Information about the subject

Degree: Bachelor of Arts Degree in Law

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 310303 **Name:** Civil Law V

Credits: 6,00 **ECTS Year:** 3 **Semester:** 2

Module: Civil Law

Subject Matter: Civil Law **Type:** Compulsory

Field of knowledge: Social and Legal Sciences

Department: -

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

313A	Pilar Maria Estelles Peralta **(Responsible Lecturer)**	pm.estelles@ucv.es
313B	Pilar Maria Estelles Peralta **(Responsible Lecturer)**	pm.estelles@ucv.es

Module organization

Civil Law

Subject Matter	ECTS	Subject	ECTS	Year/semester
Civil Law	30,00	Civil Law I	6,00	1/1
		Civil Law II	6,00	1/2
		Civil Law III	6,00	2/1
		Civil Law IV	6,00	3/1
		Civil Law V	6,00	3/2

Recommended knowledge

Not required

Learning outcomes

At the end of the course, the student must be able to prove that he/she has acquired the following learning outcomes:

R1	To be able to use confidently the sources of inheritance law.
R2	To distinguish the different types of succession by cause of death.
R3	To know, distinguish and detect the different causes of incapacity to succeed.
R4	To know how to write wills in compliance with legal formalities and requirements and to interpret them.
R5	To be able to detect cases of inefficiency of the will.
R6	To know and be able to use confidently the different types of hereditary substitutions.
R7	To understand and distinguish the figure of the legatee.
R8	To know the institution of the executor and its functions.
R9	To know and be able to calculate the Legítima (the statutory right to inheritance).
R10	To know and to handle the assumptions of hereditary reserve.
R11	To identify the assumptions of intestate succession and the orders of succession.
R12	To know and handle confidently the effects of succession.
R13	To know and be able to carry out partitional operations.

Competencies

Depending on the learning outcomes, the competencies to which the subject contributes are (please score from 1 to 4, being 4 the highest score):

	Weighting			
	1	2	3	4

Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	40,00%	Practical tests
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	20,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	40,00%	Written theoretical tests

Observations

Attendance and active participation in class sessions, group work, tutorials and seminars. Its evaluation will be carried out by means of follow-up records of attendance by the teacher and by the assessment of the active participation of the student through interventions and debatesin the classroom, participation in forums and chats. The mere passive attendance of the student will not be taken into account for the computation of this percentage. The lack of unjustified attendance at 20% of the practical sessions prevents the computation of this percentage.
Practical evaluation: Resolution of the different practices that will be proposed to the student throughout the course. The evaluation of the practices and the group work will be carried out through the assistance and oral and / or written presentation of the different practices and proposed works. The work developed in group and / or individually by the student will be evaluated. The evaluation of the works presented will be carried out taking into account the structure of the work, the quality of the documentation, the spelling and the presentation and mainly, the legal-legal argumentation and justification. The grade will be obtained from the average of all the grades obtained in this section. Scores below 5 do not count as a percentage. The qualification of the practices carried out in class (with a grade equal to or greater than 5), will be maintained for the second call. The lack of unjustified attendance at 20% of the practical sessions prevents the computation of this percentage.
Theoretical evaluation: Theoretical-practical written tests in which the acquired theoretical and practical knowledge and knowledge of current legislation will be exposed. It is essential to obtain a minimum of 5 out of 10 in the exam to be able to do the average with the practice mark. Scores below 5 do not count as a percentage. If a grade lower than 5 is obtained in the official exam of the first call, the final average grade of the practices carried out in class and / or group work (with a

grade equal to or greater than 5), will be kept for the second call. Finally, given the importance of the correct formal presentation of legal documents, it is noted that each misspelling will deduct 0'1 points from the exam grade. Failure to comply with the rules and deadlines established for the completion and delivery of the requested academic activities will lead to the negative evaluation of the activity. Extraordinary call: the evaluation system and its percentages of mark of practices (40%) and attendance and participation (20%) are maintained in the extraordinary call.
CRITERIA FOR THE GRANT OF HONOR REGISTRATION: According to article 22 of the Regulatory Regulation of the Evaluation and Qualification of the Subjects of the UCV, the mention of "Honor Registration" may be awarded by the professor responsible for the subject to students who have obtained the "Outstanding" rating. The number of "Honor Registration" mentions that may be granted may not exceed five percent of the students included in the same official act, unless it is less than 20, in which case a single "Registration of Honor".
Attendance at breastfeeding mothers class: Due to the schedule of this subject that is taught first thing in the morning, nursing mothers may be absent from them, after notifying the teacher once. The teacher will establish together with the student who is in this circumstance an alternative work plan to allow them to acquire the same knowledge and skills as the rest of their classmates.

MENTION OF DISTINCTION:
According to Article 22 of the Regulations governing the Evaluation and Qualification of UCV Courses, the mention of "Distinction of Honor" may be awarded by the professor responsible for the course to students who have obtained, at least, the qualification of 9 over 10 (“Sobresaliente”). The number of "Distinction of Honor" mentions that may be awarded may not exceed five percent of the number of students included in the same official record, unless this number is lower than 20, in which case only one "Distinction of Honor" may be awarded.

Learning activities

The following methodologies will be used so that the students can achieve the learning outcomes of the subject:

M1	Group work sessions supervised by the teacher. Study of legal cases, both true and fictitious. Significant construction of knowledge through student interaction and activity. Critical analysis of values and social commitment.
M2	Supervised monographic sessions with the student's participation.
M8	Exposition of contents by the teacher, analysis of competences, explanation and demonstration of capacities, skills and knowledge in the classroom.
M10	Application of interdisciplinar knowledge.

M11 Personalised attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the aim of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc.

M12 Set of written and/or oral tests used in the initial, formative or summative evaluation of the student.

M13 Group preparation of readings, essays, resolution of problems, seminars, papers, dossiers, etc., to be presented or delivered in theory classes, practical classes, and/or small group tutorials.

M14 Student's study: individual preparation of readings, essays, problem-solving, seminars, works, reports, etc. to present or deliver in the theoretical classes, practical classes and/or small group tutorials.

IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Practical cases. M1	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	24,00	0,96
Theoretical classes. M8	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	18,00	0,72
Presentation of group work. M1, M10	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	8,00	0,32
Tutorial. M11	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	5,00	0,20
Assessment M12	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	5,00	0,20
TOTAL		**60,00**	**2,40**

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M13	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	45,00	1,80
Individual work. M14	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	45,00	1,80
TOTAL		**90,00**	**3,60**

Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block	Contents
PART I. THE SUCCESSION BY CAUSE OF DEATH	1. Opening of the succession. 2. The vocation and declaration of inheritance. 3. The ius transmisionis. 4. The ability to happen. 5. The unworthiness to happen. 6. Growth. 7. The right of representation.
PART II. RESTRICTIONS ON THE FREEDOM OF PROVISION OF WILL	1.The legitimate and the improvement. 2. Hereditary reserves.
PART III. THE TESTAMENTARY SUCCESSION	1.Ability to test. 2. The will. Content and validity of the will. 3. Hereditary substitutions. 4. Legacies. 5. The execution of the will. Execution.
PART IV. THE INTESTED SUCCESSION	1. Intestate succession. General perspective. 2. Assumptions of opening the intestate succession. 3. Orders to happen. 3.1. The succession of the descendants. 3.2. The succession of ancestors. 3.3. The succession of the widowed spouse. 3.4. The succession of collaterals. 3.5. The succession of the State.
PART V. EFFECTS OF THE SUCCESSION	1.Lying inheritance. 2. Acquisition of inheritance. 3. Acceptance and repudiation of the inheritance. 4. The benefit of inventory and the right to deliberate. 5. The hereditary community. 6. The partition of the inheritance. Rules applicable to partition. Partitional operations.

Temporary organization of learning:

Block of content	Number of sessions	Hours
PART I. THE SUCCESSION BY CAUSE OF DEATH	4,00	8,00
PART II. RESTRICTIONS ON THE FREEDOM OF PROVISION OF WILL	11,00	22,00
PART III. THE TESTAMENTARY SUCCESSION	5,00	10,00
PART IV. THE INTESTED SUCCESSION	2,00	4,00
PART V. EFFECTS OF THE SUCCESSION	8,00	16,00

References

· **Básic Bibliografy:**

·Sánchez Calero, F. J., Curso de Derecho Civil IV. Derechos de Familia y sucesiones. Tirant lo Blanch, 2021.· Código Civil, 2021

·**Further Bibliografy:**

· Dolencias del Derecho civil de sucesiones. 130 años después de la aprobación del Código Civil español, AA. VV. , Pilar Mª. Estellés Peralta (dir.), Tirant lo Blanch, 2022.

·Lasarte Álvarez, C., Principios de Derecho Civil, T. VII: Derecho de Sucesiones, Marcial Pons, 2021.

·Diez Picazo y Gullón Ballesteros, Sistema de Derecho Civil, t. IV, vol. 2, Derecho de Sucesiones, Tecnos, 2017.

·Manuel Albaladejo. Derecho Civil V. Derecho de Sucesiones. Ed. Dykinson, 2009.

Addendum to the Course Guide of the Subject

Due to the exceptional situation caused by the health crisis of the COVID-19 and taking into account the security measures related to the development of the educational activity in the Higher Education Institution teaching area, the following changes have been made in the guide of the subject to ensure that Students achieve their learning outcomes of the Subject.

Situation 1: Teaching without limited capacity (when the number of enrolled students is lower than the allowed capacity in classroom, according to the security measures taken).

In this case, no changes are made in the guide of the subject.

Situation 2: Teaching with limited capacity (when the number of enrolled students is higher than the allowed capacity in classroom, according to the security measures taken).

In this case, the following changes are made:

1. Educational Activities of Onsite Work:

All the foreseen activities to be developed in the classroom as indicated in this field of the guide of the subject will be made through a simultaneous teaching method combining onsite teaching in the classroom and synchronous online teaching. Students will be able to attend classes onsite or to attend them online through the telematic tools provided by the university (videoconferences). In any case, students who attend classes onsite and who attend them by videoconference will rotate periodically.

In the particular case of this subject, these videoconferences will be made through:

[X] Microsoft Teams

[ ] Kaltura

Situation 3: Confinement due to a new State of Alarm.

In this case, the following changes are made:

1. Educational Activities of Onsite Work:

All the foreseen activities to be developed in the classroom as indicated in this field of the guide of the subject, as well as the group and personalized tutoring, will be done with the telematic tools provided by the University, through:

X	Microsoft Teams
	Kaltura

Explanation about the practical sessions:

2. System for Assessing the Acquisition of the competences and Assessment System

ONSITE WORK

Regarding the Assessment Tools:

[X] The Assessment Tools will not be modified. If onsite assessment is not possible, it will be done online through the UCVnet Campus.

[ ] The following changes will be made to adapt the subject's assessment to the online teaching.

Course guide		Adaptation	
Assessment tool	Allocated percentage	Description of the suggested changes	Platform to be used

The other Assessment Tools will not be modified with regards to what is indicated in the Course Guide.

Comments to the Assessment System: