings of some scientific conferences.

I.2 . Professional achievements

I.2.1 Professional Prestige

a) Visibility of my works

My works have been cited by other authors. I have managed to identify 123 citations within books, chapters of books and tomes published at houses owning an international prestige or an acknowledged prestige in the domain of the juridical sciences, respectively 44 citations in scientific journals owning an acknowledged prestige in the domain of the juridical sciences or indexed into internationally acknowledged databases. (see the Annex - Citations'List).

b) Diplomas

The Romanian Parliament's Juridical Commission of Discipline and Immunities has appreciated the activity I had carried on through a Honour Diploma in September 2016. The coordination activity of the scientific research performed by the students has been appreciated through eighth diplomas: two awarded by the "1-st December" University of Alba Iulia, five awarded by the Faculty of Law from the University of Craiova and one awarded by the „Petru Maior” University of Târgu Mureş. My activity as a teacher has been appreciated through a diploma by the 2005 promoted class of the Faculty of Law from the University of Craiova.

c) Member of various research institutes or centers

I am a member of the Center for Administrative' Sciences and Public Policies from the Faculty of Law of the University of Craiova, a member of the Research Center concerning the Social and Economical Dynamics in Sustainable Development of

the "Danubius" University from Galați, also a member of the Academic Society of Administrative Sciences and a member of the "Paul Negulescu" Institute for Administrative Sciences from Sibiu. In 2007 I have collaborated with the "C.S. Nicolăescu-Plopshor" Institute of Social and Humanistic Sciences functioning under the aegis of the Romanian Academy.

d) Member in the editorial boards which coordinate the activity of some scientific journals

I am a member of the: Scientific Board of the "Journal of Public Administration, Finance and Law" (JOPAFL); Scientific Board of the journal "Acta Universitatis Danubius"; technical secretariate of "Agora International Journal of Juridical Sciences"; Scientific Board of the journal „Reflecții Academice” edited by the Center of Academic Excellency.

e) Participating in projects which involve research, innovation and development

I participated in the frames of collectives which have implemented seven research projects, having the quality of a manager of one project.

f) Participating in the Scientific Boards of some international and national scientific reunions

I was a member of the Scientific Boards for 13 international and national scientific reunions.

g) Moderator /keynotespeaker for scientific international reunions

I was a moderator/keynotespeaker at 15 national and international scientific reunions.

h) In 2009 I have functioned as a Cooperating Lecturer at the National Institute for the Lawyers' Training and Perfectioning.

i) During the years 2005 and 2006 I was a Cooperating Lecturer at the Regional Center for the Continuous Formation of the Public Servants from the Local Public Administration in Craiova.

j) I stood among the organizers of twelve national and international conferences.

I.2.2 Pertaining to professional organisations

I am a member of the Dolj Bar Association with twelve years of exerting the lawyer's profession. I am a member of the "Jus Alba" Association.

I.2.3 Pertaining to commissions in the interest of education

Since 2009 I am inscribed into the National Register of Evaluating Experts constituted by the Romanian Agency for Ensuring Quality in Academic Training.

From 2009 till 2017, as an A.R.A.C.I.S. Evaluating Expert I have participated in 19 institutional evaluations or in evaluations in view of authorizing, accrediting or periodically evaluating some study programs or either in missions of international evaluation at Cahul and Komrat. I was a member in 23 examination and evaluation Commissions concerning the projects of scientific research and of the essays elaborated by the doctoral students under the guidance of Professor Ioan Alexandru, LL.D., in the domain of Law. I was a member in 7 commissions for occupying the didactic functions.

I.3. Academic Achievements

I.3.1. Didactic functions and degrees

I currently am a teaching staff member at the Faculty of Law within the University of Craiova since 2000: preparatory assistant (2000-2002); assistant (2002-2004); lecturer (2004-2007); associate professor (2007-till the present day). The following disciplines do figure in my didactical norm: Administrative Law; Administrative Science; Government and the Ministries' Administration; European Administration's Procedures; The Prefect and the de-concentrated public services; Compared Administration' Systems; Compared Administrative Law; Media's Law.

I.3.2. Academic Performance

I was a member of the Bureau of the Department of Public Administration (2002-2004) and a member of the Professors' Council (2004-2012). Since October 16-th 2014 I am a member of the Bureau of the Department of Public Law and Administration' Sciences and I still carry on by doing so. I have been a member of the team which has proposed the foundation of the Mastership Cycles: "Modern Governance and Local Development" in the academic year 2005-2006 as well as the one of: "Administration' Science" in the academic year 2008-2009. We have succeeded in this initiative.

II. Perspectives of career development

II.1. Plans of evolution and of development for my professional career

My goal is to obtain the didactic degree of University Professor in order to intensify my activity as organizer of scientific reunions, to keep coordinating the student' scientific research, trying to elevate the student' session of scientific communications to an international level. I will continue to function as a trainer in the formation programs. I wish to help the development of our Faculty by founding a new Mastership Cycle taught in English and by achieving the goal of publishing of the Romanian Review of Administrative Sciences.

II.2. Plans of evolution and of development for my scientific career

My aim is to actively participate in developing the domain of Administrative Law increasing my visibility extent at national and international ranges by the publishing of these researches' results in prestigious and ISI rated journals, in the proceedings of some international specialized scientific reunions held in our country or abroad or in monographs published at some prestigious foreign houses to more cooperate with specialists from public administration and academic communities, in our country and abroad. I wish to elaborate more projects eligible for the grants' competitions.

II.3. Plans of evolution and of development for my academic career

I wish to keep being a member of the management team of the Department of Public Law and Administrative Sciences, supporting the activity of my academic community. I wish to improve my teaching skills to their paramount by applying the science of teaching at its best level. I wish to participate in experience exchanges with specialists from abroad and to fructify the opportunities of acting as an invited professor. In what concerns the relationship between professors and students, it is my purpose to be acutely receptive to the themes that the students might suggest for debate' submissions, should they point towards the educational action's quality, its interactivity potential or its disponibility or either concern the consultations' activity or the practical trainings.