

**COURSE DATA****DATA SUBJECT****Code:** 42675**Name:** Mediation and arbitration in laws of succession and family business**Cycle:** Master's Degree**ECTS Credits:** 3**Academic year:** 2025-26**STUDY (S)**

Degree	Center	Acad. year	Period
2122 - Master's Degree in Mediation, Arbitration and Conflict Management in Privat	Facultat de Dret	1	Second quarter

SUBJECT-MATTER

Degree	Subject-matter	Character
2122 - Master's Degree in Mediation, Arbitration and Conflict Management in Privat	Mediation and arbitration in laws of succession and family business	COMPULSORY

COORDINATION

COBAS COBIELLA MARIA ELENA

SUMMARY

The course consists of two parts, the first part is related to the family business and its relevant issues, with special emphasis on the importance of the constitution of the family protocol in the small, medium and large businesses, as well as on the types of conflict that often occur in the context of their succession.

The second part will study in-depth the most common conflicts during the exercise of inheritance law, and possible solutions that mediation and other formulas of legal conflict resolution can offer in this area. Likewise, it will be developed the conceptual framework of succession mortis causa to facilitate the comprehension of the subject to students that come from other specialties that are not law.

PREVIOUS KNOWLEDGE**RELATIONSHIP TO OTHER SUBJECTS OF THE SAME DEGREE**

There are no specified enrollment restrictions with other subjects of the curriculum.



OTHER REQUIREMENTS

There are no previous requirements or recommendations

COMPETENCES / LEARNING OUTCOMES

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Adquirir los instrumentos para poder planificar, ordenar y encauzar actividades de manera que se eviten en lo posible los imprevistos, se prevean y minimicen los eventuales problemas y se anticipen sus soluciones.

Analizar y delimitar el ámbito de derecho dispositivo específico de la materia en cada supuesto de la resolución alternativa de controversias.

Aplicar las diferentes técnicas y conocimientos jurídicos a la resolución práctica de los proceso de mediación y arbitraje de materias específicas.

Conocer y usar con fluidez las categorías, prescripciones y procedimientos relevantes para cada caso y sus antecedentes y soluciones más significativas.

Contemplar en conjunto y tener en cuenta los distintos aspectos y las implicaciones en los distintos aspectos de las decisiones y opciones adoptadas, sabiendo elegir o aconsejar las más convenientes dentro de la ética, la legalidad y los valores de la convivencia social.

Elaborar y manejar los escritos, informes y procedimientos de actuación más idóneos para los problemas suscitados.

Proyectar sobre problemas concretos sus conocimientos y saber resumir y extraer los argumentos y las conclusiones más relevantes para su resolución.

Students should be able to integrate knowledge and address the complexity of making informed judgments based on incomplete or limited information, including reflections on the social and ethical responsibilities associated with the application of their knowledge and judgments.

Students should communicate conclusions and underlying knowledge clearly and unambiguously to both specialized and non-specialized audiences.

Use different presentation formats (oral, written, slide presentations, boards, etc.) to communicate knowledge, proposals and positions.

DESCRIPTION OF CONTENTS

1. Conceptual framework of the family business.
2. The specific problems of the family business.



1. General theory of the family business

1. Conceptual framework of the family business.
3. Legal form of the family business.
4. Mediation in family business.

2. Constitution of the family business.

1. The family protocol.
2. Content and legal efficacy. Classes of family protocols.
3. Model of redaction of family protocol.

3. Mediation in the field of family business

1. Study of cases.
2. Main techniques of mediation and dispute resolution in relation to the business.
3. Mediating the family business.

4. The mortis causa succession. Types of conflicts on basis of Inheritance Law.

1. Conceptual framework of succession mortis causa.
2. Most relevant Institutions of succession.
3. Mediation in mortis causa succession. Concept, purpose and scope.
4. Type of conflicts in the field of mortis causa succession .

5. Mediation in the field of succession law

1. Study of cases.
2. Main techniques of mediation and dispute resolution in relation to the field of succession.
3. Mediating in hereditary issues.

WORKLOAD

PRESENCIAL ACTIVITIES

Activity	Hours
Tutorials	12,00
Theoretical and practical classes	18,00
Total hours	30,00

NON PRESENCIAL ACTIVITIES



Activity	Hours
Attendance at other activities	0,00
Individual or group project	0,00
Independent study and work	0,00
Preparation of lessons	0,00
Preparation for assessment activities	0,00
Resolution of case studies	0,00
Total hours	0,00

TEACHING METHODOLOGY

The professor of the matter will expose and will explain the fundamental theoretical contents to guide to the student in the studio and understanding of the matter. The student, by his part, has to engage actively in the learning by means of to the previous reading of the lesson and the complementary materials that have established in the planning of the teaching of the subject. As well as the intervention in the debats that ocasionen in the forum of doubts or in the tutorías ruled no face-to-face.

The educational methodology of apliciación will adapt to the circumstances and to the competitions that mainly want to develop in the frame of the teaching among which stand out the resolution of problmas practical and the development of the categorías basic of the discipline.

The subject has the participation of a Mediator, that will develop a practical activity of Mediation in familiar prey and successions.

They will elaborate like method of work so much of learning as of evaluation, the conceptual Maps that constitute a metodológía of educational innovation, that forms part of the Project of Innovation of Conceptual Maps (group of continuous work and international net) that directs the professor of the subject. (I project Innovation)-

They will organise groups of work in class, and will orient a subject of the matter explained and will explain by the professor of the subject the model of preparation, the guidelines and criteria that have to follow .

Direcció

Tipus d'eixida

Amb la terminologia de la [UA](#)
Glossari (opcional) (.xls,.xlsx,.ods,.csv)

EVALUATION



The professor of the matter will expose and will explain the fundamental theoretical contents to guide to the student in the studio and understanding of the matter. The student, by his part, has to engage actively in the learning by means of to the previous reading of the lesson and the complementary materials that have established in the planning of the teaching of the subject. As well as the intervention in the debates that ocasionen in the forum of doubts or in the tutorías ruled no face-to-face.

The teaching will impart presencialmente in principle. In case of confinement, the teaching will impart through the virtual platform, employing the educational methodologies no face-to-face and some applications of the virtual classroom and others that can apply (showmore) that will allow that the students purchase the theoretical and practical knowledges necessary to learn the indispensable and necessary knowledges to culminate the studio, with the quality required and dads the exceptional circumstances.

The educational methodology of aplicación will adapt to the circumstances and to the competitions that mainly want to develop in the frame of the teaching among which stand out the resolution of problemas practical and the development of the categorías basic of the discipline.

It will evaluate to the student through the weekly follow-up and the preparation of the distinct contents of the program. The students will have to make, individual or collectively, as it determine the professor, the activities of continuous evaluation proposals in the classroom, in the time indicated.

The weight of the final note has it the presentation of the corresponding Conceptual Map in the last session of classes, that will be an activity in group, to measure the acquisition of the necessary competitions to mediate and apply in general the alternative systems of conflict in subjects sucesorios and of familiar company, as well as other generic competitions and specify required for a good professional development in the subject.

The conceptual map consists in the preparation of a familiar Protocol, developed and based in the history of a familiar company.

The students will have to elaborate his familiar protocols and a round-up of the conceptual map contentivo of the quoted protocol, as well as a prezi that contains the history of the company, the conflict of the same and the tools of necessary mediation to work with the conflict.

This evaluation constitutes 70% of the note of the students, and will be the one who will measure the competitions of the students, salvo that the situation of excepcionalidad indicate another no planned and subject methodology to previous surgery to the approval of the comisiones corresponding and direction of the Master.

And rest of the evaluation of the subject composes in addition to

-Assistance to class: 2 points.

-Participation in session of the professor invited: 1 point.

Therefore the final evaluation structures dela seiguiente form:

Assistance to class: 2 points.

Participation in session of professor invited: 1 point.

Preparation of the familiar protocol: 7 points.



The aforementioned evaluation system will be applicable to both the first and second calls.

REFERENCES

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