



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: Private Law

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

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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):

GENERAL		Weighting			
		1	2	3	4
CG1	Knowledge of the Science being studied, in this case of the science of Law, fundamentally of the most practical branches, with their international and economic implications and their specialized language.			X	
CG2	Analysis and synthesis capacity				X
CG3	Capacity for organization and planning			X	
CG4	Problem-solving capacity.				X
CG5	Computer skills related to the field of knowledge.		X		
CG6	To be able to effectively obtain information from books and specialized journals, and from other sources.			X	
CG7	Critical reasoning when analysing information.				X
CG8	Ethical commitment to information management.			X	
CG9	Oral and written communication skills in their native language in relation to the Science of Law.				X
CG11	Professional relationships: be able to establish and maintain relationships with other relevant professionals and institutions.		X		
CG12	To be able to develop audiovisual presentations.		X		
CG13	Information management capacity.			X	
CG14	Ability to work as a team and collaborate effectively with others.				X
CG15	Ability to work in interdisciplinary teams.			X	



CG16 Ability to develop and maintain one's own competencies, skills and knowledge according to the standards of the profession.

X

SPECIFIC		Weighting			
		1	2	3	4
CE1	To become aware of the Law as an orderly system of legal norms regulating social relations.				X
CE2	Understanding of the different ways of creation of Law in its historical evolution and in its current reality, assimilating the existence of subordinate and supranational legal systems and the forms in which they are articulated.			X	
CE3	Ability to use constitutional principles and values as a working tool in the interpretation of the legal system.				X
CE5	Ability to identify the rights and obligations of the natural persons in all the areas of Law and give legal form to their acts of will.				X
CE16	Acquisition of a critical conscience in the analysis of the legal system and acquisition of values and ethical principles.				X
CE18	To learn how to use the existing legal bibliographic information.			X	
CE19	Ability to handle the different legal sources (legal, jurisprudential and doctrinal).			X	
CE20	Mastery of computer techniques in obtaining legal information and communication of legal data (Internet, databases of legislation, jurisprudence, bibliography).		X		
CE21	Ability to read and interpret legal texts.				X
CE22	Ability to make legal arguments.				X
CE23	Ability to write legal texts. Basic knowledge of legal argumentation.				X
CE24	Development of legal oratory. Ability to express oneself appropriately in front of an audience.				X
CE25	Development of the ability of working in teams.				X
CE26	Assumption of the necessary interdisciplinary vision of legal problems.			X	



CE27 Capacity for negotiation and conciliation.

X

CE28 Ability to give legal form to bilateral and multilateral relations of individuals.

X

CE29 Ability to legally articulate projects, agreements, or disagreements.

X



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 debates in 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 and/or Final Questionnaire. 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, where appropriate, 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 evaluation: The evaluation system and its percentages are as follows: practical part (50%); theoretical part (50%). The theoretical or practical part passed with a score equal to or higher than 5 is retained for the extraordinary call, unless there is an express waiver from the student.

Single evaluation:

According to Article 9 of the General Regulations for Assessment and Qualification of Official Teaching and Own Degrees of UCV, the single assessment is linked to the impossibility of attendance for students enrolled in a face-to-face program. It is, therefore, an extraordinary and exceptional assessment system that students who can justify and prove their inability to undergo continuous assessment may choose, and they must request this from the professor responsible for the subject, who will expressly decide on the admission of the student's request for single assessment and communicate the acceptance/denial.

As far as the subject of Civil Law V is concerned, the minimum required attendance percentage is 70%, which is the limit to be considered for the potential request for a unique evaluation. If the unique evaluation is granted, it will be structured based on the following criteria: the percentages assigned to the different evaluation instruments will be as follows: 50% for practical tests and 50% for theoretical tests in both the first and second calls. The evidence to be presented and/or the tests to be taken in the unique evaluation by the student will be carried out using the same theoretical test as for the other students and through a practical test consisting of a written practical test, whether with micro-cases, multiple choice, short answer, and/or true or false.

Use of AI: In the subject of Civil Law I, the use of any type of AI for the completion of exercises, assignments, and evaluation tests is not permitted. Students are also not allowed to use AI to record or transcribe, either totally or partially, any activity carried out in the classroom, in order to obtain summaries or notes through AI or to input notes or any other material authored by the teaching staff that has been provided in AI tools such as ChatGPT or other non-institutional tools whose information is not found in controlled environments.

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.



CLASS ATTENDANCE IN FACE-TO-FACE DEGREES

In accordance with the development guidelines of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, in face-to-face degrees, class attendance with a minimum of 80% of the sessions of each subject will be required as a requirement to be evaluated. This means that, if a student does not attend the sessions of each subject, in a percentage greater than 20%, he/she will not be able to be evaluated, neither in the first nor in the second call, unless the person responsible for the subject, with the approval of the person responsible for degree, in view of duly justified exceptional circumstances, exempt from the minimum attendance percentage. The same criterion will be applicable for hybrid or virtual degrees in which teachers must maintain the same percentage in the requirement of "presence" in the different training activities, if any, even if these are carried out in virtual environments.

MENTION OF DISTINCTION:

The mention of "Honors" may be awarded to students who have obtained a grade equal to or greater than 9.0. Their number may not exceed five percent of the students enrolled in a group in the corresponding academic year, unless the number of students enrolled is lower.

Learning activities

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

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|-----|---|
| 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 interdisciplinary 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	22,00	0,88
Presentation of group work. M1, M10	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	4,00	0,16
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 transmissionis. 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.
PART IV. THE INTENDED 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

·Basic bibliography:

·Sánchez Calero, F. J., Curso de Derecho Civil IV. Derechos de Familia y sucesiones. Tirant lo Blanch, Valencia, 2021. · Código Civil, 2023.

·Further bibliography:

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

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·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.