

Course Name : E Drejtë Familjare II							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 216	N/A	Spring	3.00	0.00	0.00	3.00	4.00
Lecturer		Ada Güven, PhD					
Assistant							
Course language		Albanian					
Course level		Program i Integruar					
Description		Family law treats in an analytical and systematic way 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 problems that constitute the foundation of this branch of private law. This course aims to provide the student with complete knowledge about children, motherhood, fatherhood, parental responsibility and social responsibility over children. The course will focus on contemporary topics that are discussed everywhere related to the legal protection of children, highlighting the problems that have arisen in Albanian society, providing legal solutions provided by domestic and international legislation ratified by Albania. Also, this course aims to inform students with some important institutes such as adoption, guardianship, etc.					
Objectives		The aim and objective of this course is to train students in the correct understanding of family legal relations and the interpretation of norms and legislation in the field of family law. The course also aims at educating for a fair legal and social understanding of parent-child or society-child relations by expressing the various violations that occur in this context. This course aims to provide a complete treatment of the problem of domestic violence as it assesses that it is a relatively widespread problem in society. Through case study and discussion, students will be prepared to rightly argue court decisions, as well as to base them on evidence administered during the trial.					
Core Concepts		1. Parental responsibility 2. Amesia 3. Adoption 4. Atesia 5. Custody 6. Division of property 7. Community Assets 8. Wealth Regimes					
Course Outline							
Week	Topic						
1	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.						
2	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)						
3	Continuing property regimes This topic deals with the continuation of the property regime by defining the regulations 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)						
4	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)						

5	Maternity of the child; Recognition and opposition of motherhood This lecture defines what motherhood is, how maternity recognition is done, including voluntary and judicial recognition. Also, the types of subjects who can oppose the motherhood of the child are treated. (Pp. 376-396)
6	Paternity of the child; Recognition and opposition of paternity This lecture defines what motherhood and fatherhood are, how to recognize paternity and maternity, including voluntary and judicial recognition. Also, the types of subjects who can oppose the motherhood and paternity of the child are treated. (Pp. 376- 396)
7	Midterm exam
8	Obligation for alimony This lecture aims to analyze the provisions related to the maintenance obligation provided by Articles 192-214.
9	Parental responsibility, meaning and content This topic traces the meaning of parental responsibility, its goals and principles. Also, the timely extension of parental responsibility is determined by determining the moment of beginning and end of parental responsibility. In the end, it gives the ways of exercising parental responsibility (Pages 397- 424)
10	Parental responsibility continued This lecture will address the exercise of parental responsibility, the exercise of only one parent, by third parties and parental responsibility regarding the representation, administration and use of the minor's property. In the end, the cases of waiver of parental responsibility are given. (Pp. 425-461)
11	ADOPTION This lecture will address the legal basis, meaning and purpose of the institution of adoption, will determine the status of the adopted and will explain the adoption procedure including administrative and judicial procedure. Intercountry adoption will also be analyzed. (Pp. 462-490)
12	guardianship This topic addresses the meaning and characteristics of guardianship. Also, the procedure for appointing a guardian and the ways of exercising guardianship are defined. In addition, the duties and rights of the guardian and the minor are analyzed, as well as the special guardianship and guardianship over the adult persons. (Pp. 491-520)
13	Convention on the Rights of the Child This lecture gives an overview of the Convention on the Rights of the Child.
14	Law no. 9359, dated 24.03.2005 "On the ratification of the European Convention" On relations with children " This lecture makes a general presentation of law no. 9359, dated 24.03.2005 "On the ratification of the European Convention" On relations with children ".
15	Judicial practice Enrichment of lectures by integrating case law related to the topics covered within this course during the academic semester.
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) • Kodi i Familjes (Qendra e Publikimeve Zyrtare 2012)
References	• Sonila Omari, E Drejta Familjare (Botimet Morava 2012) • Legjislacioni për Birësimet i R.Sh.. (Qendra e Publikimeve Zyrtare 2012) • Ligji nr. 9443, Datë 24.03.2005. Për Aderimin e R.Sh. në Konventën “Për Juridiksionin, Ligjin e zbatueshëm, njohjen, zbatimin dhe bashkëpunimin në lidhje me përgjegjësinë prindërore dhe masat për mbrojtjen e fëmijëve”.
Course Outcome	
1	Upon successful completion of this course, students will be able to understand the family legal relationship.
2	Upon successful completion of this course, students will be informed on the concept of fatherhood, motherhood, their recognition and opposition.
3	Upon successful completion of this course, students will be able to understand the rights of children and the legal framework that protects them
4	Upon successful completion of this course, students will have acquired the key concepts of parental responsibility, exercised by only one parent; exercise of parental responsibility by third parties; parental responsibility for the representation, administration and use of the minor's property
5	Upon successful completion of this course, students will be provided with knowledge on adoption, custody and measures to be taken regarding domestic violence.

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	15	15
Other	0	0	0
Total Work Load			101
Total Work Load / 25 (hours)			4.04
ECTS			4.00