

## Faculty of Law



### DPRI2503 Droit notarial de la famille et du couple

[30h] 4.5 credits

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

#### Aims

The evolution of society has led to an expansion of family law. The legal relations between a couple can no longer be analysed only as a part of marriage. Every situation has to be analysed. This course studies: prenuptial agreements, more specifically the choice of agreement and the drafting of such agreements and the modification of prenuptial agreements during the marriage; the "séparation de fait" of spouses; divorce by mutual consent; liquidation after a "divorce pour cause déterminée"; and the legal situation of unmarried couples who are living together, including the contracts and pacts of life together. These matters are mainly studied from the point of view of inheritance, but the various situations in which notaries are asked to draw up covenants between parents and children or between the couple are also considered.

#### Content and teaching methods

The course has two main parts:

- the settlement of the legal status of the couple;
- the legal dissolution of a couple;

In the first part, we review some of the material taught in the Masters programme on the legal provisions that apply to married and unmarried couples. We also analyse the specific provisions that can be chosen by a couple in a deed executed before a notary: marriage or cohabitation.

The second part is also divided into two subparts:

- the analysis of rules that apply to the process of juridical dissolution of a couple through a deed executed before a notary ("la convention de séparation" and the process of divorce by mutual consent);
- the analysis of the legal rules that apply to the dissolution and settlement of a prenuptial agreement.

In both parts of the course, we also study the practical aspects of having a deed drawn up by a notary as well as a reflection on the sociological and psychological context of the intervention of a notary in the various situations that face present-day couples.

#### Other credits in programs

<b>NOT3DS</b>	Licence en notariat (Diplôme d'études spécialisées)	Mandatory
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