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Abstract

Attorney at law, partner of Mareș / Danilescu / Mareș Law Firm, PhD and senior lecturer at the Faculty of Law and Administrative Sciences of Valahia University of Târgoviște, the author is a specialist in the family law, with strong legal expertise gained during over 14 years of practice.

Published in the first edition in 2013, this volume provides an in-depth study of the legal provisions of the Romanian Civil Code (Law No. 287/2009), as republished in the Romanian Official Gazette No. 505 of July 15, 2011 and further amended and supplemented, of the Romanian Civil Procedure Code (Law No. 134/2010), as republished in the Romanian Official Gazette No. 247 of April 10, 2015 and further amended and supplemented, of the laws for the entry into force of these codes and of the other laws regulating family relations, updated on the issuance date of this volume.

Keywords:

Romanian Civil Code, the Romanian Civil Procedure Code, family relations, family law.

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The current edition was not only revised in accordance with the updated legislation, but also completed with several issues regarding the family patrimonial and non-patrimonial relations arising from marriage, family relationships and other relations considered family relations under certain circumstances by the law, that were not researched in the first edition of 2013.

This volume (Mares, 2015) provides a complete analysis of all the institutions of the family law, including the engagement, the marriage, the family relationships, the affinity, the parental authority, the parental responsibility, the adoption, the child's protection and the maintenance obligations arising from the family relationships.

In the first chapter after a brief introduction regarding the family notion, the author studies the object of the family law, including the main principles, either provided by the Romanian Constitution and by the Romanian Civil Code or by other laws regulating family relations.

As regards the sources of the family law, the author does an analysis of the national, the European and international sources, including the Regulation (EU) No. 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, the Council Regulation (EC) No. 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000 etc.

Following these general issues, the analysis is focused on the engagement in the second chapter (Mares, 2015), an institution which was not regulated by the former Romanian Family Code.

In the third chapter, the marriage institution is studied thoroughly, considering the main significant moments, respectively the conclusion of marriage, the dissolution of marriage (by a court of law, by spouses' mutual agreement – in front of a court of law, of a public notary or of an official clerk), the annulment of marriage and the termination of marriage.

The fourth chapter features the family relationships, specifically the possibilities to determine the family relation between a child and either the mother or the father, including the case of the assisted human reproduction.

The fifth chapter provides the main legal provisions regarding the child's rights and obligations, and also the responsibility for the parents' rights and obligations.

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The sixth chapter features the adoption institution as regulated by the Romanian Civil Code and by the Law No. 273/2004 regarding the procedure for adoptions, republished in the Romanian Official Gazette No. 259 of April 19, 2012 and further amended and supplemented, including both the national and the international adoption. The analysis is focused not only on the procedure for both the national and the international adoption, but also on the termination of adoption, either by dissolution or by annulment.

In the seventh chapter, the author studies the child's protection as regulated by the Romanian Civil Code and by the Law No. 272/2004 on the protection and promotion of child's rights, republished in the Romanian Official Gazette No. 159 of March 5, 2014 and further amended and supplemented.

The eighth chapter features the maintenance obligations arising from the family relationships either provided by the Romanian Civil Code or by the Law No. 272/2004 on the protection and promotion of child's rights.

Besides its scientific value, this volume (Mares, 2015) is valuable given that it provides a significant number of the most recent and relevant decisions rendered either by the national courts of law or by the European Court of Human Rights and also given that the author studies the main Romanian juridical doctrine in relation with each of the studied family institutions.

References

Cristian, Mares, (2015). Dreptul familiei, Bucuresti, C. H. Beck Publishing House.

Anitei, N. C. (2015). Dreptul Familiei. (Family Law) 2nd edition, C. H. Beck Publishing House, Bucharest, 2015, 446 pages, Cristian Mares. Jurnalul de Studii Juridice, Year X, No. 1-2/2015, 165-167.