

Faculty of Law



DPRI2381 Seminar on Family Law

[30h] 9 credits

Teacher(s): Jean-Louis Renchon
Language: French
Level: Second cycle

Aims

The objective of this seminar is to direct students towards an in-depth reflection on certain themes in family law the theoretical foundations of which have been taught previously at degree level. The seminar theme changes each year. It is sufficiently varied to enable it to be split into fifteen subjects, closely linked by a common series of problems.

Main themes

The method itself requires two types of work from students: an oral presentation, during the year, of the results of their research on an assigned theme; and an extended essay in which the issues within the subject are systematised and synthesised and the results of the discussions and debates following his or her presentation and those of the other participants in the seminar are considered. The seminars start at the beginning of the academic year, but the first oral presentations only take place during the second semester. In the first semester, the different themes to be analysed are prepared by the students. At regular intervals, each participant must present the progress of his or her research as well as the questions and difficulties met. The research is thus teamwork, allowing the coordination of work on different topics.

During the first semester, some of the seminars consist of a lecture on a subject closely related to the theme of the seminar. The specialist may be a member of the Faculty or an outsider. The seminar is graded for each student. The grade takes into account the work done during the year, participation in the work and debates, the quality of the oral presentation and the essay submitted at the end of the year.

Content and teaching methods

Topic: Reform of the Belgian divorce law in the light of the legislation in other Member States of the European Union. For many years the Belgian Parliament has been working on several bills which aim to thoroughly reform divorce legislation, trying to establish a no-fault divorce. At the same time, the "Etats généraux de la famille" that took place on the initiative of the Minister of Justice and the Secretary of State for the Family, ended with a proposal for a Family Court that would have jurisdiction over all questions related to separation and divorce. It seems that civil and judicial legislation in Belgium is about to change radically. The aim of this seminar is to study and analyse the prospective reforms taking account of the evolutions that have already occurred or are about to occur in various other European countries.

It is possible that, by the time students have to write their essays (i.e. the academic year 2005-2006) the reform will already be in place. The seminar would then focus on a comparative approach to the new Belgian legislation and that of other European countries. If not, the seminar could have as its goal giving Belgian MPs the result of our reflections on this topic, as formulated during the sessions.

The method of working will be the following. Each student can choose for him- or herself the topic of his or her individual paper, as long as this topic is in line with the general topic of the seminar. Each essay should contribute to the juridical research, both theoretical and practical, by compiling new material, improving the explanation and understanding of Belgian and foreign Acts, and by discussing their basis and their relevance

Four sessions of two hours will take place during the academic year 2004-2005. The first two sessions introduce the general topic and choose the personal topic for each student's essay. The third session is a speech by an external lecturer followed by a debate. During the fourth session, each student explains his or her topic, aims and method of working. During the following academic year, students continue their research and write their papers. The essays are presented orally during a residential seminar (two days) that take place immediately before or after the Easter vacation. Any Erasmus students who are not able to be present at that time will have to give their presentations individually at the end of first term of 2005-2006.

Other credits in programs

DROI23

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(9 credits)