

## Course Outline

Course number	RBE117					
Course title	Comparative Inheritance Law					
Credit points	3 ECTS (2 CP)					
Total hours	30					
Lecture hours	16					
Seminar and other hours	14					
Course level	Bachelor					
Prerequisites	-					
Category	Mandatory		Restricted elective	X	Free elective	

### COURSE RESPONSIBLE

No.	Name	Academic degree	Academic position
1	Gábor Palásti	PhD	Associate professor

### COURSE ABSTRACT

This course discussed the general concepts inheritance law. The course adopts a comparative view of the main topics, including the substantive law of inheritance, covering the details of both testate and intestate succession. The course briefly covers the major forms of non-probate property change as well. For procedural issues, the basics of the European notarial system is compared with the common law probate procedure. The course briefly looks at some international sources of inheritance. The course ends with a brief discussion of the private international law aspects of cross-border inheritance and outlines the main points of the European Succession Regulation.

The course consists of lectures and seminars. Lectures in a particular topic will be followed by one or more seminars, which aim at developing the students' problem solving skills. For seminars students are expected to analyze and discuss real and fictional cases.

### LEARNING OUTCOMES

#### - Knowledge

The aim of the course is to introduce the students to comparative inheritance law. The primary aim is a comprehensive description of the legal framework and comparative differences between the national legal systems and (to a lesser extent) international sources included in the course, but in some particular topics a closer look will be taken at specific legislation. Thee course primarily focuses on substantive inheritance law, but the basics of the probate procedure will be covered both in the notarial (European) and probate court (U.S.) system. As annexes, trusts will be briefly outlined as replacement vehicles for wills, and conflict of laws and jurisdictional issues will be added to the course material, too.

- **Competencies**

Students are expected to familiarize themselves with the legal solutions to inheritance situations both under the continental European and the common law solutions. This extends to substantive law (such as the proper distribution of an estate) and the procedural aspects both in a system based on public notaries and one based on probate courts.

- **Skills**

As to the substance of the course, students should be able to handle inheritance / probate as a legal instrument and offer legal advice and participate in the procedure itself under the two main inheritance / probate systems of the World, in a comparative manner.

As to methodology, through student presentations and estate distribution exercises, the course develops professional presentational skills and problem analyzing and solving, including calculations as well.

**GRADING CRITERIA**

<b>Criteria</b>	<b>Weighting</b>
Exam	70-100%
Second student presentation (optional)	0-10%
In-class mini-quiz (optional)	0-20%

**COURSE PLAN – MAIN SUBJECTS**

<b>No.</b>	<b>Subject</b>	<b>Planned hours</b>
1	General introduction. The framework of inheritance law, its place in private law, connections with other fields of law. The identification and classification of legal issues. Main legal sources.	4
2	Comparative substantive national inheritance law	14
3	Supplementary issues: international inheritance law. Non-probate transfers. Probate procedure. Private international law for inheritance.	12