



## Teaching Guide

Teaching Guide				
Identifying Data				2023/24
Subject (*)	Succession Law		Code	612G01034
Study programme	Grao en Dereito			
Descriptors				
Cycle	Period	Year	Type	Credits
First and Second Cycle	1st four-month period	Fourth	Obligatory	6
Language	SpanishEnglish			
Teaching method	Face-to-face			
Prerequisites				
Department	Dereito Privado			
Coordinador	Pérez Dios, Carmen		E-mail	carmen.perez.dios@udc.es
Lecturers	Colina Garea, Rafael Díaz Teijeiro, Carlos María Lopez Suarez, Marcos A. Pérez Álvarez, Miguel Angel Pérez Dios, Carmen Rovira Sueiro, Maria Esther		E-mail	rafael.colina@udc.es carlos.diaz.teijeiro@udc.es marcos.lopezs@udc.es miguel.angel.perez.alvarez@udc.es carmen.perez.dios@udc.es maria.rovira@udc.es
Web				
General description	The aim of this subject is for students to learn about of Inheritance Law.			

## Study programme competences / results

Code	Study programme competences / results
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.
B2	Ability to know how to apply their knowledge to their work or vocation in a professional way and possess the skills that are usually demonstrated through the elaboration and defense of arguments and the resolution of problems within their area of study.
B3	Ability to gather and interpret relevant data (usually within their area of study) to make judgments that include a reflection on social, scientific or ethical relevant issues.
B4	Ability to transmit information, ideas, problems and solutions to a specialized and non-specialized public.
B6	Learning to learn.
B7	Effective problem solving.
B8	Critical, logical, and creative thinking.
B9	Working autonomously on own initiative with a lifelong learning approach.
B10	Teamwork and collaboration.
B11	Ethical and social responsibility.
C4	Exercising an open, educated, critical, committed, democratic and supportive citizenship for the sake of the common good.
C7	Assume as a professional and citizen the importance of lifelong learning.
C8	Valuing the importance of research, innovation and technological development for the socioeconomic and cultural progress of society.

## Learning outcomes



Learning outcomes	Study programme competences / results		
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 B2 B3 B4	C4 C7 C8
Working independently with initiative and in a collaborative way		B6 B9 B10 B11	

Contents	
Topic	Sub-topic
LESSON 1. SUCCESSION AND SUCCESSION LAW	1.- Mortis causa succession and the Law of succession. 2.- The principles of spanish inheritance Law. 3.- Inheritance and the right to inherit. Composition of the assets of the estate. 4.- Types of succession and successors: the heir and the legatee.
LESSON 2. STAGES OF HEREDITARY SUCCESSION	1.- Stages of hereditary succession: Opening, Notice, Offering and Acceptance. 2.- Possible inheritance scenarios. 3.- The recumbent inheritance. 4.- Taking possession of inherited assets.
LESSON 3. CAPACITY TO INHERIT	1.- General requirements to inherit. 2.- Absolute incapacities and the successor's survival of the decedent. 3.- Prohibitions on, or bars to, succession. 4.- Unworthiness: characteristics, causes, time, effects and reinstatement of the unworthy person. 5.- The loss of inheritance rights.
LESSON 4. OFFERING OF THE INHERITANCE	1.- The right to accept or reject. Types of appeals. 2.- Right of transmission. 3.- Right of representation. Concept, bases, effects. 4.- Right to increase; right of accretion. Concept, bases and effects.
LESSON 5. ACCEPTING AND REJECTING AN INHERITANCE	1.- Acceptance and rejection: General theory. 2.- Accepting the inheritance. 3.- Rejecting the inheritance. 4.- Accepting with benefit of inventory. 5.- Claiming the inheritance.
LESSON 6. COMMUNITY OF HEIRS	1.- Concept, nature and characteristics. 2.- Legal status of the community of heirs.



LESSON 7. THE DIVISION OF AN ESTATE	<p>1.- Division: Concept; the right to divide; the ability to request division.</p> <p>2.- Standard operations in division: Inventory, appraisal, liquidation, formation of lots and distribution.</p> <p>3.- Types of division: Division effected by the testator, by an estate distributor, by co-heirs, by an appointed estate distributor, by a third party and by an arbitrator. Judicial division.</p> <p>4.- Effects of division: Termination of the community of heirs and the obligation to provide warranties of good title and against hidden defects.</p> <p>5.- Ineffectiveness of division. Rescission due to injury. Addition and modification.</p>
LESSON 8. COLLATION	<p>1.- Concept and basis.</p> <p>2.- Subjective requirements.</p> <p>3.- Objective requirements.</p>
LESSON 9. THE LAST WILL AND TESTAMENT; TYPES OF WILLS	<p>1.- Concept and characteristics.</p> <p>2.- Capacity to grant a will.</p> <p>3.- Types of wills.</p>
LESSON 10. THE CONTENT OF THE WILL (I): THE HEIR	<p>1.- The appointment of the heir.</p> <p>2.- The action of petition for inheritance.</p> <p>3.- Liability of the heir before the debts and burdens of the inheritance.</p> <p>4.- Disposal of the inheritance. Effects.</p> <p>5.- Proof and registration of the right of the heir.</p>
LESSON 11. THE CONTENT OF THE WILL (II): LEGACIES	<p>1.- Concept and characters of the legacy.</p> <p>2.- Subjects.</p> <p>3.- Object.</p> <p>4.- Acquisition of the right to the bequest.</p> <p>5.- Order of priority for paying legacies.</p> <p>6.- Failure and effectiveness of the bequest.</p> <p>7.- Types of legacies regulated in the Civil Code.</p>
LESSON 12. THE CONTENT OF THE WILL (III): THE SUBSTITUTIONS	<p>1.- Concept and types of substitution.</p> <p>2.- Ordinary or vulgar substitution.</p> <p>3.- Pupillary substitution.</p> <p>4.- Fideicommissary substitution.</p>
LESSON 13. INTERPRETATION, INEFFECTIVENESS AND EXECUTION OF A WILL	<p>1.- Interpretation of a will.</p> <p>2.- Defects in consent.</p> <p>3.- Revocation of a will.</p> <p>4.- Invalidity and lapse of a will.</p> <p>5.- Carrying out the will: The role of the executor.</p>
LESSON 14. LIMITS OF THE TESTAMENTARY WILL: RESERVED SHARES AND RESERVATIONS	<p>1.- The reserved share in the Spanish Civil Code: Concept and nature.</p> <p>2.- Beneficiaries and amount of the reserved share.</p> <p>3.- Calculation and payment of the reserved share.</p> <p>4.- The intangibility of the reserved share.</p> <p>5.- Preterition.</p> <p>6.- Disinheritance.</p> <p>7.- Reservations.</p>
LESSON 15. INTESTACY. SUCCESSION AGREEMENT	<p>1.- Intestacy.</p> <p>2.- Succession Agreement.</p>

Planning

Methodologies / tests	Competencies / Results	Teaching hours (in-person & virtual)	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 B6 B7 B8 B9 B10 B11 B2 B3 B4 C4 C7 C8	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 / Results	Description	Qualification
Case study	A1 A3 A4 A8 A9 A10 A11 A12 A13 B6 B7 B8 B9 B10 B11 B2 B3 B4 C4 C7 C8	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
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It is essential to attend and participate in classes in order to know the whole content of the subject and the main points.

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 is necessary to obtain a mark of 3.5 in the final exam to add the mark obtained from the activities.

Part-time students will be able to take the exam over 10 points.

For the second opportunity, the evaluation system will be the same as for the first opportunity, without the possibility of redoing the activities of the continuous evaluation.

In the event that cheating, plagiarism, or copying, the case study or examination affected shall be graded with a zero "0" and the academic regulations of the UDC will be applied.

## Sources of information

<b>Basic</b>	- Legerén Molina; López Suárez; Pérez Dios; Rovira Sueiro (2022). Spanish Succession Law. Colex - Cámara Lapuente; Martínez de Aguirre Aldaz; De Pablo Contreras (2022). Curso de Derecho civil (V) Derecho de sucesiones. Edisofer
<b>Complementary</b>	

## Recommendations

### Subjects that it is recommended to have taken before

Person's 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.