UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Law of Successions

2526-5-A5810186

Learning objectives

The course aims to provide students with knowledge of the main institutes of succession law. Concrete cases and the most recent jurisprudential decisions will be analysed, also with a view to identifying the main trends in Italian inheritance law. The course aims at a high level of qualification, also with a view to preparing the student to deal with succession law issues in the main postgraduate exams (notary exam; judiciary exam; bar exam).

A) Knowledge and ability to understand
To know and understand Italian succession law, with particular regard to the main aspects of testamentary succession, forced heirship and intestate succession.

B) Applied knowledge and ability to understand
Apply the theoretical concepts learnt to concrete cases that may arise in everyday life. In particular, identify the essence of a legal problem and apply the general principles acquired to the resolution of practical cases.

C) Autonomy of judgement
Acquire autonomy of judgement with regard to the identification of the legal problem, the search for the applicable legal norm, the retrieval of sources, and the evaluation of possible legal solutions.

D) Communication skills
Be able to communicate the legal problems and the main normative elements involved in the various legal problems.

E) Learning skills
Being able to find the texts of norms and to interpret any legal norm autonomously.
Understand the role of jurisprudence in the Italian succession system based on the written rule.

Contents

1. General principles of the law of succession
2. Intestate succession
3. Testamentary succession
4. Forced heirship
5. The acquisition of the inheritance
6. Relations between the heir and third parties
7. Relations between co-heirs
8. Donation and non-donative gifts

Detailed program

1. General principles of the law of succession

2. Intestate succession

3. Testamentary succession

4. Forced heirship

5. The acquisition of the inheritance

6. Relations between the heir and third parties

7. Relations between co-heirs

8. Donation and non-donative gifts

Prerequisites

Passing the Institutions of Private Law exam.

Teaching methods

Course delivered in Italian language, and with various teaching modes.

Of the 21 lectures, of two hours each:

- 18 lectures will be conducted in-person;
- 3 lectures will be conducted remotely, in asynchronous mode (with video recording uploaded on the course e-learning platform).

As for the teaching mode, of the total 21 lectures:

- 18 lectures will be conducted with a first part in “ erogative” mode, and a second part in “ interactive” mode, with discussion of practical cases;
- 3 lectures will be dedicated to written exercises (on issues of inheritance law), which will reproduce the

conduct of three of the main post-graduate examinations (i.e. public notary competition, judiciary competition, bar exam).

Attendance is highly recommended.

Assessment methods

Oral examination, on the topics covered in the textbook and in the materials uploaded on the e-learning page

The evaluation will take into account the theoretical skills acquired, the accuracy of the answers, the ability to reason about legal principles, as well as the argumentative effectiveness.

Textbooks and Reading Materials

1. G. Iorio, Diritto delle successioni, Giappichelli, Torino, 2023.
2. Materials discussed in class and uploaded on the e-learning page.

As for the materials, these are a number of scholarly essays and the most important court decisions in the law of succession.
The materials uploaded on the e-learning page are part of the examination program.

Sustainable Development Goals

INDUSTRY, INNOVATION AND INFRASTRUCTURE | REDUCED INEQUALITIES