Table 5.2. Course Specification

Study Programme: Undergraduate Academic Studies - BA in Law (Hons)
Course Title: Inheritance Law
Teacher(s): Assist. Prof. Jelena Arsić, SJD, Prof. Milena Trgovčević Prokić, SJD
Course Status: M (mandatory)
ECTS credits: 6
Condition: None
Course aim: This course aims at introducing students to legal principles, rules and practice related to the devolution and distribution of inheritable property in accordance with the will of a deceased person or the intestacy rules. The course also concentrates upon various administrative and judicial procedures governing the transfer of property upon death and othersuccession issues regulated by law. The main succession law institutes are learned in terms of relevant international standards and domestic regulations, as well as in relation to other areas of law including family law, property law, contract law, taxation, etc.
Course outcome: Students will have acquired knowledge to properly identify, examine and analyse major succession law issues, develop critical thinking and understanding of inheritance law practice, and to adequately implement relevant legal principles and rules for the devolution and distribution of a deceased person's property in real life cases.
Course contents: *Theoretical classes (lectures)* 1. The concept, subject and significance of inheritance law, inheritance law principles and sources; 2. Preconditions for inheritance: death of decedent, existence of decedent's estate, existence of heirs, legal basis for inheritance; 3. General rules of intestacy: legal status of decedent's relatives and spouse, and the state as heirs; 4. Special rules of intestacy: legal status of adoptive relatives, spouse and parents as heirs; 5. Inheritance on the basis of a testament: the concept and legal nature of a testament, testamentary capacity, testament forms; 6. Content, interpretation, revocation and nullity of a testament; 7. Compulsory portion: concept and legal nature of the right to compulsory portion, compulsory heirs, size and calculation of a compulsory portion; 8. Violation and protection of the right to compulsory portion, disinheritance of compulsory heirs; 9. Contracts in inheritance law: prohibited contracts (inheritance contract, contract on the content of the will, etc.), contract on the transfer and distribution of property for life, lifetime support contract; 10. Legal status of the heir: hereditary community, liability of the heir's liability for debts of the decedent; 11. Merger of estate and property of heir; separation of the estate from the property of the heir; 12. Inclusion of gifts and legacies in the inheritance part; 13. Probate proceeding: the concept and principles of probate proceedings, probate court and other subjects, preliminary proceedings, measures for securing the estate; 14. Probate proceeding: probate hearing, inheritance statement, referral to litigation; 15. Probate decision and legal remedies in probate proceedings, inheritance claim.

Coursebook(s) / Readings (in Serbian):

Required textbook:
Djurdjević, D., Institucije naslednog prava, Pravni fakultet Univerziteta u Beogradu, Beograd, 2015 ili kasnije izdanje.

Additional readings:
Antić, O., Balinovac, Z., Komentar Zakona o nasleđivanju, Nomos, Beograd, 1996;
Stojanović, N., Vidić Trninić, J., Postupak za raspravljanje zaostavštine u Srbiji, Pravni fakultet Univerziteta u Nišu: Centar za publikacije, Niš, 2015;
Stanković, G., Trgovčević Prokić, M., Komentar Zakona o vanparničnom postupku, Službeni glasnik, Beograd; 2015.

No. of active teaching lessons: 2+2	**Theory:** 30 (2 classes per week)	**Practice:** 30 (2 classes per week)

Teaching methods:
Lectures, exercises, case studies, in-class discussions.

Grading (max. No. of points: 100)

Pre-examination obligations	Points	Final examination	Points
Attendance	-		
In-class activity (during lessons)	10	Oral exam	50
Out-of-class activity (additional, self-induced: writing texts, etc.)	-		
Practice lessons	-		
Progress tests	40		
Seminar papers	-		