

Study program : Law
Type and level of studies: Master studies
Course unit: Contracts of Inheritance Law
Teacher in charge : Tamara Đurđić-Milošević, assistant professor
english language
ECTS: 8
Prerequisites: None
Summer Semester
<p>Course unit objective</p> <p>Acquisition of extended scientific and professional knowledge on inheritance agreements and contracts of obligatory nature relevant for inheritance law; improving methods of interpreting contracts; acquiring legal skills in the process of implementation and protection of inheritance rights.</p>
<p>Learning outcomes of Course unit</p> <p>In this course it is expected from the students: to develop the ability for systematic approach towards disputable legal issues regarding inheritance contract law; to be enabled to consider from critical point of view comparative legislation, as well as positive law, and to offer a reason-based analysis of the nature of the contracts and finally to prove the necessity for their existence in the inheritance law; to develop the ability for competent scientific and professional discussion, research and presentation of research results in order to effectively realize the inheritance rights arising from the contract; to put into practice the knowledge and skills acquired in this course;</p>
<p>Course unit contents</p> <p>1. Restrictions on freedom of contract in inheritance law;</p> <p>2. Succession contracts (inheritance agreement, contract on future inheritance or contract on future legacy, contract on waving future inheritance rights; contract on testamentary content);</p> <p>3. Contracts of obligatory nature of special importance for inheritance law (lifelong maintenance contract, agreements on assignment and distribution of property during lifetime, gift in contemplation with death, contract on assignment of inheritance portion to the co-heir before the division of the estate, contract on assignment of inheritance portion to the third party before the division of the estate, contract on the inheritance division);</p>
<p>Literature</p> <p>Obligatory: D. Đurđević, Institutions of Inheritance Law, Belgrade, 2015, pp. 239-273;</p> <p>O. Antić, Freedom of Testation and Forced Shares – doctoral thesis, Beograd, 1983, pp. 63-80, 83-91, 94-97, 102-103, 105, 136;</p> <p>N. Stojanović, Why Inheritance Contract is prohibited in our Law?, Legal Life, 10/2003;</p> <p>D. Živojinović, Inheritance Agreement on Waving Future Inheritance Rights, Legal Life, 10/2000, 405-411, 413 - 419;</p> <p>M. Đurđević, Gift Contract in Contemplation with Death, Collected papers – Faculty of Law in Novi Sad, 2011, No.1 pp. 241-243, 248-251;</p> <p>N. Stojanović, Contract on Assignment and Distribution of Property during Lifetime, in: Collected Papers-Faculty of Law in Niš, 2008, pp. 51 (2008), pp. 25-40;</p> <p>D. Živojinović, Assignment of Inheritance Portion, Legal Life, 1997, No. 10. pp 505-516;</p> <p>N. Stojanović, Inheritance Community, Niš, 2009, pp. 43-57:</p> <p>Optional: Antić- Z. Balinovac, Commentary on Inheritance Act, Belgrade, 1996;</p> <p>D. Đurđević, Introduction of Inheritance Contract into Serbian Law, Annals of Faculty of Law in Belgrade, 2/2009;</p> <p>D. Đurđević, Law of Obligations and Contracts in Inheritance Law, Collected papers-Journal of Legal Theory and Practise, Podgorica, pp. 2/2009;</p> <p>T. Đurđić-Milošević, Delimitation of Inheritance Contract from other Legal Transactions;</p>

Number of active teaching hours				Other classes
Lectures: 45	Practise: 30	Other forms of classes: 15	Independent work:	
Teaching methods				
Lectures, consultations, seminars, case studies, mid-term tests, term papers, students' presentations				
Examination methods (maximum 100 points)				
Exam prerequisites	No. of points:	Final exam	No. of points:	
Student's activity during lectures	15 points	oral examination	54	
Student's activity during practical classes	15 points			
practical classes/tests	Two tests (each up to 8 points)	written examination		
Seminars/homework			
Project				
Other				
Grading system				
Grade	No. of points	Description		
10	91-100	Excellent		
9	81-90	Exceptionally good		
8	71-80	Very good		
7	61-70	Good		
6	51-60	Passing		
5	less than 51	Failing		