-. Minors and Justice

Prof. Carlo Rusconi

COURSE AIMS AND INTENDED LEARNING OUTCOMES

The course aims to illustrate and critically explore the main aspects of civil law relating to minors, from a perspective of practical application.

At the end of the course, students will be able to understand the main problems facing the legal system with regard to minors within the family, at school and, more broadly, in society.

They will know the main legal institutions concerning minors.

They will be able to examine from a juridical point of view: the actual situations in which minors are involved in various ways; the relationships that bind minors to those with whom they typically form relationships. They will be able to grasp and examine the modalities that the legal system offers for the protection of minors.

COURSE CONTENT

The person as a legal entity. In particular, the minor. – Legal capacity, ability to act. – Personality rights and minors (keynotes). – Affiliation in marriage and affiliation out of wedlock. – Parental responsibility and autonomy of the child. In particular, medical treatments. – The minor in a family crisis. – Adoption and foster care. – Civil liability of parents and educators for the damage caused or suffered by the minor. – Juvenile justice.

***READING LIST[[1]](#footnote-1)***

For the preparation of the exam it is necessary to study the following texts:

1. L. Lenti, *Diritto di famiglia e servizi sociali*, 4th ed., Giappichelli, Turin, 2022, limited to the following chapters: 1, 3, 7 (paragraphs 11 and 12 only), 8, 9 (paragraphs 1, 2, 3.2 only), 11 (paragraphs 1, 1.1, 2 only), 13, 14 (paragraphs 1 to 7, 9.2, 11 only), 15, 16, 17, 18. [*Bought from VP*](https://librerie.unicatt.it/scheda-libro/leonardo-lenti/diritto-di-famiglia-e-servizi-sociali-9788892136069-698705.html)

2. C. Rusconi, *Educazione dei figli e responsabilità genitoriale. L’itinerario del diritto italiano* (the essay is available on Blackboard).

It is recommended that a collection of family law laws in an up-to-date edition be consulted on an ongoing basis. Guidance on this will be provided during the first lecture and will be made available on Blackboard.

TEACHING METHOD

Classroom lectures with analysis and discussion of significant jurisprudential cases.

ASSESSMENT METHOD AND CRITERIA

An oral exam, which may be preceded by a written test, the schedule of which will be communicated by the lecturer on their webpage or on Blackboard.

The test will be divided into 3 open-ended questions, of equal weight, each assessed with a mark from 0 (in case of no answer) to 10 (in case of a perfect answer). There is a single final mark which is based on the sum of the marks obtained in the individual answers.

During the exam, knowledge of the fundamental categories will be verified as well as the ability to identify and apply the legal institutions being studied; in addition, the assessment will take into account the student's mastery of technical language as well as his/her critical attitude.

NOTES AND PREREQUISITES

Given the specific nature of the legal discourse, students are not expected to already know the contents that will be covered in the course. However, for the same reason, lecture attendance is strongly recommended.

Should the current Covid-19 health emergency not allow face-to-face teaching, remote teaching will be guaranteed using methods that will be communicated in good time to students.

Information on office hours available on the teacher's personal page at http://docenti.unicatt.it/.

1. The texts indicated in the reading list may be purchased at the University bookstores; they may also be bought from other outlets. [↑](#footnote-ref-1)