UNIVERSIDADE DA CORUÑA

Teaching Guide				
Identifying Data				2019/20
Subject (*)	Succession Law		Code	612G01034
Study programme	Grao en Dereito			
Descriptors				
Cycle	Period	Year	Type	Credits
Graduate	1st four-month period	Fourth	Obligatory	6
Language	Spanish			
Teaching method	Face-to-face			
Prerequisites				
Department	Dereito Privado			
Coordinador	Pérez Álvarez, Miguel Angel	E-mail	miguel.angel.perez.alvarez@udc.es	
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Web				
General description	The aim of this subject is for students to learn about of Inheritance Law.			

Study programme competences	
Code	Study programme competences
A1	Knowledge of the main legal institutions
A3	Grasping the systematic nature of the legal system
A4	Appreciating the interdisciplinary nature of legal problems
A8	Basic knowledge of legal argumentation.
A9	Ability to handle legal sources (legal, jurisprudential and doctrinal).
A10	Ability to interpret and critically assess the legal system.
A11	Ability to understand and write legal documents.
A12	Management of legal oratory (ability to express themselves properly in public).
A13	Mastering new technologies applied to law.
B7	Effective problem solving.
B8	Critical, logical, and creative thinking.
B9	Working autonomously on own initiative with a lifelong learning approach.

Learning outcomes			
Learning outcomes	Study programme competences		
Knowledge of the main legal institutions	A1		
Perception of the systematic nature of the legal system	A3		
Perception of the interdisciplinary nature of legal problems	A4		
Basic knowledge of legal argumentation	A8		
Ability to handle legal sources (legal, case law and doctrinal)	A9		
Ability to interpret and critically analyse the legal system	A10		
Ability to understand and draft legal documents	A11		
Handling legal oratory	A12		
Proficiency in new technologies applied to Law	A13		
Effective problem solving		B7	
Applying critical, logical and creative thinking		B8	
Working independently with initiative and in a collaborative way		B9	

Contents	
Topic	**Sub-topic**
LESSON 1. SUCCESSION AND SUCCESSION LAW	1.- Succession mortis causa and the law of succession. The principles of inheritance law. 2.- Heir and legatee. Determination of the type of appeal.
LESSON 2. INHERITANCE. THE PHASES OF HEREDITARY SUCCESSION	1.- Inheritance. 2.- The phases of hereditary succession. 3.- In particular, the way of acquiring an inheritance. 4.- Recumbent inheritance. 5.- Taking possession of inherited assets.
LESSON 3. CAPACITY TO INHERIT	1.- Absolute incapacities. 2.- Survival. 3.- Unworthiness. 4.- Relative incapacity. 5.- Effects of unworthiness and relative incapacity.
LESSON 4. RIGHT TO ACCEPT OR FORGO	1.- Concept, classes and informing principles of right to accept or forgo. 2.- The right of transmission. 3.- The right of representation. 4.- The right of accession.
LESSON 5. THE WILL	1.- Concept, nature and features of the will. 2.- Capacity to make a will. 3.- Vices of the will in testamentary matters. 4.- Interpretation of the will.
LESSON 6. TYPES OF WILLS	1.- Common and special wills. 2.- The ordinary open will. 3.- The special open will: the danger of death will. 4.- The closed will. 5.- The holographic will.
LESSON 7. SUBSTITUTIONS	1.- Concept and types of substitution. 2.- Vulgar substitution. 3.- Pupillary substitution. 4.- Exemplary substitution. 5.- Trustee substitution.
LESSON 8. INTESTATE INHERITANCE	1.- Causes and order of precedence in the Civil Code. 2.- Articles 267 to 269 of the Civil Law of Galicia.
LESSON 9. FORCED INHERITANCE: LEGITIM	1.- Legitim under the Civil Code: A] Holders entitled to legitim and free portion. B] Calculation of the legitim. C] Defence of the legitim: actions, disownership and disinheritance. 2.- Legitim in the Civil Law of Galicia: Forced heirs and amount [arts. 238, 243, 253 and 254 LDCG ? Civil Law of Galicia].

LESSON 10. ACCEPTANCE AND REJECTION OF INHERITANCE	1.- Acceptance, rejection and benefit of inventory: A] Ius delationis (the heir?s right to accept or reject): Contents and requirements. B] Acceptance and systems of responsibility. The benefit of inventory. C] ?Pure and simple acceptance?, ?acceptance under benefit of inventory? and universal inheritance. 2.- Acceptance and rejection: General theory: A] Common features. B] Capacity and legitimacy. C] Time frame for accepting and rejecting. Judicial interpellation and the right to deliberate. 3.- Acceptance of inheritance: A] Delimitation. B] Forms of acceptance. 4.- Acceptance and responsibility of the heir. 5.- Rejection of inheritance: A] Concept and form. B] Effects. In particular, article 1,001 of the Civil Code.
LESSON 11. ACCEPTANCE WITH BENEFIT OF INVENTORY	1.- Delimitation. General effects of the benefit of inventory. 2.- Legal system: A] The power to make use of the benefit of inventory. B] Application and form. C] The term. D] The inventory. E] Administration of the inheritance. F] Payment of inheritance taxes. G] Accountability. H] The post-payment system. I] Loss of the benefit of inventory.
LESSON 12. HEREDITARY COMMUNITY	1.- General concepts. 2.- Legal system of the hereditary community.
LESSON 13. HEREDITARY PARTITION: GENERAL CONCEPTS, PARTITION OPERATIONS, AND TYPES OF PARTITION	1.- Hereditary partition: general concepts. 2.- Partition operations. 3.- Types of partition: A] Partition by the testator. B] Partition by estate partitioner or trustee. C] Partition by court-appointed estate partitioner. D] Conventional partition. E] Judicial partition. 4.- Effects, invalidity and ineffectiveness of the partition.
LESSON 14. COLLATION	1.- Concept and basis. 2.- Subjective requirements. 3.- Objective requirements. 4.- Method of executing collation. 5.- Effects.

Planning				
Methodologies / tests	Competencies	Ordinary class hours	Student?s personal work hours	Total hours
Guest lecture / keynote speech	A1 A3 A4 A9 A10	45	21	66
Case study	A1 A3 A4 A8 A9 A10 A11 A12 A13 B7 B8 B9	21	42	63
Objective test	A1	4	0	4
Personalized attention		17	0	17
(*)The information in the planning table is for guidance only and does not take into account the heterogeneity of the students.				

Methodologies	
Methodologies	Description
Guest lecture / keynote speech	It will consist of the presentation of the fundamental aspects of the topics that make up the syllabus of the subject.
Case study	It will consist of the analysis of practical cases.
Objective test	Exam of the theoretical and practical contents of the subject included in the syllabus.

Personalized attention	
Methodologies	Description

Case study	For the study of cases, in addition to the general indications, the students will receive, individually or in work groups, the guidelines that are necessary for the correct preparation of their work.

Assessment			
Methodologies	Competencies	Description	**Qualification**
Case study	A1 A3 A4 A8 A9 A10 A11 A12 A13 B7 B8 B9	A critical study of different case studies.	30
Objective test	A1	The exam will consist of multiple-choice questions about the contents of the subject and the readings related with the different topics.	70

Assessment comments

It´s essential to attend and participate in classes in order to know the whole content of the subject and the main points, particularly because there is no specific treaty or handbook about these issues.

It will be necessary to prepare a presentation or dissertation about some aspects of the syllabus and to solve some cases. These activities -attending classes, preparing a dissertation and the cases- will count for 30% of the final mark.
A final exam ?multiple-choice? will be taken.
It will count for 70% of the final mark. It´s necessary to obtain a mark of 3.5 in the final exam to add the mark obtained from the activities.

Sources of information	
Basic	- PÉREZ ÁLVAREZ/MARTÍNEZ DE AGUIRRE/DE PABLO CONTRERAS/CÁMARA LAPUENTE (2016). CURSO DE DERECHO CIVIL (V). DERECHO DE SUCESIONES. EDISOFER
Complementary	

Recommendations
Subjects that it is recommended to have taken before

Natural and Civil Legal Person Law/612G01007
Family Law/612G01013
Obligations and Tort Law/612G01016
Contract Law/612G01024
Property Law/612G01027
Subjects that are recommended to be taken simultaneously
Subjects that continue the syllabus
Other comments

(*)The teaching guide is the document in which the URV publishes the information about all its courses. It is a public document and cannot be modified. Only in exceptional cases can it be revised by the competent agent or duly revised so that it is in line with current legislation.