**SYLLABUS**

**regarding the qualification cycle FROM 2021/2022TO 2025/2026**

1.Basic Course/Module Information

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| --- | --- |
| Course/Module title | Family Law |
| Course/Module code \* | PRP25 |
| Faculty (name of the unit offering the field of study) | Institute of Law Studies, College of Social Sciences |
| Name of the unit running the course | Department of Civil Law and Commercial Law |
| Field of study | Law |
| Qualification level  | Master’s Degree |
| Profile | Academic |
| Study mode | Full-time |
| Year and semester of studies | III year, VI semester |
| Course type | Obligatory |
| Language of instruction | English |
| Coordinator | Dr Jakub M. Łukasiewicz |
| Course instructor | Dr Jakub M. Łukasiewicz, dr Rafał Łukasiewicz |

\* - as agreed at the faculty

1.1.Learning format – number of hours and ECTS credits

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Semester(n0.) | Lectures | Classes | Colloquia | Lab classes | Seminars | Practical classes | Internships | others | **ECTS credits**  |
| summer |  | 30 |  |  |  |  |  |  | 4 |

1.2. Course delivery methods

- conducted in a traditional way

~~- involving distance education methods and techniques~~

1.3. Course/Module assessment (exam, pass with a grade, pass without a grade)

Classes - oral or written pass with a grade.

2.Prerequisites

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| Basic knowledge of the Polish Civil Law |

3.Objectives, Learning Outcomes, Course Content, and Instructional Methods

3.1.Course/Module objectives

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| --- | --- |
| C1  | Improving knowledge of Family Law in theory.  |
| C2 | Improving knowledge of Family Law in practice. Presenting birth certificates, marriage certificate, jurisdiction, etc. |
| C3 | Practical skills – solving case studies.  |

3.2.Course/Module Learning Outcomes (to be completed by the coordinator)

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| --- | --- | --- |
| Learning Outcome | The description of the learning outcome defined for the course/module | Relation to the degree programme outcomes |
| EK­\_01 | Student recognizes Family Law as a part of Civil Law and notices relations between family law and commercial law and international private law. Student notices also relations between family law and other areas of science. | **K\_W01**  |
| EK\_02 | Student knows evolution of Family Law and notices its relations with Roman Law. In addition, Student recognizes influence of modern changes on Family Law. | K\_W02K\_W10 |
| EK\_03 | Student knows influence of International Conventions and European Court of Human Rights on the Polish Family Law.  | K\_W03  |
| EK\_04 | Student understands process of legislation and application of Family Law, including structure and institutions of Polish legal system. Student understands influence of legislative, executive and judicial authority on Family Law and recognizes role of Democratic Legal State in regulations concerning Family Law.Student notices importance of the Ethical standards in the area of Family Law Student knows and understands research methods and description methods to do research of Family Law.Student has knowledge about fundamental dilemmas in current Family Law. | **K\_W04****K\_W05** **K\_W07** **K\_W09****K\_W12** |
| EK­\_05 | Student uses legal acts language and legal literature language in the area of Family Law and notices differences between them. Student knows how to create and develop companies in the area of the Family Law (relations between business and property of the spouses)  | **K\_W06****K\_W09** **K\_W12****K\_W13** |
| EK\_06 | Student is able to formulate their own opinions regarding to institutions of Family Law, based on easy hipothesis and their verification. Students notices political process connected with Family Law.Student is able to describe areas of social life, which might be regulated by Family Law in the Future. | **K\_U03** **K\_U06** **K\_U11** **K\_U15**  |
| EK\_07 | Student is able to interpret and describe meaning of legal regulations, also in relation to other areas of law. | **K\_U01** **K\_U02****K\_U05** |
| EK\_08 | Student has knowledge about legislation and application of Family Law. | **K\_U03,** **K\_U04**  |
| EK­\_09 | Student is able to draft basic pleadings connected with Family Law. | **K\_U09,**  |
| EK\_10 | Student is able to use legal acts on Family Law. Student is able to interpret and solve case studies.  | **K\_U08** **K\_U10**  |
| EK\_11 | Student is able to write and present papers about Family Law, also using IT techniques. Student knows how to plan and realize their own learning. | **K\_U12****K\_U13****K\_U17** |
| EK\_12 | Student is able to discuss regulations of Family Law, also using critical point of view based on self-acquired knowledge.  | **K\_K07**  |
| EK­\_13 | Student notice importance of ethic in the area of Family Law and understand necessity of improvement social and legal awareness of Family Law. | **K\_K05, K\_K06**  |
| EK\_14 | Student is aware of social importance of professional lawyer, taking into consideration various approaches to life which has influence on perception of Family matters. | **K\_K04,** **K\_K10**  |

**3.3. Course content (to be completed by the coordinator)**

1. Lectures
2. Classes, tutorials/seminars, colloquia, laboratories, practical classes

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| Content outline: |
| PRELIMIRARY INFORMATION. Evolution of Family law in Poland. Sources of the Polish family law. Current meaning of family and prospective development of Family Law. Meaning of family law relations. Analysis of birth certificate. |
| MARRIAGE. Conditions for marriage and consequences of their lack. Form of marriage. Analysis of documents connected with marriage. |
| RIGHTS AND DUTIES OF SPOUSESRights and duties others than matrimonial property regimes. Introduction to matrimonial property regimes |
| MATRIMONIAL PROPERTY REGIMESOverview of matrimonial property regimes between spouses. Statutory property regime and responsibility for obligations. Contractual property regimes and so-called compulsory property regime. Consent of a spouse for legal act of the other one. Joint property and personal properties. Example of matrimonial property agreement.  |
| DIVORCE AND SEPARATION. Nullity of marriage. Divorce – conditions. Petition for divorce. Analysis of divorce decree. Separation – conditions. |
| AFFLIATION OF A CHILD. Settlement of maternity and settlement of paternity. Denial of maternity and denial maternity. Medically assisted reproduction in the Polish legal system. Relations between MAR and affiliation of a child. Surrogate motherhood.  |
| PARENTAL AUTHORITY.Scope of parental authority. Reasons and consequences of limitation/suspension/termination of parental authority. Rights and duties connected with contacts with a child. Drafting procedural documents connected with parental authority and contacts with a child.  |
| FOSTER CAREFeatures of foster care. Types of foster care and their aims. Comparison of foster care and adoption. Impact of limitation/suspension/termination of parental authority for legal and factual situation of children in foster care. |
| ADOPTIONRequirements of adoption. Types of adoption. Consequences of adoption. Secrecy of adoption. Birth certificate after adoption – original birth certificate and amended birth certificate. |
| ALIMONY General duty to support family. Alimony between ex-spouses. Child support. Child support in relation between a step-parent and a child. Drafting procedural documents connected alimony. |
| GUARDIANSHIP AND CURATOSHIP: Requiremtents of guardianship and guardian. Requiremtents of curatorship and curator. Different aims in specific types of curatorship. |

3.4.Methods of Instruction

*Classes: text analysis and discussion/project work (research project, implementation project, practical project)/ group work (problem solving, case study, discussion)*

4. Assessment techniques and criteria

4.1 Methods of evaluating learning outcomes

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| Learning outcome | Methods of assessment of learning outcomes (e.g. test, oral exam, written exam, project, report, observation during classes) | Learning format (lectures, classes,…) |
| EK­\_01 | Exams, training during seminars  | classes |
| EK\_02 | Exams, training during seminars  | classes |
| EK\_03 | Exams, training during seminars  | classes |
| EK\_04 | Exams, training during seminars  | classes |
| EK­\_05 | Exams, training during seminars  | classes |
| EK\_06 | Exams, training during seminars  | classes |
| EK\_07 | Exams, training during seminars  | classes |
| EK\_08 | Exams, training during seminars  | classes |
| EK­\_09 | Exams, training during seminars  | classes |
| EK\_10 | Exams, training during seminars  | classes |
| EK\_11 | Exams, training during seminars  | classes |
| EK\_12 | Exams, training during seminars  | classes |
| EK­\_13 | Exams, training during seminars  | classes |
| EK\_14 | Exams, training during seminars  | classes |

4.2 Course assessment criteria

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| Grade – classes |

5. Total student workload needed to achieve the intended learning outcomes

– number of hours and ECTS credits

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| --- | --- |
| Activity | Number of hours |
| Scheduled course contact hours | 30 hours |
| Other contact hours involving the teacher (consultation hours, examinations) | 25 hours |
| Non-contact hours - student's own work (preparation for classes or examinations, projects, etc.) | 45 hours |
| Total number of hours | 100 hours |
| Total number of ECTS credits | 4 |

\* One ECTS point corresponds to 25-30 hours of total student workload

6. Internships related to the course/module

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| --- | --- |
| Number of hours |  |
| Internship regulations and procedures |  |

7. Instructional materials

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| Compulsory literature:Books:1. N. Faulkner, *Family and Guardianship Code*, Warszawa 2010.
2. W. J. Kosior, J.M. Łukasiewicz, *Polish Family Law*, Rzeszów 2018.

**Legal Acts:**1. Ustawa kodeks rodzinny i opiekuńczy z dnia 25 lutego 1964 – Dz.U. z 1964, Nr 9, poz. 59 ze zm.
2. Ustawa kodeks cywilny z dnia 23 kwietnia 1964 – Dz.U. z 1964, Nr 16, poz. 93 ze zm.
3. Ustawa kodeks postępowania cywilnego z dnia 17 listopada 1964 – Dz.U.z 1964, Nr43, poz.296 ze zm.
4. Ustawa prawo o aktach stanu cywilnego z dnia 28 listopada 2014 – Dz.U.z 2014, poz. 1741 ze zm.
5. Ustawa o wspieraniu rodziny i systemie pieczy zastępczej z dnia 9 czerwca 2011 r., Dz. 2011 nr 149 poz. 887 ze zm.
6. Ustawa o leczeniu niepłodności z dnia 25 czerwca 2015 r., Dz. U. z 2015, poz. 1087.
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| Complementary literature: 1. W. Dajczak, A. Szwarc, P. Wiliński*, Handbook of Polish Law*, Warszawa 2011.
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Approved by the Head of the Department or an authorised person