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| **Subject** | **Inheritance Law** | | | |
| **Type** | **Semester** | **ECTS** | **Code** |
| MANDATORY (M) | 4 | 4 | Law-B-033-M |
| **Course Lecturer** | Assistant Professor Dr. Egzone Osmanaj | | | |
| **Course Assistant** |  | | | |
| **Course Tutor** |  | | | |
| **Aims and Objectives** | The seminar will provide a brief introduction to the central problems of Inheritance Law and the different ways in which legal systems approach them, and then offer the students an opportunity to work independently on one such topic. The purpose of the seminar is to familiarise the students with central issues in Inheritance Law, to enable students to write a research paper focusing on one topic in Inheritance Law from a theoretical perspective. | | | |
| **Learning Outcomes** | On successfully completing the module, students will be able to:   * + - * demonstrate a detailed knowledge and understanding of the concepts, doctrines and principles associated with the law of succession, in particular the law of wills and intestacy;       * Apply knowledge of various concepts of inheritance law, such as intestate (statutory) inheritance), necessary inheritance, testaments (wills), and the procedural aspects of inheritance law;       * Be able to provide professional, relevant and up to date testamentary advice to clients;       * Execute independent and group research on a legal and policy issues in succession law. | | | |
| **Course Content** | **Course Plan** | | | **Week** |
| Introduction to inheritance law | | | 1 |
| Legal sources of inheritance law and basic principles | | | 2 |
| Legal Inheritance - Order of succession | | | 3 |
| Inheritance necessary | | | 4 |
| Review | | | 5 |
| Testamentary inheritance: Basic principles and content of the will | | | 6 |
| Forms of will (testament) | | | 7 |
| Declaring the will invalid | | | 8 |
| Inheritance by contract | | | 9 |
| Inheritance procedure: The role of the notary | | | 10 |
| Inheritance disputes | | | 11 |
| Study visits to the Court and Notary | | | 12 |
|  | The announcement with the study case and the division of roles for the simulated court session | | | 13 |
|  | Research project: Presentation in class | | | 14 |
|  | Case study final examination: Simulated court session | | | 15 |
| **Teaching/Learning Methods** | **Teaching/Learning Activity** | | | **Weight (%)** |
| 1. Lectures | | | 30 % |
| 1. Exercises | | | 25% |
| 1. Case studies | | | 25% |
| 1. Study visits in civil court and notary | | | 10 % |
| 1. Video documentaries on inheritance and family cases | | | 10 % |
| **Assessment Methods** | **Assessment Activity** | **Number** | **Week** | **Weight (%)** |
| 1. Attendance | 1 | 15 | 10 % |
| 1. Research project | 1 | 14 | 30 % |
| 1. 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 | 26 |
| 1. Exercises | | 1 | 13 |
| 1. Study visit in the court | | / | 4 |
| 1. Independent study | | 1 | 15 |
| 1. Research | | 1 | 14 |
| 1. Review | | 1 | 13 |
|  | 1. Final examination preparation | | 1 | 15 |
| **Literature/References** | * **Basic literature** * 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> * 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. * H.Podvorica (2010). E Drejta Trashegimore,Prishtinë. * 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., (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. Pp.511- 516. * **Additional literature:** * 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. * 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). Pp.94-117 * 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 Pp.51-57. | | | |
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