



ELI
EUROPEAN
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FAMILY AND
SUCCESSION LAW
SIG

European Succession Law Seminars (ESLS)

CLAIMS AGAINST THE ESTATE FOR UNMARRIED PARTNERS

After a Webinar on intestacy rights of unmarried partners, we would like to invite you to a Webinar on claims against the estate available to unmarried partners in selected European jurisdictions (England, Wales, Scotland, Finland, Portugal, and Denmark).

The reasons for the seminar remain the same: Changing family patterns in Europe challenge the traditional concept of family. One common trend in European countries is a decline in the number of marriages and a rise in non-marital relationships. However, the law is often remiss to this social phenomenon: unmarried partners are treated as strangers - not spouses - in many areas of law. This is particularly visible in succession law. For the most part, an unmarried partner, despite often fulfilling the role of a married spouse, is deprived of legal protection. In most European countries, without appropriate testamentary dispositions, the surviving partner is left with nothing - even if the deceased had distant relatives only.

An alternative to granting intestacy rights to unmarried partners is to allow them to file claims upon each other's death. In this model, the determination of whether an unmarried partner is entitled to receive anything against the deceased partner's estate is based on specific factual circumstances. In Europe, this approach was adopted in Denmark, England and Wales, Finland, Ireland, Northern Ireland, Portugal and Scotland. During our upcoming webinar, speakers from selected jurisdictions will explore, in particular, the legal frameworks governing claims available to unmarried partners when their estates are disposed based on the law relating to intestacy. They will shed light on relevant legal provisions, their application, notable case law, and the current challenges in the application of these provisions.

ALL ARE WELCOME TO ATTEND!

Attendance is free of charge.

A ZOOM link will be sent to those who register by sending an e-mail to

zivilrecht@uni-graz.at

Gregor Christandl
University of Graz

Dorota Miler
University of Augsburg

Denise Wiedemann
Max Planck Institute for
Comparative and International
Private Law, Hamburg

Schedule **Wednesday, 23 October 2024**

- 17:00-17:10** **Introduction**
Dorota Miler (University of Augsburg)
- 17:10-17:30** **Claims against the estate in England, Wales and Scotland**
Alexandra Braun (University of Edinburgh)
- 17:30-17:50** **Claims against the estate in Finland**
Tuulikki Mikkola (University of Turku)
- 17:50-18:10** **Claims against the estate in Portugal**
Fernando Oliveira e Sá (Catholic University of Portugal)
- 18:10-18:30** **Claims against the estate in Denmark**
Gitte Meldgaard Abrahamsen & Majken With Lindhardt
(Aalborg University)
- 18:30 -19:00** **Discussion and Conclusion**
Gregor Christandl (University of Graz) & Denise Wiedemann (Max Planck
Institute for Comparative and International Private Law, Hamburg)