



## COURSE DATA

### Data Subject

|                      |              |
|----------------------|--------------|
| <b>Code</b>          | 35209        |
| <b>Name</b>          | Civil Law IV |
| <b>Cycle</b>         | Grade        |
| <b>ECTS Credits</b>  | 6.0          |
| <b>Academic year</b> | 2019 - 2020  |

### Study (s)

| Degree                                                          | Center                                                | Acad. year | Period     |
|-----------------------------------------------------------------|-------------------------------------------------------|------------|------------|
| 1303 - Degree in Law                                            | Faculty of Law                                        | 4          | First term |
| 1921 - D.D. in Business Management Administration-Law           | Doubles Studies Faculty of Law - Faculty of Economics | 5          | First term |
| 1922 - D.D. in Law-Political and Public Administration Sciences | Faculty of Law                                        | 5          | First term |
| 1923 - D.D. in Law-Criminology                                  | Faculty of Law                                        | 5          | First term |

### Subject-matter

| Degree                                                          | Subject-matter                 | Character  |
|-----------------------------------------------------------------|--------------------------------|------------|
| 1303 - Degree in Law                                            | 10 - Civil law                 | Obligatory |
| 1921 - D.D. in Business Management Administration-Law           | 6 - Year 5 compulsory subjects | Obligatory |
| 1922 - D.D. in Law-Political and Public Administration Sciences | 6 - Year 5 compulsory subjects | Obligatory |
| 1923 - D.D. in Law-Criminology                                  | 7 - Year 5 compulsory subjects | Obligatory |

### Coordination

| Name                        | Department     |
|-----------------------------|----------------|
| ALVENTOSA DEL RIO, JOSEFINA | 50 - Civil Law |

## SUMMARY



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La presente asignatura es una asignatura obligatoria de cuarto curso de grado que consta de 6 créditos ETCS según el documento de Verifica. Su objetivo es conseguir que el estudiante conozca el sistema jurídico de protección de la familia así como el funcionamiento del fenómeno sucesorio. Para ello, en la primera parte del curso se recorrerán los conceptos básicos del Derecho de Familia y, en la segunda parte, el Derecho de Sucesiones. Sus contenidos básicos son los que se exponen a continuación:

**Derecho de Familia:**

1. Concepto de familia.
2. El matrimonio y sistemas matrimoniales.
3. Requisitos y efectos del matrimonio.
4. La nulidad, separación y divorcio.
5. El Régimen económico matrimonial. La organización económica del matrimonio.
6. Filiación y las instituciones tutelares.

**Derecho de Sucesiones:**

1. La sucesión en general y estructura del fenómeno sucesorio.
2. La capacidad para suceder y la dinámica del proceso sucesorio
3. La sucesión testada. El testamento. Concepto y estructura del contenido del testamento: La institución de heredero y los legados.
4. Legítimas y reservas
5. La sucesión intestada
6. Los efectos de la sucesión
7. La comunidad hereditaria y la partición de la herencia.

## PREVIOUS KNOWLEDGE

### Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

### Other requirements

Al ser el Derecho de Sucesiones la parte más compleja del Derecho Civil, y por su constante interrelación con las demás ramas del Derecho Civil, exige el conocimiento previo de las demás materias que componen el total de la Disciplina, principalmente, todo el Derecho patrimonial.



## OUTCOMES

### 1303 - Degree in Law

- Know the content and application of each of the branches of the legal system.
- Understand the legal system as unitary and have an interdisciplinary perspective of legal problems.
- Be able to apply constitutional principles and values, the respect for human rights, with special attention to equality between men and women, sustainability and the culture of peace as working tools in the interpretation of the legal system.
- Be able to use legal sources (legal, jurisprudential and doctrinal).
- Be able to read and interpret legal texts.
- Be able to communicate correctly both orally and in writing in the field of law.
- Be able to analyse legal problems and synthesise their approach and resolution.
- Acquire basic knowledge of legal arguments.
- Have negotiation and conciliation skills.
- Be able to create and structure regulations.

## LEARNING OUTCOMES

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## DESCRIPTION OF CONTENTS

### 1. Family and Family Law

The explanation of this first part of the Right of Family demands to tackle necessarily:

- The concept of family/families in the actuality and the couples in fact.
- The kinship
- The obligation of foods

### 2. The marriage

- The Spanish matrimonial system
- The requirements and the personal effects and patrimoniales of the marriage.
- The nullity, separation and divorce, as well as his common effects.
- The matrimonial economic diets: society of gananciales, separation of goods and participation.



### 3. Filiación And institutions tutelares

- The content of the relation of filiación. The classes of filiación and the forms to determine it
- The system of protection of minors in the figures of the acogimiento and the adoption
- The relations paterno-filial: the homeland authority
- The institutions tutelares: tutela, curatela and judicial defender.

### 4. Administration of successions

- Succession and right of successions.
- Subject of the succession mortis cause.
- The inheritance.
- The capacity for suceder: Budgets, indignity for suceder and relative inabilities.
- The dynamics and phases of the process sucesorio.
- The inheritance in Right

### 5. Succession testada

- The will
- The institution of heir and the legated
- The hereditary replacements
- The execution of the testamentary will
- The agreements sucesorios in general

### 6. Legitimate and reservations

- Calculation and imputación of the legitimate.
- Intangibilidad Qualitative and quantitative of the legitimate.
- The payment of the legitimate.
- The concept and the effects of the preterición and of the disinheritance.
- The reservations vidual and linear.

### 7. Legal or intestate succession

In this unit studies the system sucesorio foreseen for the case of have not left will the causante

### 8.

**WORKLOAD**

| ACTIVITY                                     | Hours         | % To be attended |
|----------------------------------------------|---------------|------------------|
| Theoretical and practical classes            | 60,00         | 100              |
| Attendance at events and external activities | 5,00          | 0                |
| Development of group work                    | 5,00          | 0                |
| Development of individual work               | 5,00          | 0                |
| Study and independent work                   | 10,00         | 0                |
| Readings supplementary material              | 10,00         | 0                |
| Preparation of evaluation activities         | 15,00         | 0                |
| Preparing lectures                           | 15,00         | 0                |
| Preparation of practical classes and problem | 10,00         | 0                |
| Resolution of case studies                   | 10,00         | 0                |
| Resolution of online questionnaires          | 5,00          | 0                |
| <b>TOTAL</b>                                 | <b>150,00</b> |                  |

**TEACHING METHODOLOGY****English version is not available****EVALUATION**

**Composition of the final qualification.-** The final qualification composes of a:

- **30 % OF CONTINUOUS EVALUATION.**
- **70 % OF EVALUATION OF THEORETICAL And PRACTICAL KNOWLEDGES.**

**Activities computable in the continuous evaluation.-** In the **CONTINUOUS EVALUATION** will value the follow-up continued and the preparation of the distinct contents of the programs and will have **LIKE MINIMUM TWO evaluate acts** consistent mainly in the resolution of cases, test-objective proof, individual work or in group, etc..

In any case, each professor reserves the faculty to realize activities of additional continuous evaluation, that will be recorded in the corresponding Annex to the Educational Guide.



**Punctuation of the continuous evaluation.** - In the continuous evaluation will not obtain any punctuation if it does not surpass AT LEAST THE 40 PERCENT of the same. In consequence, those that do not arrive to the 40 percent will have zero points of continuous evaluation. It pretends with this improve the work continued of the student.

The continuous evaluation will compute so much in first as in second announcement.

**Modality of the final proof.**- The modality of the FINAL PROOF of knowledge's (test, short questions or of development, theoretical or theoretical-practical, oral examination, etc.) will determine by each professor and will communicate to the students with the due advance.

In case of coincidence of examinations, will be able to vary the type of examination concerning the planned with general character (p.And., test, oral, writing).

**Need to approve the Final Proof.** - To overcome the course it will be essential to pass the final PROOF.

**Qualification in case of have not marked the continuous evaluation.** - Those students that have not participated regularly in the activities that allow the continuous evaluation will be evaluated by the result of the final proof, to which anyway will be able to present the students enrolled. In such supposition, the maximum final qualification that they can obtain these students will be of 7 points on 10.

**Qualification in case of concurred automatic cause of suspense.**- If concurred automatic cause of suspense, according to the criteria of this Educational Guide or of the Annex of each professor, the maximum note that will obtain the student is a 4.

## REFERENCES

### Basic

- Díez-Picazo, Luis y Gullón, Antonio, Sistema de Derecho Civil, vol. IV, tomo 1, Derecho de Familia, 11º edición, ed. Tecnos, Madrid, 2012
- Díez-Picazo, Luis y Gullón, Antonio, Sistema de Derecho Civil, vol. IV, tomo 2, Derecho de sucesiones, 11º edición, ed. Tecnos, Madrid, 2012
- Lasarte Álvarez, C, Principios de Derecho Civil IV: Derecho de Familia. Marcial Pons, Madrid, 2008
- Lacruz Berdejo, J.L., Elementos de Derecho Civil IV, Derecho de Familia. 4ª edición, 2010
- Martínez de Aguirre, de Pablo Contreras, Pérez Álvarez. Curso de Derecho Civil IV: Derecho de Familia
- Lacruz Berdejo, J.L., Elementos de Derecho Civil V, Sucesiones. 4ª edición, 2009
- Albaladejo García, M: Curso de Derecho Civil español, Tomo IV, Derecho de Familia, Edisofer,



Madrid, 2013

- Albaladejo García, M: Curso de Derecho Civil español, Tomo IV, Sucesiones, Edisofer, Madrid, 2013.

#### **Additional**

- Verdera, R., Esquemas de Derecho Civil. Derecho de Familia, Thomson Reuters, Navarra, 2010
- Verdera, R., Esquemas de Derecho Civil. Derecho de Sucesiones, Thomson Reuters, Navarra, 2010
- Más Badía, M<sup>a</sup> D., Derecho de Familia, Tirant lo Blanch, 2013 (Manual multimedia)  
[www.uv.es/docius/materialesjuridicos.wiki](http://www.uv.es/docius/materialesjuridicos.wiki)

#### **ADDENDUM COVID-19**

**This addendum will only be activated if the health situation requires so and with the prior agreement of the Governing Council**

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