

Study program : Law
Type and level of studies: Doctoral studies
<b>Course unit: Inheritance law-selected issues</b>
<b>Teacher in charge : Tamara Đurđić-Milošević, assistant professor</b>
english language
ECTS: 8
Prerequisites: None
Semester/2/3/4
<b>Course unit objective</b> Acquiring in-depth theoretical knowledge from specified institutes of inheritance law with an emphasis on an evolutionary and interdisciplinary approach to their study, enabling students to notice the relationship between specific civil law institutes, creating their ability for abstract thinking;
<b>Learning outcomes of Course unit</b> Creating a highly qualified lawyer with the ability for further developing legal discipline through practical and theoretical research in various fields of law and scientifically and professionally competent solution of the most complex practical and theoretical problems.
<b>Course unit contents</b> Legal status of heirs - systems of acquisition of inheritance, statutory heir, hereditary community, taking into account gifts and legacies when determine the inheritance portion, responsibility of heirs and legatee for the debts of the testator. Inheritance position of the testator's spouse. Testament - concept, legal nature of testament, testamentary and legal capacity, conditions for validity and reasons for invalidity of testament, formalism and testamentary forms, content of testament, revocation of testament. Contracts in inheritance law - Contract on Assignment and Distribution of Property during Lifetime; Lifetime maintenance contract: concept and legal nature of the contract, contracting parties, legal effect of the contract, termination and annulment, simulated lifetime maintenance contract.
<b>Literature</b> <i>Obligatory:</i> D. Đurđević, Institutions of Inheritance Law, Belgrade, 2015, pp. 239-273; O. Antić, Inheritance Law, Belgrade, 2004; O. Antić- Z. Balinovac, Commentary on Inheritance Act, Belgrade, 1996;  <i>Optional:</i> S. Perović, Formal Contracts in Civil Law, Belgrade, 1964, pp. 38-44 and 120-123; N. Stojanović, Hereditary Community, Nis, 2009. pp. 6-14, 63-87, 89-102, 103-143; Lifetime Maintenance Agreement, Collected papers, Niš 1997; S. Svorcan, Termination of Lifelong Maintenance Agreement, Belgrade, 1988; D. Živojinović, Acquisition of Inheritance in European Continental Laws, Legal System of Serbia and Standards of EU and EC, book 3, Kragujevac, 2008, pp. 233-243; D. Živojinović, Limitation of Freedom of Testation, Legal Life, no. 10, Belgrade, 2002, pp. 473-489; D. Živojinović, Impact of Mental Reservation on the Validity of Testament, Legal Life, no. 10, Belgrade, 2003, pp. 215-225; D. Živojinović, Testamentary and Legal Capacity, Legal Life, 2001, vol. 462, no. 10, p. 132-135; D. Živojinović, Termination of Marriage and Testament, Legal Life, 2009, vol. 531, no. 11, p. 833-843; D. Živojinović, Revocation of Testament, Collected Papers-Faculty of Law University of Kragujevac, Nis, 2010, no. 56, pp. 59-75; D. Živojinović, The Relationship Between the Previous and the Subsequent Testament with the Respect of Revocation, Legal Life, 2010, vol. 540, no. 10, pp. 715-728; N. Stojanović, Contract on Assignment and Distribution of Property during Lifetime, Collected Papers-Faculty of Law University of Niš, 2008, 25-40; N. Stojanović, Taking into Account of Gifts and Legacies when Determine Inheritance Portion, in: „Novelities in Inheritance Act of Republic of Serbia from 1996“, Collected Papers- Kragujevac, 1998, pp.131-149. D. Đurđević, Impact of Partial Deprivation of Legal Capacity on Testamentary Capacity, in: „Development of the Serbian Legal System and Harmonization with EU Law“, project contributions, Faculty of Law in Belgrade, Belgrade 2007; T. Đurđić-Milošević, Legal Position of a Testamentary Heir Appointed Under a Condition or Term. in: Vlašković B., editor (s). “Harmonization of the Legal System of Serbia with the Standards of the European Union”, book 1, Kragujevac: 2013, p. 327-340. Hereditary Position of Spouses in the First Inheritance Order, Serbian Liberal Thought 3/2000; D. Đurđević; Reduction of the Inheritance Portion of the Spouse in the Second Inheritance Order up to ¼; Legal Life 2001, no. 10; D.

Durđević, Spouse as Heir of the First Inheritance Order in Comparative law, Foreign Legal Life No. 3/1998; D. Živojinović, T. Đurđić-Milošević, Inheritance Contract and its Substitutes in European and Serbian Law, Journal of European Law, no. 2-3 (2015), pp. 69-88.

<b>Number of active teaching hours</b>				<b>Other classes</b>
Lectures: 15x2	Practice:	Other forms of classes (discussion groups): 15x2	Independent work (scientific research): 15x2	
<b>Teaching methods</b>				
Lectures, consultations, seminars, case studies, mid-term tests, term papers, students' presentations				
<b>Examination methods (maximum 100 points)</b>				
<b>Exam prerequisites</b>	<b>No. of points:</b>	<b>Final exam</b>	<b>No. of points:</b>	
Student's activity during lectures/discussion group	<b>Up to 10 points</b>	oral examination	60	
Practical classes/tests		written examination		
Writing and defense of seminar paper	<b>Up to 20 points</b>	.....		
Essay, review, presentation:	<b>Up to 10 points</b>			
Other				
<b>Grading system</b>				
<b>Grade</b>	<b>No. of points</b>		<b>Description</b>	
<b>10</b>	<b>91-100</b>		<b>Excellent</b>	
<b>9</b>	<b>81-90</b>		<b>Exceptionally good</b>	
<b>8</b>	<b>71-80</b>		<b>Very good</b>	
<b>7</b>	<b>61-70</b>		<b>Good</b>	
<b>6</b>	<b>51-60</b>		<b>Passing</b>	
<b>5</b>	<b>less than 51</b>		<b>Failing</b>	