

Course Name : E Drejtë Familjare I							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 213	N/A	Fall	2.00	1.00	0.00	2.50	4.00
Lecturer		Ada Güven, PhD					
Assistant		Patricia Pogace, Msc					
Course language		Albanian					
Course level		Program i Integruar					
Description		Family Law deals analytically and systematically with the institution of the family and the family-legal relations that derive from it, in order to achieve a cognitive and scientific treatment of those issues that constitute the foundation of this branch of private law. The purpose of this course is to provide the student with a thorough knowledge of the basics and principles of family law. The course will focus on contemporary topics related to changes in the concept of family in Albania and in world, where different cases will be discussed, in order for the theoretical meaning to be mastered as well as possible by the student on the one hand, as well as to provide knowledge on case law					
Objectives		The purpose and objective of this course is to train students in the correct understanding of legal family relations and the interpretation of norms and legislation in the field of family law. The course also aims to educate for a correct legal and social understanding of marital and family relations, without being influenced by inappropriate traditions and customs. This course aims to provide a complete treatment of the principles of family law; entering into a marriage, declaring it invalid and dissolving it; the consequences of the dissolution of the marriage, etc. Through the study and discussion of cases, students will be prepared to properly argue court decisions, as well as to support them in the evidence administered during the court process.					
Core Concepts		1. Family law 2. Marriage 3. Absolute invalidity 4. Relative invalidity 5. Property regime 6. Legal community 7. Dissolution of marriage 8- Violence in family relations					
Course Outline							
Week	Topic						
1	Family and family law This lecture gives the meaning of family and family family by mentioning the differences that arose due to marriage, adoption, guardianship and marriage. analyzes the relationship between family and society as well as family functions. (Pp. 15-47)						
2	Resources and Principles of D.F. This lecture defines all the sources of family law starting from the constitution to the acts set out below in the hierarchy of sources. Also the principles that guide family law such as the principle of the highest interest of children, the principle of equality of children born out of wedlock and out of wedlock, etc. (Pp.48-80)						
3	Marriage, its legal meaning according to current legislation This lecture examines marriage and the right to marry according to Albanian and international legislation. It also clarifies the main principles of marriage and the conditions of marriage, which includes the ability to marry, age, mutual consent, as well as some prohibitions such as existing marriage, blood relationship, marriage relationship, etc. (Pp. 81-126)						
4	Form of marriage bond This lecture aims to analyze the form defined by the Albanian legislator to make the marriage contract including preliminary formalities such as the announcement of marriage. In addition, the elements that the formal request for announcement must contain and what is the procedure that follows this announcement are defined. (Pp. 126-138)						

5	Opposition to marriage; The right to suspend the marriage The period from the announcement of the marriage application to its conclusion serves as an opportunity for reflection for the future spouses but also for others who are interested in this legal fact. This lecture defines what are the legitimate subjects for opposing the marriage and what are the reasons for the suspension of marriage. (Pp. 139-147)
6	Understanding the invalidity of marriage; Causes of absolute and relative invalidity Failure to meet the conditions for marriage or subsequent identification of marital impediments leads to the invalidity of the marriage. This lecture gives the meaning of invalidity by identifying the causes for absolute and relative invalidity. (Pp.152-178)
7	Invalidity of marriage continued This lecture will address who are the subjects that can file lawsuits for invalidity, when the right to file lawsuits is statute-barred and what are the consequences of the invalidity of the marriage. (Pp. 178-214)
8	midterm exam
9	Mutual rights and obligations of spouses This lecture aims to analyze the provisions related to the mutual rights and obligations of spouses provided by Articles 50-65.
10	Understanding and general principles of marital property regime The lecture gives the meaning and the main principles of the marital property regime. Defines the rules for setting and changing the property regime. The property regime in the community, ie the legal community, will be treated in detail. (Pp. 215-253)
11	Continuing property regimes This topic deals with the continuation of the property regime by defining the arrangements and instructions for the contract community regime and the separate property regime. Thus, it explains the rights and obligations that each of the spouses has in these regimes. (Pp. 253-263)
12	Coexistence of the fact and marriage of Albanian citizens abroad and foreigners in Albania This lecture reflects a brief history of legal attitudes towards cohabitation, cohabitation as a new institute in Albanian family law and changes in marriage and cohabitation. Also, the marriage of Albanian citizens abroad and foreign citizens in Albania is treated. (Pp. 264-295)
13	Termination of Marriage This lecture gives the meaning of ending marriage. Thus, the termination of a marriage can come voluntarily or without the will of the spouses. Regarding the second case, the termination of the marriage due to the death and the announcement of the death of one of the spouses will be treated. (Pp. 296-301)
14	Cases of divorce Divorce by divorce refers to legal facts arising from the will of the spouses. Thus, the dissolution of the marriage is done with the mutual consent of the spouses, for the termination of the cohabitation and at the request of one of the spouses. (Pp. 301-324)
15	Consequences of divorce This topic deals with the consequences of divorce, such as the acquisition of divorce status, the right to use the surname or not, the termination of the marital property regime, the obligation of compensatory contribution and the consequences of the dissolution of marriage for children. (Pp. 325-338)
16	Final Exam

Prerequisites	The student must attend the course at a minimum rate of 75%.		
Literature	• Arta Mandro, E Drejta Familjare Familja: Fëmijët, Martesa dhe Bashkëshortët (Emal 2009) Sonila Omari, E Drejta Familjare (Botimet Morava 2012)		
References	• Kodi i Familjes (Qendra e Publikimeve Zyrtare 2012) LIGJ Nr. 10 129, datë 11.5.2009 PËR GJENDJEN CIVILE		
Course Outcome			
1	Pas përfundimit me sukses të këtij kursi, studentët do të jenë në gjendje të kuptojnë marrëdhënien juridike martesore dhe të bashkëjetesës dhe dallimet midis tyre.		
2	Pas përfundimit me sukses të këtij kursi, studentët do të jenë të informuar mbi konceptin e pavlefshmërisë së martesës, parashkrimin e të drejtës për kërkim pavlefshmërie si dhe pasojat e pavlefshmërisë së martesës		
3	Pas përfundimit me sukses të këtij kursi, studentët do të jenë të informuar lidhur me kuptimin dhe parimet e përgjithshme të regjimit pasuror martesor, si dhe të drejtat dhe detyrimet në regjimin pasuror martesor.		
4	Pas përfundimit me sukses të këtij kursi, studentët do të jenë në gjendje të kuptojnë konceptin e mbarimit të martesës, vdekjen dhe shpalljen i vdekur; zgjidhja e martesës si edhe pasojat që derivojnë prej saj.		
5	Pas përfundimit me sukses të këtij kursi, studentët do të jenë të pregatitur profesionalisht për të argumentuar drejtë, nga pikëpamja logjike e juridike, vendimet e gjyqësore, si dhe për t'i mbështetur ato në prova të administruara rregullisht gjatë procesit gjyqësor.		
Course Evaluation			
In-term Studies		Quantity	Percentage
Midterms		1	40
Quizzes		0	0
Projects		0	0
Term Projects		0	0
Laboratory		0	0
Class Participation		0	0
Total in-term evaluation percent			40
Final exam percent			60
Total			100
ECTS Workload (Based on Student Workload)			
Activities	Quantity	Duration (hours)	Total (hours)
Course duration (Including the exam week: 16x Total hours of the course)	16	3	48
Study hours outside the classroom (Preparation, Practice, etc.)	14	2	28
Duties	0	0	0
Midterms	1	10	10
Final Exam	1	20	20
Other	0	0	0
Total Work Load			106
Total Work Load / 25 (hours)			4.24
ECTS			4.00