



### SYLLABUS Form for Family and Inheritance Law

Basic subject data	
Academic unit:	Faculty of law
Subject title:	Family and inheritance law
Program:	General law
Level:	Bachelor
Status of subject:	Obligatory
Year of studies:	III
Number of hours per week:	3
Credi value – ECTS:	6 Credits
Time / location:	Faculty of law
Subject teacher:	Prof. Ass. Dr. Safet Krasniqi
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Subject description	<p>Family law as a scientific discipline and part of positive law, constitutes the foundations and bases of legal regulation of family relations, relations between spouses in marriage and in extramarital union, rights and obligations between them in property relations, maintenance, custody and education of children minors etc. From a legal point of view, the rules and procedures in family law are incorporated in the Kosovo Family Law. All these are court proceedings which, necessarily, must end with a final decision which contains the rights and obligations of the spouses and extramarital affairs that have to do with the marriage, annulment, divorce or even the confirmation of the existence of marriage. Also, the law on the family in accordance with family law regulates property relations, adoption, placement of children in the family, obtaining parental rights, return of this right, etc. Legal institutions that are the object of study in family law, will be treated based on the positive law in Kosovo, including developments related to the draft Civil Code, as well as in family law comparative with the Continental and Anglo Saxon Inheritance Law is the study of relationships that arise in inheritance cases. Otherwise this subject inheritance law regulates the relations of subjects in cases of death, the relations mortis causa. By law, inheritance is the transfer by law or on the basis of a will of the property (inheritance) of the deceased person (testator) to one or more persons (heirs or legatees), according to the rules set by law. This legal definition gives meaning to inheritance law as a branch of law and as a scientific discipline.</p>
Purpose of subject:	Acquisition of basic knowledge by the student. The form of the course explanation is related to the theoretical and practical aspect. This means that in addition to law in general, students will receive knowledge from the procedural aspect (drafting



	lawsuits and proposals, including minutes of paternity acceptance, drafting wills, etc.).		
<b>Expected learning outcomes:</b>	By combining interactivity with the practical side of the subject, the student has the opportunity to learn enough about the subject. At the same time, he / she has the opportunity to acquire basic knowledge and after graduation to be able to represent the parties in court or before a notary regarding the divorce proceedings by agreement or the inheritance procedure upon the proposal of the heirs.		
Contribution to student workload (which should correspond to student's learning outcomes)			
<b>Activity</b>	<b>Hours</b>	<b>Days/weeks</b>	<b>Total</b>
Lecture	3+2	15	45
Theoretical exercises/laboratory			
Practical work	2	10	20
Contact with teacher/Consultations	0.5	15	7.5
Field exercises			
Kollokfiume,seminars	0.5	15	7.5
Homeworks			
Student's own study time (In Library or home)	3	5	35
Final preparation for exam	2	15	30
Time spent in evaluation(tests,quizz,final examl)			5
Projects,presentations ,etc.			5
<b>Total</b>			<b>150 hours(6 ECTS)</b>
<b>Teaching methodology:</b>	-Active teaching method - -Active teaching method -Definition of principles and provisions of criminal law, international standards and Family Law , gives the student the opportunity to be able to apply this knowledge in judicial institutions, etc. In R. of Kosovo. - Interactive teaching method - It is a contemporary method of acquiring knowledge about the subject. This is accomplished through conversations, exercises, group work, etc. throughout the semester. This method is in the spirit of new educational processes in Europe. In new circumstances, we are talking not only about education but also about educational education. Teaching and learning are		

two inseparable concepts. Historical method, it is important to explain the genesis of the principles and institutes of criminal law. Case study method - Helps to facilitate the explanation and understanding of criminal law institutes which, in essence, have case law. This method is a good basis for the future work of students who are determined to work in the justice system. Comparative method and analysis method - In the global world, academic and scientific communications are the core of the exchange and expansion of knowledge during and after the completion of studies, given the globalizing processes of general social life. Sociological method- Family and inheritance law can not be completed as a science if the various phenomena are not explained and analyzed taking into account the social life of individuals and different social groups. - Interpretation and reference of legal norms Communication, conversation and giving opinion - Interpretation and reference of legal norms. Communication, conversation and giving opinions during meetings and practical work in basic courts, prosecutors, etc., is an important part of understanding the substance of the Subject.

<i>Scores</i>	<i>ETC</i>	<i>Points</i>	<i>Definition</i>
10	A	91-100%	EXELLENT Excellent knowledge with little error
9	B	81-90%	VERY GOOD More than average, but with some errors
8	C	71-80%	GOOD, with some erros that are clearly noticeable
7	D	61-70%	PLEASINGLY well, but with quite a few mistakes
6	E	51-60%	SUFFICIENTE Minimal Criteria for passability
5*	FX	40-50%	POORLY— Greater commitment from the student to pass
5	F	00-39%	POORLY More is required to reach the minimum

**Literature**



<p>Basic literature:</p>	<p>- Abdulla Aliu &amp; Haxhi Gashi, Family Law, Prishtina, 2007; - - Hamdi Podvorica, Family Law, Prishtina, 2011; - - Hamdi Podvorica, Inheritance Law, Prishtina, 2010; Normativ acts: - Family law of Kosovo entered into force on 16.02.2006</p> <p>Law no. 06 / L-077, amendment to the Law on Family no. 2004/32; -Law on marriage and family relations, GZ e KSAK no. 10/84, dated 28 March 1984; -Law on Heritage of Kosovo, entered into force on February 4, 2005; - Law no. 06/008, amendment to the Law on Inheritance of the Republic of Kosovo, no. 2004/26; UN Universal Declaration of Human Rights, 1948 European Convention for the Protection of Human Rights, 1950; UN Convention on the Elimination of All Forms of Discrimination against Women, 1979 UN Convention on the Rights of the Child, 1990 UN Universal Declaration of Human Rights, 1948 European Convention for the Protection of Human Rights, 1950 UN Convention on the Elimination of All Forms of Discrimination against Women, 1979 UN Convention on the Rights of the Child,1990</p>
<p>Additional literature:</p>	<p>-Dr. Juliana Latifi, The Law of Inheritance in Kosovo, Prishtina 2010; -Andria Gams, Introduction to Civil Law, Section on Inheritance Law, Prishtina 1986 -Francesco Galgano, Private Law, Luarasi, 2003;</p>

Designed plan lesson:		
Week	Lecture to be held	Exercise
<p>Week 1:</p>	<p>- The notion and name of family law, the object of family law; - - Methods of studying family law, - - Basic principles of family law - - Sources of family law - - Relationships of family law with other scientific disciplines.</p>	
<p>Week 2:</p>	<p>- The notion of family - Family types -Family functions - Structure of family ties (blood gender, gender of marriage, gender of adoption)</p>	
<p>Week 3:</p>	<p>- Introduction to marital law and its meaning - The object</p>	

	<p>of marital law - Subjects of marital law - Basic principles of marital law - Engagement - Marriage and its meaning - Marital purposes - Conditions for entering into marriage - Marital barriers - Marital prohibitions - Formal conditions for entering into marriage - Preliminary procedure - Marriage</p>	
Week 4 :	<p>- Personal rights and duties of spouses - Dissolution of marriage, ways, causes and procedure of divorce - Legal consequences of divorce - Extramarital union as a social phenomenon - Legal effects of extramarital union</p>	
Week 5:	<p>- Relationships between parents and children - Subjects of parental law - legitimation of children, status of married children, status of illegitimate children - Opposition to motherhood and opposition to paternity - Procedures for opposing maternity and paternity - Recognition of motherhood and fatherhood - Proof of maternity and paternity by court decision - Parental law (meaning and object) - Personal and property relations between parents and children - Exercise of parental rights - Suspension, restriction, removal and continuation and termination of parental rights</p>	
Week 6:	<p>- Adoption / adoption - Establishment procedures for adoption, legal effects of adoption - Organized endurance of the child in the</p>	

	<p>other family for care - Food obligations (financial maintenance) - Persons obliged to provide food - Conditions for providing food</p>	
<i>Week 7:</i>	<p>- Property relations - contracting regime - The right of guardianship - persons under guardianship - Custody of minor children - Custody of persons with incapacity for action (aptitude Removed of action) - Special cases of guardianship - Special cases of guardianship when they are not defined by legal provisions - Termination of custody</p>	
<i>Week 8:</i>	<p>First evaluation</p>	
<i>Week 9:</i>	<p>- II. INHERITANCE RIGHT - The notion and naming of inheritance law - Object of inheritance law - Basic principles of inheritance law - Sources of inheritance law and methods</p>	
<i>Week 10:</i>	<p>-Inheritance by law - time and place of opening (inheritance) of the inheritance, testator, heir, - Ability to inherit</p>	
<i>Week 11:</i>	<p>- The basics of calling in inheritance - Systems for assigning queues for calls to legal inheritance - Inheritance ranks, right of representation and right of addition</p>	
<i>Week 12:</i>	<p>- Necessary inheritance, unworthiness for inheritance, - Acceptance of inheritance - Renovation (renunciation) of inheritance - Inheritance sharing -</p>	



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	Transactions between the living (inter vivos)	
<i>Week 13:</i>	- Testamentary inheritance - Form, meaning and content of the will - Ability to make a will	
<i>Week 14:</i>	- Invalidity of the will - Legu - -Types of will	
<i>Week 15:</i>	Second evaluation	
<b>Academic policies and rules of conduct:</b>		
Students must participate regularly in lectures and exercises, in which case participation is evidenced by the attendance at lectures through the signatures of the students themselves; - Regular participation in lectures and exercises, presentation of seminar papers and other activities will be counted in the final evaluation; - In lectures and exercises, only the topics provided in this curriculum should be addressed; -Communication with students will be done directly in lectures and exercises, through emails and posts on the University website		