

**COURSE DATA****Data Subject**

Code	35209
Name	Civil Law IV
Cycle	Grade
ECTS Credits	6.0
Academic year	2021 - 2022

Study (s)

Degree	Center	Acad. year	Period
1303 - Degree in Law	Faculty of Law	4	First term
1921 - Double Degree Program BMA and Law	Faculty of Economics	5	First term
1922 - Double Degree Prog. Law-Political Science	Faculty of Law	5	First term
1923 - Double Degree Programme Law-Criminology	Faculty of Law	5	First term

Subject-matter

Degree	Subject-matter	Character
1303 - Degree in Law	10 - Civil law	Obligatory
1921 - Double Degree Program BMA and Law	6 - Year 5 compulsory subjects	Obligatory
1922 - Double Degree Prog. Law-Political Science	6 - Year 5 compulsory subjects	Obligatory
1923 - Double Degree Programme Law-Criminology	7 - Year 5 compulsory subjects	Obligatory

Coordination

Name	Department
SAIZ GARCIA, CONCEPCION	50 - Civil Law



SUMMARY

The present subject is a compulsory subject of fourth course of degree that consists of 6 credits ETCS according to the document of Verifies. His aim is to achieve that the student know the juridical system of protection of the family as well as the operation of the phenomenon sucesorio. For this, in the first part of the course will visit the basic concepts of the Right of Family and, in the second part, the Right of Successions. His basic contents are those that expose to continuation:

Right of Family:

- Concept of family.
- The marriage and matrimonial systems.
- Requirements and effects of the marriage.
- The nullity, separation and divorce.
- The matrimonial economic Diet. The economic organisation of the marriage.
- Filiación And Measures of support to the people with disability for the exercise of his juridical capacity.

Right of Successions:

- The succession in general and structure of the phenomenon sucesorio.
- The capacity for suceder and the dynamics of the process sucesorio
- The succession testada. The will. Concept and structure of the content of the will: The institution of heir and the legacies.
- Legitimate and reservations
- The intestate succession
- The effects of the succession
- The hereditary community and the partition of the inheritance.

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.



COMPETENCES (RD 1393/2007) // LEARNING OUTCOMES (RD 822/2021)

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 (RD 1393/2007) // NO CONTENT (RD 822/2021)

English version is not available

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. -The measures of support of minors and people with discapacidad.

- 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 measures of support of minors and people with discapacidad.

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
TOTAL	150,00	

TEACHING METHODOLOGY

Exhibition of theoretical contents: The professor of the asignatura will expose and will explain the fundamental theoretical contents to guide to the student in the study and understanding of the matter. The student, by his part, has to engage actively in the learning by means of the previous reading of the lesson and the complementary materials that have established in the planning of the course.

Activities applied: it Consists in the comment of sentences, dictámenes and proposals of practical cases, deploying the distinguished competitions, complementing in this way the exhibition of theoretical contents. In each case, will signal the professor which go to be object of evaluation.

Complementary activities: it will program some consistent complementary activity in a workshop, seminar or another activity related with the matter, that will schedule , in function of the availability of human and temporary resources, trying that they have character interdisciplinar, already was with groups of the same or of other asignaturas. The activities will be able to develop in different centres to the Universitat of València.



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 computables 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 acts evaluables 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 realise activities of additional continuous evaluation, that will be recorded in the corresponding Annex to the Educational Guide.

The continuous evaluation presupposes assistance and participation continued. Those students that by diverse reasons can not fulfil with the presencialidad, do not have right to a different continuous evaluation.

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.

The activities of continuous evaluation have the character of “no recoverable” in the second announcement.

Modality of the final proof.- The modality of the FINAL PROOF of knowledges (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 owed antelación.

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 surpass the asignatura will be INDISPENSABLE to APPROVE THE FINAL PROOF.

Those students that have participated in some activity of continuous evaluation, but do not realise the final proof of the corresponding announcements, will state as NO PRESENTED in the records of the corresponding announcements of the asignatura.

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 concurrir automatic cause of suspense.- If concurre 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.
- De verda, J.R."Derecho Civil IV. Derecho de Familia" 3ª Ed. Tirant lo Blanch, Valencia 2020.
- Más Badía, Mª D. (Dir.), Derecho de Familia (Manual multimedia), 2021, www.uv.es/docius/materialesjuridicos.wiki
- Más Badía, Mª D. (Dir.), Derecho de Sucesiones (Manual multimedia), 2021, www.uv.es/docius/materialesjuridicos.wiki



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

ADDENDUM COVID-19

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

HYBRID TEACHING

If the academic authority determines it, this subject will be adapted to the hybrid teaching model established by the Faculty of Law, which provides theoretical-practical face-to-face classes in discontinuous weeks for the student. For this purpose, the Secretary of the Faculty will divide the group into as many subgroups as necessary, giving lessons in the classroom, in the schedule established for the subject, to one of the subgroups in each week according to the calendar established by the Faculty, foreseeing for the others, first and foremost, the class follow-up through synchronous VIDEOCONFERENCE.

The contents, volume of work and evaluation are maintained in the terms initially intended in the academic guide.

NON-FACE-TO-FACE TEACHING

If the academic authority establishes the change in non-face-to-face teaching, this subject will be taught to all students under the same conditions as the indicated for the non-face-to-face teaching part of the hybrid system .

The contents, volume of work and evaluation are maintained in the terms initially intended in the academic guide.