

Level of qualification:

First cycle (EQF level 6) - Bachelor

Study cycle:

Legal Services

Course Unit: 9242518 – Succession Law

Year 2

Semester 4

ISCED Code: 380

ECTS: 6,0

Type of Course Unit: Compulsory Delivery Mode: Face-to-face

Language of Instruction: Portuguese

COURSE COORDINATOR: João Pedro de Sousa Assis

HOURS OF WORK

TOTAL HOURS	Contact Hours								Hours in autonomous work
	Theory	Theory and practice	Practical and laboratory work	Field work	Seminar	Internship	Tutorial guidance	Other	
150		45	30				0		75

Prerequisites (if applicable): Not applicable

LEARNING OUTCOMES (knowledge, skills and competence)

The objective of the present U.C. is to provide students with the following knowledge and technical skills:

1. Knowledge:

- To recognize that real life events, such as death, produce legal effects at a personal and economic level;
- To distinguish between the various legal norms applicable to the succession; and
- To identify the legal norms within the Civil Code applicable to the various categories of succession.

2. Skills and competence:

- To demonstrate legal, doctrinal and jurisprudential research capacity, aimed at the resolution of real life succession events;
- The use of critical and argumentative logic in the conceptualization of the succession relation; and
- To select and apply relevant legal norms, which are deemed appropriate to the resolution of practical succession cases.

CONTENTS

I - Introduction:

- Concept and types of succession;
- Succession and juridical persons;
- History and typology of Portuguese inheritance law; and
- Sources of succession law.

II - General Section:

- Death as the presupposition of succession, the opening of the succession;
- Inheritance vocation;
- Inherent inheritance, acceptance, repudiation, alienation, administration, liquidation and asset sharing;
- Succession effects;
- Testament; and
- Form and formalities of testament.

III - Special Section:

- a) The different types of legal heirs, testamentary and contractual succession;
- b) Collation, imputation, and reduction of donations;
- c) The inventory process;
- d) Main principles and their scope;
- e) The civil procedural process and the inventory process;
- f) Practical knowledge of the succession process; and
- g) The online inventory procedure.

DEMONSTRATION OF THE CONTENTS COHERENCE WITH THE COURSE UNIT'S LEARNING OUTCOMES

Mastering of the main concepts in succession law, testament and contractual legacies, stimulating the critical sense analysis of students, as well as their logical thinking and argumentation. The theoretical knowledge will be put to practice by the resolution of practical cases.

The interconnection between the program contents and its objectives is as follows:

I - Introduction - Objective 1 (a) and (b).

II - General Section - Objective 1 (b) and (c); and Objective 2 (b) and (c).

III - Special Section - Objective 1 (c); and Objective 2 (a), (b) and (c).

TEACHING METHODOLOGIES

Lectures, individual or group presentations and analysis of case law and research articles, as well as guided study, using new technologies.

Materials, informations and other content will be made available on the course Moodle platform, which will also be used the interaction between teacher and students.

The face-to-face classes will mainly be devoted to the discussion of topics and exercises. In the distance version, there will be weekly synchronous sessions between the teacher and the students.

DEMONSTRATION OF THE COHERENCE BETWEEN THE TEACHING METHODOLOGIES AND THE LEARNING OUTCOMES

Lectures, individual or group presentations and analysis of case law and research articles, as well as guided study, using new technologies - Objective 1 (a), (b) and (c); and Objective 1 (a).

Materials, informations and other content will be made available on the course Moodle platform, which will also be used the interaction between teacher and students - Objective 2 (a).

The face-to-face classes will mainly be devoted to the discussion of topics and exercises. In the distance version, there will be weekly synchronous sessions between the teacher and the students - Objective 2 (b) and (c).

EVALUATION METHODS

There are three different evaluation periods: (i) Continuous Evaluation; (ii) Evaluation by Final Exam; and (iii) Time of Appeal.

1) Continuous evaluation: it is comprised by written evaluation, work in the classroom and one oral exam. The sum of these elements of evaluation will result in a score that is susceptible to appeal or improvement during the Time of Appeal. The grade of the oral test is eliminatory.

2) Final Exam: it is comprised by a written test (50%) and an oral exam (50%). The written test and the oral exam does not depend on previous performance in any of the elements mentioned above. The grade obtained in this phase is subject to appeal or improvement in the Time of Appeal. The grade of the oral test is final.

3) Time of Appeal: it is comprised by one oral exam which represents 100% of the grade. Students are allowed to sit the Time of Appeal exam regardless of being subject to any previous evaluation.

MAIN BIBLIOGRAPHY

1. Lições de Direito das Sucessões, de Cristina Araújo Dias, edição: Coimbra, Almedina, 2018;
2. Código Civil Anotado, de Cristina Araújo Dias, edição: Coimbra, Almedina, 2018;
3. Lições de Direito das Sucessões, de Diogo Leite Campos, edição: Coimbra, Almedina, 2018;
4. Lições de Direito das Sucessões, de Mónica Martinez de Campos e Diogo Leite Campos, edição: Coimbra, Almedina, 2017;
5. Direito da Família e das Sucessões, de Jorge Augusto Pais Amaral, edição: Coimbra, Almedina, 2017;
6. Direito Privado Romano – V - Direito das Sucessões e Doações, de A. Santos Justo, edição: Coimbra, Coimbra Editora, 2010;

7. Direito das Sucessões - Noções Fundamentais, de Inocêncio Galvão Telles, edição: Coimbra, Coimbra Editora, 1991;
8. Curso de Direito das Sucessões, de Carlos Pamplona Côrte-Real, edição: Lisboa, Quid Juris, 2012.

Year of implementation: 2021/2022 | Date of approval by the Technical-Scientific Board: