# -. Minors and Justice

## Prof. Laura Guffanti Pesenti

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

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

At the end of the course, students will be able to understand the main problems that the legal system must face regarding the minors in the family, in school and more widely in society.

Students will know the main legal institutions concerning minors.

They will be able to examine from a legal point of view: the factual situations in which the minor is involved in various ways; the relationships that bind the minors to the subjects with whom they typically get into relationships. Students will also be able to understand and evaluate the methods that the law offers for the minor’s protection.

***COURSE CONTENT***

The minors in Italian law. - The sources. – Legal capacity and ability to act. – Personality rights and minors. – Right to a name. – Right to privacy and right to image. - Right to health. – Parental responsibility and autonomy of the minor. – The minor in the family crisis. – Adoption and foster care. – Civil liability of parents and educators for damage caused or suffered by the minor. – The foreign minor. The unaccompanied foreign minor.

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

The exam preparation requires the study of the following textbooks:

1. L. Lenti, *Diritto di famiglia e servizi sociali*, 4th ed., Giappichelli, Turin, 2022, only the following chapters: I, III, V, VII, VIII, XIII, XIV, XV, XVI, XVII, XVIII.

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

Regular consultation of a collection of laws relating to family law in an updated edition is recommended. Information in this regard will be provided during the first lesson and will be made available on Blackboard.

***TEACHING METHOD***

Classroom lessons with analysis and discussion of significant case law.

***ASSESSMENT METHOD AND CRITERIA***

The exam is oral, but may be preceded by a written test, the timing of which will be communicated by the teacher on her Blackboard web page.

In any case, it will be a test divided into 3 open-ended questions with equal weight, each assessed with a score from 0 (in case of no response) to 10 (in case of an impeccable response). There is a single final mark resulting from the sum of the scores obtained in each of the answers.

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

***NOTES AND PREREQUISITES***

Given the specificity of the legal discourse, students are not expected to have prior knowledge regarding the contents that will be covered in the course. For the same reason, lessons attendance is recommended.

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

1. The textbooks indicated in the reading list can be purchased from University bookstores; they can also be purchased at other retailers. [↑](#footnote-ref-1)