

## SUBJECT FOR FROM SYLLABUS

<b>Bazik Data:</b>	
Academic Unit:	Faculty of Law
Course title:	Family and Inheritance Law
Level:	Bachelor
Course status: Obligatory	Obligatory
Year of studies:	II
Number of hours per week:	3
Value in credit - ECTS:	6 Credits
Time / location:	Faculty of Law
Course teacher:	Safet Krasniqi
Contact details:	Safet.krasniqi@uni-prizren.com
<b>Course description</b>	<p>Family law as a scientific discipline and part of positive law, forms the basis and basis for the legal regulation of family relations relationships between spouses in marriage and extramarital affairs, rights and obligations between them in property relations, custody, custody and education of children. minors etc.</p> <p>From a legal point of view, family law rules and procedures are incorporated into the Kosovo Family Law. All of these are court proceedings which must necessarily result in a final ruling containing the rights and obligations of the spouses and extramarital affairs relating to the marriage annulment, annulment, divorce or even confirmation of the existence of the marriage. In addition, family law in line with family law also regulates property relations, adoption, adoption of children in the family, parental rights, restitution, and so on.</p> <p>Legal institutions that are the subject of family law studies will be treated based on positive law in Kosovo, including developments related to the drafting of the Civil Code, as well as family law comparable to the Continental and Anglo-Saxon American system.</p> <p>Inheritance Law is the study of the relationships that arise in cases of inheritance. Otherwise, this subject of inheritance law regulates the relations of subjects in cases of death, relations mortis causa.</p> <p>By law, Inheritance is the transfer by law or by</p>

	will of the deceased person's (testator's) estate (heirs) to one or more persons (heirs or legates), according to the rules established by law. This legal definition gives meaning to inheritance law as a branch of law and as a scientific discipline.
<b>Purpose of the course</b>	Gaining basic knowledge from the student. The form of the course description is related to the theoretical and practical aspect. That is. that in addition to the general law, students will also receive procedural knowledge (drafting lawsuits and proposals including paternity records, drafting etc.).
<b>Expected results of the student</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 or she may be able to acquire basic knowledge and upon graduation be able to represent the parties in court or before the notary on divorce proceedings by agreement or inheritance procedure as proposed by the heirs.

**Contribution to student workload (which must correspond to student learning outcomes)**

<b>Activity</b>	<b>Hour</b>	<b>Day / week</b>	<b>Overall</b>
Lectures	3+2	15	45
Theoretical / laboratory exercises			
Practical work	2	15	30
Contact with the teacher / consultation	0.5	15	7.5
Field exercises			
Kollokfiume, seminars	0.5	15	7.5
Homework			
Student self study time (in library or at home)	3	15	45
Final exam preparation	2	15	30
Time spent in assessment (tests, quizzes, final exams)			5
Projects, presentations, etc.			5
<b>Total</b>			<b>175</b>

<b>Teaching methodology:</b>	- Active teaching method - Definition of principles and provisions of criminal law, international standards and
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*Family Law, gives the student the opportunity to be able to apply this knowledge in judicial institutions etc. in the Republic of Kosovo.*

- *Interactive teaching method - It is the contemporary method of acquiring knowledge on the subject. This is accomplished through conversations, exercises, group work etc. throughout the semester. This method is in the spirit of the new educational processes in Europe. In new circumstances, there is talk not only about education but also about education. Teaching and learning are two concepts that are inseparable from one another.*
- *The historical method is important to explain the genesis of criminal law principles and institutions.*
- *Case study method - Helps facilitate the explanation and understanding of criminal law institutes, which is essentially a case law practice. This method. is a good basis for the future of the work of students who are destined to work in the justice system.*
- *Comparative method and method of analysis - In the global world, academic and scientific communications are the essence of exchange and expansion of knowledge during and after the completion of studies, taking part in the globalizing processes of general social life.*
- *Sociological method - Family and hereditary medicine cannot be completed as a science unless different phenomena are explained and analyzed considering the social life of individuals and different social groups.*

*-Interpretation and reference of legal norms  
Communication, conversation and giving opinions during meetings and internships in Basic Courts, Prosecutors etc. is an important part of understanding the essence of the subject.*

<b>Evaluation methods:</b>	<b>Grade</b>	<b>ECTS Grade</b>	<b>Points</b>	<b>Definition</b>
	10	A	91-100%	<b>EXCELLENT - great knowledge. with few errors</b>
	9	B	81-90%	<b>VERY GOOD- More than average, but with some mistakes</b>
	8	C	71-80%	<b>GOOD, with</b>

			<i>some mistakes that are clearly noticeable</i>
7	D	61-70%	<i>Nice - but with lots of mistakes</i>
6	E	51-60%	<b>SUFFICIENT- Minimum passability criteria</b>
5*	FX	40-50%	<b>POORLY- - Greater student commitment to pass</b>
5	F	00-39%	<b>POORLY- more is required to reach the minimum</b>

#### Literature:

##### Basic literature:

##### Books:

- Abdulla Aliu & Haxhi Gashi, Family Law, Pristina, 2007;
- Hamdi Podvorica, Family Law, Pristina, 2011;
- Hamdi Podvorica, Inheritance Law, Pristina, 2010;

##### Normativ acts:

- Kosovo Family Law, entered into force on 16.02.2006;
- Law no. 06 / L-077, amending the Family Law no. 2004/32;
- Law on Marriage and Family Relations, GZ of KSAK no, 10/84, dated 28 March 1984;
- The Law on Inheritance of Kosovo, entered into force on dt. February 4, 2005;
- Law no. 06/008, amending the Law on Inheritance of the Republic of Kosovo, no. 2004/26;
- *UN General 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 General Declaration of Human Rights, 1948,*
- *European Convention for the Protection of Human Rights, 1950*
- *UN Convention on the Elimination of All Forms of*

	<p><i>Discrimination against Women, 1979</i>  <i>UN Convention on the Rights of the Child, 1990</i></p>
<b>Additional literature:</b>	<p>- <i>Dr. Juliana Latifi, Inheritance Law in Kosovo, Prishtina 2010;</i>  - <i>Andria Gams, Introduction to Civil Law, Section on the Right of Inheritance, Prishtina 1986</i>  - <i>Francesko Galgano, Private Law, Luarasi, 2003;</i></p>
<b>Designed lesson plan:</b>	
<b>Week:</b>	<b>The lecture to be held</b>
<b>The first week:</b>	<ul style="list-style-type: none"> <li>- The notion and designation of family law, the object of family law;</li> <li>- methods of studying family law,</li> <li>- Basic principles of family law</li> <li>- Sources of family law</li> <li>- Family law relations with other scientific disciplines.</li> </ul>
<b>Week Two:</b>	<ul style="list-style-type: none"> <li>- The notion of family</li> <li>- Family types</li> <li>- Family functions</li> <li>- Structure of family ties (blood type, sex of adoption, sex of adoption)</li> </ul>
<b>Week Three:</b>	<ul style="list-style-type: none"> <li>- Introduction to marriage law and its meaning</li> <li>- The subject of marriage law</li> <li>- Subjects of marriage law <ul style="list-style-type: none"> <li>- Basic principles of marriage law</li> </ul> </li> <li>- Engagement</li> <li>- Marriage and its meaning</li> <li>- Marital purposes</li> <li>- Conditions for marriage</li> <li>- Marital Barriers</li> <li>- Marriage prohibitions</li> <li>- Formal conditions for marriage</li> <li>- Preliminary procedure</li> <li>- Marriage</li> </ul>
<b>Week Four:</b>	<ul style="list-style-type: none"> <li>- Personal rights and duties of spouses</li> <li>- Marriage dissolution, ways, causes and procedure of divorce</li> <li>- Legal consequences of dissolution of marriage</li> <li>- Extramarital community as a social phenomenon</li> <li>- Legal effects of extramarital affairs</li> </ul>
<b>Week Five:</b>	<p>Relationships between parents and children</p> <ul style="list-style-type: none"> <li>- Subjects of parental right - legitimation of children, status of marital children, status of extramarital children</li> <li>- Opposition to motherhood and opposition to fatherhood</li> <li>- Procedures for opposing motherhood and paternity</li> <li>- Recognition of motherhood and fatherhood</li> <li>- Verification of maternity and paternity by court decision</li> </ul>

	<ul style="list-style-type: none"> <li>- Parental right (meaning and object)</li> <li>- Personal and property relationships between parents and children</li> <li>- Exercising parental right</li> <li>- Suspension, restriction, revocation and extension and termination of parental right</li> </ul>
<b>Week Six:</b>	<ul style="list-style-type: none"> <li>- Adoption / adoption</li> <li>- Adoption Establishment Procedures, Legal Effects of Adoption</li> <li>- Organizing the child to another family for care</li> <li>- Food obligations (financial withholding)</li> <li>- Persons obliged to provide food</li> <li>- Conditions for feeding</li> </ul>
<b>Week Seven:</b>	<ul style="list-style-type: none"> <li>- Property relations - contracting regime</li> <li>- The right to guardianship - the guardian mother</li> <li>- Custody of minor children</li> <li>- Guardianship of persons with disabilities (abolition of action)</li> <li>- Special cases of custody</li> <li>- Special cases of custody when not provided by legal provisions</li> <li>- Custody leave</li> </ul>
<b><i>Eighth Week:</i></b>	<b>First rating</b>
<b><i>Week Nine:</i></b>	<b>II. HERITAGE RIGHT</b> <ul style="list-style-type: none"> <li>- The notion and designation of inheritance rights</li> <li>- The object of inheritance right</li> <li>- Basic principles of inheritance law</li> <li>- Sources of inheritance law and methods</li> </ul>
<b><i>Week ten:</i></b>	<ul style="list-style-type: none"> <li>- Inheritance by law</li> <li>- time and place of the opening (opening) of the inheritance, the testator, the heir,</li> <li>-Ability to inherit</li> </ul>
<b><i>Eleventh Week:</i></b>	<ul style="list-style-type: none"> <li>- Basics of inheritance call</li> <li>- Queue-calling systems for legal inheritance</li> <li>- Inheritance ranks, right of representation and right of addition</li> </ul>
<b><i>Twelfth Week:</i></b>	<ul style="list-style-type: none"> <li>- Necessary inheritance, unworthiness of inheritance,</li> <li>- Acceptance of inheritance</li> <li>- Renouncement (renunciation) of inheritance</li> <li>- Division of inheritance</li> <li>- Inter vivos transactions</li> </ul>
<b><i>Thirteenth Week:</i></b>	<ul style="list-style-type: none"> <li>- Testamentary legacy</li> <li>- The form, meaning and content of the will</li> <li>- The ability to make a will</li> </ul>
<b><i>Fourteenth Week:</i></b>	<ul style="list-style-type: none"> <li>- Invalidity of the will</li> <li>- Legu</li> </ul>

	- Types of will
<b><i>Fifteenth Week:</i></b>	<b>Second evaluation</b>

**Academic policies and rules of conduct:**

- Students should regularly participate in lectures and exercises, in which case attendance is evidenced by the attendance list through student signatures;
- Regular participation in lectures and exercises, presentation of seminar papers and other activities will be counted in the final assessment;
- In lectures and exercises, only the topics provided in this syllabus should be addressed;
- Communication with students will be done directly in lectures and exercises, via emails and postings on the University website.