

Family Law (B001670)

Course size *(nominal values; actual values may depend on programme)*

Credits 5.0 **Study time 150 h**

Course offerings and teaching methods in academic year 2026-2027

A (semester 1)	Dutch	Gent	
M (semester 1)	Dutch	Gent	lecture

Lecturers in academic year 2026-2027

Verschelden, Gerd RE21 lecturer-in-charge

Offered in the following programmes in 2026-2027

	crdts	offering
Bachelor of Laws in Laws	5	A
Micro-credential Family Law	5	M
Linking Course Master of Laws in Laws	5	A
Preparatory Course Master of Laws in Laws	5	A
Elective Set Laws	5	A

Teaching languages

Dutch

Keywords

Affiliation – Name – Maintenance – Adoption – Minors, Parental Authority and Parental Responsibilities – Visitation / Access Rights – Guardianship – Incapable adults

Marriage – Rights and obligations of spouses – Legal matrimonial property regime – Divorce – Liquidation / Partition of matrimonial property – Legal and factual cohabitation

Position of the course

This course is an introduction to the Law of Persons, Family Law en Family Property Law , in particular the legal matrimonial property regime (prenuptial agreements excluded). The course is a logical sequel to Basic Concepts of Law and the Law of Obligations and Contracts (1st Bachelor), as well as to Property Law (2nd Bachelor). In the 3rd Bachelor, there is meaningful connection with Company Law, which can influence the patrimonial regime of spouses, and evidently with (civil) Procedure. Family Law is the necessary precursor of Estate Planning (1st Master).

Contents

Part I. Vertical relations

Title I. Affiliation

Title II. Adoption

Title III. Legal protection of minors

Title IV. Legal protection of adults

Part II. Horizontal relations

Title I. Marriage (including the rights and obligations of spouses and the legal matrimonial property regime as consequences)

Title II. Divorce and legal separation

Title III. Legal cohabitation

Title IV. Factual cohabitation

Subject matters:

- *Law of persons and families*, namely articles 143 to 515 (Titles V to XI of Book I) and articles 1475 to 1479 concerning the *property relations of legal cohabitants* (Title *Vbis* of Book III) of the old Civil Code. Articles 1 to 142 of the old Civil Code (Titles I to IV of Book I) will not be treated systematically;
- *Matrimonial property law*, namely articles 2.3.12 to 2.3.51 of Book 2 of the Civil Code. The articles concerning prenuptial agreements (2.3.1 to 2.3.11) will be addressed in Estate Planning (1st Master).

Initial competences

Notions of the basic principles of substantive Private Law as well as Civil Procedure are necessary.

Final competences

- 1 A fair basic knowledge in the current Family Law
- 2 Insight in the historical evolution of Family Law and the influence of ethical, political, sociological and economic circumstances on this topic
- 3 Acquaintance with the Civil and Judicial Code, as well as with international treaties as to apply the regulations effectively to actual problems of Family Law
- 4 The ability to apply affiliation law in a specific case, in function of litigation about establishment or contestation of paternity
- 5 The ability to divide the (community in) matrimonial property in a case where the spouses never signed a prenuptial agreement
- 6 The ability to reflect critically upon discriminations and voids in the current Family Law
- 7 Being open to and trying to find possibilities to renew regulations and make amendments in the current Family Law, with special attention to gender-related issues and the diversity in family relations

Conditions for credit contract

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract

Access to this course unit via an exam contract is unrestricted

Teaching methods

Lecture

Extra information on the teaching methods

During lectures, the Law of Persons and Family Law is approached systematically and synthesized. The subject matter is illustrated through the analysis of jurisprudence.

Theory and practice of the sections evaluated by cases, will be integrated in two case-related lectures.

The lifelong learner has the choice of taking the micro-credential (offering M) on campus, or to process the recorded lessons at their own choice. Regular students cannot register for the micro-credential (offering M) and must take the regular course.

Study material

Type: Handbook

Name: Manual of Belgian Law of Persons, Family Law and Family Property

Indicative price: € 60

Optional: no

Language : Dutch

Author : Gerd Verschelden

Number of Pages : 1200

Oldest Usable Edition : Edition 2023

Online Available : Yes

Available in the Library : Yes

Available through Student Association : Yes

Usability and Lifetime within the Course Unit : intensive

Usability and Lifetime within the Study Programme : regularly

Usability and Lifetime after the Study Programme : regularly

Additional information: The hardcover edition of this handbook costs 160 euros. A softcover edition has been created especially for students at the reduced price of 60 euros.

References

- Barbaix, R., *Handboek familiaal vermogensrecht*, Antwerpen-Cambridge, Intersentia, 2018, 1026 p.
- Barbaix, R., *Familiaal vermogensrecht in essentie*, Antwerpen-Cambridge, Intersentia, 2022, 436 p.
- Declerck, C. & Pintens, W., *Schets van het familiaal vermogensrecht*, Brugge, die Keure, 2023, 560 p.
- De Page, H. & Van Gysel, A.-Ch., *Traité élémentaire de droit civil belge*, I, *Les personnes*, Brussel, Bruylant, 2015, 2 vol., 1641 p.
- Leleu, Y.-H., *Droit des personnes et des familles*, Brussel, Larcier, 2020, 4^{de} editie, 888 p.
- Leleu, Y.-H., *Droit patrimonial des couples*, Brussel, Larcier, 2021, 686 p.
- Senaeve, P., Declerck, C. & Wuyts, T., *Compendium van het personen- en familierecht*, Leuven/Den Haag, Acco, 2025, 764 p.
- Verschelden, G. & Wuyts, T. (red.), *Personen- en familierecht. Artikelsgewijze commentaar met overzicht van rechtspraak en rechtsleer*, Mechelen, Wolters Kluwer, permanent geactualiseerd, losbladig.
- Swennen, F., *Het Personen- en Familierecht. Een Benadering in Context*, Antwerpen-Cambridge, Intersentia, 2023, 641 p.
- Van Gysel, A.-Ch., *La famille*, Luik, Anthemis, 2022, 367 p.
- Van Gysel, A.-Ch. & Sauvage, J., *Le couple*, Luik, Anthemis, 2022, 578 p.

Course content-related study coaching

Students can post their questions on the discussion forum on Ufora, which the lecturer will continue to monitor until a week after the lectures end. Before every lecture, students will be able to download the presented slides (MS PowerPoint) through Ufora.

For additional information students can contact the lecturer (before or after class) or his fulltime teaching assistant. Questions requiring an extensive answer will only be answered in person, i.e. not by e-mail.

Assessment moments

end-of-term assessment

Examination methods in case of periodic assessment during the first examination period

Written assessment open-book

Examination methods in case of periodic assessment during the second examination period

Written assessment open-book

Examination methods in case of permanent assessment

Possibilities of retake in case of permanent assessment

not applicable

Extra information on the examination methods

The assessment exists of two casuistic exercises, particularly on
a) the establishment and/or contestation of paternity or co-maternity, and
b) the technique to divide (the community in) a legal matrimonial property regime.

Next there are several open questions, both theoretical and practical, evaluating the student's ability to work swiftly and accurately with the Civil and Judicial Code.

Calculation of the examination mark

End-of-term evaluation: 100%

The evaluation of lifelong learners (offering M) runs concurrently with the evaluation of the regular students (offering A).

Facilities for Working Students

All lectures will be recorded.

