

Faculty of Law



DPRI2257 Family Law

[60h+30h exercises]

This three-yearly course is taught in 2007-2008, 2010-2011,...

Language: French

Level: Second cycle

Aims

The course aims as much to initiate students into a critical reflection on the great contemporary questions relating to the legal regulation of the statute of the person and the personal or patrimonial family relations as to enable them to acquire basic knowledge of the rules of the Belgian substantive law applicable to the person, the family and its patrimony.

Main themes

Without prejudice to the possibility of the course teacher examining specific current questions, the course certainly examines the following topics which concern family law in the broad sense:

- the legal status of the human person (existence of the person, rights of the personality, state registry and disabilities);
- the status of marriage and the legal status of the assets of the marriage;
- affiliation and the effects of affiliation;
- the law of inheritance and donations and testaments.

Content and teaching methods

The course approaches the following fields:

- 1) An introduction to the anthropological, social and cultural changes which modify the family and the family law.
- 2) Basic notions relating to the legal status of the human being, i.e. the existence of the person, the state registry, rights of the personality and the disabilities.
- 3) The legal status of marriage.
- 4) Affiliation law and the legal status of the child.
- 5) The dissolution of the marriage and the separation of a non-married couple.
- 6) Death, i.e. the legal provisions which can be affected by death, including a general introduction to the law of liberalities and the legal consequences of death, i.e. essential notions of inheritance law.

Teaching is mainly by lectures, but some time is provided, at each meeting, for students' questions and interventions .

Teaching is supplemented by ten practical exercises during which the members of staff responsible for these sittings give the students documents from the practice and will make them solve concrete cases by applying the principles they have learned.

Other information (prerequisite, evaluation (assessment methods), course materials recommended readings, ...)

This is a lecture course, supplemented by a book of law (syllabus). The course tutor takes care however to invite the students to carry out readings, including in the field of social sciences, in order to stimulate reflection on the course and some debate on the great contemporary questions of family law in the broad sense.

Courses will be supplemented, during the same year, by practical exercises which establish a link with the theoretical topics. These practical exercises enable students to apply the concepts they have been taught in legal practice .