

FAMILY AND SUCCESSION LAW

Lecturer

dr. KRALJIĆ SUZANA

Prerequisites

None

Content (Syllabus outline)

Basic Terminology of Family law. Marriage: formalities, void marriages, legal consequences of marriage, ending and divorce of marriage. Cohabitation. Same sex civil partnership. Relations between parents and children: establishing parentage, presumption of paternity for the child born in wedlock, acknowledgement of paternity, establishing of paternity and maternity, paternity and maternity of child, conceived with biomedical assistance. Adoption. Rights and duties of parents and children. Challenge of paternity and maternity. Foster Care. Guardianship: Guardianship for minors, Guardianship for persons deprived of business capacity, Guardianship for special cases. Family planning: free decision for child birth, Svobodno odločanje za rojstvo otrok, insemination with biomedical help. Terminology and basic principles of succession law. Conditions for the opening of succession. Definition of estate. Speciality of enterprising property, participation in commercial companies and denationalized property. Exclusion of certain property from estate due to the descendant's contributions to increase the decedent's property during common living, exclusion of received social help. Intestate succession: parentel-linear system with representation, order of succession, succession of single categories of heirs, ius representationis, accretion. Compulsory portion, circle of compulsory heirs, calculation of compulsory portion, eliminating the deprivation of the compulsory heir, disinheritance, Incalculations of gifts and bequests into succession portion. Testamentary Succession: The conditions for a valid will, different types of wills, content of a will, explanation, preserving, and reconstruction of a will. Succession law contracts: succession contract, contract on the topi of the will, denouncement of the future succession, the contracts with succession law elements in Obligation code. The estate without heirs. The system of acquisition: hereditary statements, hereditary transmission. The curator of the estate. Hereditary community. Liability for decedent's debts. The procedures. Death certificate and security of the estate. The role of notary in regulation of the succession. Separatio bonorum. Relation between probate and civil trial procedure. Jurisdiction for probate procedure. Direction to the lawsuit. Decision of succession. Civil trial as the correctional remedy. Fundamental characteristics of succession of agricultural economies (farms).

Textbooks

BASIC:

KRALJIĆ, Suzana, RIJAVEC, Vesna. *Slovenia*, (International Encyclopaedia of Laws, Suppl. 68 (2014)). Alphen aan den Rijn: Wolters Kluwer Law & Business: Kluwer Law International, cop. 2014. 224 str. ISBN 978-90-654-4888-0.

ADDITIONAL

KRALJIĆ, Suzana. Deprivation of parental care in the light of Slovenian contemporary case law. V: ATKIN, Bill (ur.). *The international survey of family law : published on behalf of the International Society of Family Law*. 2015 ed. Bristol: Family Law. 2015, str. 295-310.

KRALJIĆ, Suzana. Same-sex relationships in Eastern Europe : marriage, registration or no regulation?. V: BOELE-WOELKI, Katharina (ur.), FUCHS, Angelika (ur.). *Same-sex relationships and beyond : gender matters in the EU*, (European family law series, 42). Fully revised 3rd ed. Cambridge; Antwerp; Portland: Intersentia. cop. 2017, str. 55-75.

KRALJIĆ, Suzana, BURKELC JURAS, Lina. Child maintenance for adult children who are studying : Slovenian legal regulation and the contemporary case-law. V: ATKIN, Bill (ur.). *The international survey of family law : published on behalf of the International Society of Family Law*. 2016 ed. Bristol: Jordan Publishing, Family Law. cop. 2016, str. 411-455.