|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Subject** | **Inheritance and family law** | | | |
| **Type** | **Semester** | **ECTS** | **Code** |
| MANDATORY (M) | 1 | 5 | DCP-M-1-003 |
| **Course Lecturer** | **Assistant Professor Dr. Egzone Osmanaj** | | | |
| **Course Assistant** |  | | | |
| **Course Tutor** |  | | | |
| **Aims and Objectives** | The course will focus on marriage, nonmarital families, divorce, pathways to becoming a parent, and the parent-child relationship, and testamentary inheritance, legal succession, inheritance by contract. By studying the subject, Family and Inheritance Law, students are expected to gain knowledge on the modern legal regulation of relationships in marriage and family, as well as hereditary relationships. Students gain in-depth knowledge of basic principles of the contemporary family and inheritance law in the Republic of Kosovo and more widely in Europe and the world. Students learn in details the new trends in the development of the institutions of family and inheritance law, both from the envisaged literature and from the positive laws that regulate these relations in the Republic of Kosovo and the comparative laws. Students will gain knowledge about how family law intersects with many other fields of law, such as contracts, conflicts of laws, property, tax, torts, and trusts and estates, as well as how family law draws on the social sciences. Students will be introduced to the role of negotiation, mediation, and other forms of dispute resolution in the practice of family law. The scientific research work of the students will be stimulated through specific tasks, namely, students will prepare themselves for each subsequent lecture in order to encourage their creativity and desire for research. | | | |
| **Learning Outcomes** | Upon completion of this module, students shall be able to:   * Critically review the inheritance and family positive law in Kosovo. substantive doctrine and interpretation of the legal regulations of Kosovo’s legislation on these issues. * Compare the legal aspects of inheritance and family law in Kosovo with that applicable in Europe and the world. * Advance analytical and problem-solving skills that can be applied in inheritance and family cases * Plan and carry out a research project in the area of inheritance and family law; | | | |
| **Course Content** | **Course Plan** | | | **Week** |
| Introduction to family-inheritance law | | | 1 |
| Conditions for entering into marriage | | | 2 |
| Legal effects of marriage | | | 3 |
| Property relations between spouses | | | 4 |
| Cancellation of marriage | | | 5 |
| Marital disputes | | | 6 |
| Parental right | | | 7 |
| Adoption | | | 8 |
| Legal inheritance | | | 9 |
| Testamentary inheritance | | | 10 |
| Necessary inheritance | | | 11 |
| Inheritance by contract | | | 12 |
|  | Critical review (assignment) | | | 13 |
|  | Presentation of comparative research paper | | | 14 |
|  | Case study final examination | | | 15 |
| **Teaching/Learning Methods** | **Teaching/Learning Activity** | | | **Weight (%)** |
| 1. Lectures | | | 30 % |
| 1. Exercises | | | 30 % |
| 1. Case studies | | | 20 % |
| 1. Study visits in civil court | | | 10 % |
| 1. Video documentaries on inheritance and family cases | | | 10 % |
| **Assessment Methods** | **Assessment Activity** | **Number** | **Week** | **Weight (%)** |
| 1. Attendance | 1 | 15 | 10 % |
| 1. Comparative research | 1 | 14 | 30 % |
| 1. Critical review | 1 | 13 | 20 % |
| 1. Case study Final exam | 1 | 15 | 40 % |
|  |  |  |  |
| **Course resources** | **Resources** | | | **Number** |
| 1. E-library | | |  |
| 1. Moodle | | |  |
| 1. Case studies | | |  |
| 1. Projector | | |  |
|  | | |  |
| **ECTS Workload** | **Activity** | | **Weekly hrs** | **Total workload** |
| 1. Lectures | | 2 | 24 |
| 1. Seminars | | 2 | 24 |
| 1. Study visit in the court | | / | 4 |
| 1. Independent study | | 1 | 15 |
| 1. Research | | 2 | 30 |
| 1. Critical review | | 1 | 13 |
|  | 1. Final examination preparation | | 1 | 15 |
| **Literature/References** | * H.Podvorica (2010). E Drejta Familjare,Prishtinë. * A.Aliu & H.Gashi (2007) E Drejta Familjare.Prishtinë.Osmanaj,E., (2018) Bazat juridike të thirrjes në trashëgimi sipas të drejtës positive në Republikën e Kosovës dhe të Drejtës Komparative”.Distertacioni i Temës se Doktoratures.Universiteti i Evropes Juglindore.Tetovë. * Osmanaj,E., (2021) Restriction of Testamentary Freedom-Comparative Aspects: Journal Perspectives of Law and Public Administration; Bucharest Vol. 10, Issue. 1, (March 2021): 95-101. https://www.ceeol.com/search/article-detail?id=946267 * Osmanaj,E., (2017) Forms of testaments according to the Macedonian and German Law.The European Journal of Humanities and Social Sciences. Vienna. No 4.2019.ISSN 2414-2344.The journal has the GIF impact factor .211 for 2017.Premier Publishing s.r.o.Pg.124-131. * Osmanaj,E., (2017) Regulation of testament presence of witnesses and notarial testament according to the law of Kosovo comparing wiht the law of EU-countries. International Journal of Scientific & Engineering Research.Volume 8, Issue 2, February-2017 511 ISSN 2229-5518. Pg 511- 516. * Jashari, A., Osmanaj, E., (2016) Types of testaments in Albania and France. European Journal of Humanities and Social Sciences No2 2016 Austria, Vienna. ISSN 2414-2344 No2 2016 August Pg.71-79 * Jashari, A., Osmanaj, E., (2016) Initiation of inheritance procedure according to positive legislation in Kosovo and problems in practice. International Journals of Multidisciplinary Research Academy (IJMRA). ISSN 2249-2496 Volume 6, Issue 8 (August 2016) .Pg.94-117 * Xhafaj.,J., Osmanaj, E., (2019). Adjusting of the court testament according to positive legislation in Kosovo and its practical application for the period 2009-2010. 8th International Conference on Law, 26-28 October, 2019, Prishtinë, Kosova Organizers: -UBT, Faculty of LAW.26-28 October, 2019. * Osmanaj, E., (2018) The Right Of Woman To Inheritance According To The Albanian Customary Law. 7th International Conference on Law, 26-28 October, 2018, Prishtinë, Kosova Organizers: -UBT, Faculty of LAW Albanian University -Public University of Durrës. * Osmanaj, E., (2015) Family inheritance according to legislation in force in Kosovo and problems in practice. The 4-th International Multidisciplinary Conference in Integrating Science in New Global Challenges.Dubrovnik, Croatia 27-29 March 2015.Proceedings of the 4-th International Multidisciplinary on Integrating Science in New Global Challenges Dubrovnik.Vol. no 2 Pg.51-57. * Deklarata e përgjithëshme e OKB-së për të drejtat e njeriut, 1948; | | | |
| **Contact** | Assistant Professor Dr. Egzona Osmanaj Email: [egzona.osmanaj@ubt-uni.net](mailto:egzona.osmanaj@ubt-uni.net) | | | |