
INTERNATIONAL SOCIETY OF FAMILY LAW



Published by the International Society of Family Law by Professor Robin Fretwell Wilson, Newsletter Editor, Roger and Stephany Joslin Professor of Law and Director, Family Law and Policy Program, University of Illinois College of Law, email: wils@illinois.edu

TABLE OF CONTENTS

| | |
|---|----|
| UPCOMING IMPORTANT DATES | 2 |
| PRESIDENT'S MESSAGE..... | 2 |
| REPORT OF SURVEY EDITOR | 3 |
| REPORT OF NEWSLETTER EDITOR | 4 |
| REPORT OF WEBMASTER | 4 |
| ANNOUNCEMENTS | 5 |
| CONFERENCES AND CALL FOR PAPERS..... | 5 |
| FAMILY LAW AROUND THE WORLD: WHAT'S NEW?..... | 9 |
| COMPARATIVE LAW PROBLEM AND ANSWERS | 14 |
| MEMBER NEWS..... | 30 |
| RECENT AND FORTHCOMING PUBLICATIONS | 33 |
| IN MEMORIAM | 34 |
| UPDATED ADDRESSES | 35 |

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UPCOMING IMPORTANT DATES

World Congress 2020

The World Congress will be held in Barbados July 14-18, 2020. The venue is the Hilton Hotel. The Call for Papers will go out shortly and we will keep you informed as we go along.

ISFL North American Regional Conference 2019

The International Society of Family Law North American Regional Conference 2019 will be held on June 13-14, 2019 at the University of Illinois at Chicago DPI Institute.

ISFL EXECUTIVE COMMITTEE MEETING 2019

The Executive Committee will meet during the upcoming Council meeting which will be held in Reggio Emilia, Italy, May 6-10, 2019. Our host is Professor Maria Donata Panforti, University of Modena and Reggio Emilia.

PRESIDENT'S MESSAGE

"The most personal data

Like all public or private organizations, the ISFL must question the protection of the personal data of its members. A study is currently underway under the direction of Masha Antokolskaia, especially with regard to the new European rules (see the General Data Protection Regulation, GDPR).

The issue of personal data is becoming a most sensitive one, touching upon law of persons and family law. Here and there, the publicity of DNA analysis is blooming. For a modest sum, anybody can have his DNA tested. It's about discovering one's origins, becoming aware of the diversity of one's belongings, finding out one's past and present parents...

A lawyer may well be interested at the small lines at the bottom of the page, which eventually specify the conditions of the contract. And yet several matters might well deserve all his attention.

- Crossing data: the data obtained from the individual are bound to be crossed with other personal data, mostly when the objective is to know our origins. Thus, any parents whose data would also appear in the bank, and, apparently, in other banks with which agreements would have been made may be used to be crossed between them. Admittedly, crossing of data suppose, ab initio, a consent. But a consent to what exactly? We know the ambiguities of consent on the Internet: by exalting the consent to everything and anything under the threat of not having access to such a function or service, the Internet has dispelled the latest illusions that we could have had vis-à-vis the principle of autonomy of consent.

- Use of the data: the companies proposing the DNA tests do not claim any right of ownership over the DNA samples, over the underlying DNA results or over the genetic information contained in the DNA reports. Furthermore, in principle, these belong to the customer. However, it is usual specify

that, by sending a DNA sample, and / or by submitting DNA results on the company's website, the user grants to the company the right to receive, use, modify, display and create derivative works of DNA samples, of the corresponding DNA results and of the DNA reports for commercial and non-commercial purposes...

- Data protection: the company declares to have implemented "commercially reasonable" technical, physical and administrative measures to protect personal data against accidental loss or unauthorized access, use, alteration or dissemination. However, the company also explains that there is no guarantee that unauthorized third parties could not circumvent these measures or use personal information (stored in the US) for improper purposes. Usually, the consent form provide that the user recognize to provide his personal data at his own risk...

Reflecting on these matters leaves a feeling of uneasiness. Would not research laboratories dream of drawing on their domain the means to create new products or develop new (bio) technologies? Would not insurers have an interest in knowing the predispositions of their clients to develop this or that disease? Would a State that intends to control births or put in place an efficient health policy be tempted to check that unborn children are not likely to be hit by this or that "tare" or to reserve such or such a treatment to people whose genetic profile seems adequate? Would not a business owner be willing to have the genetic profile of his employees as soon as some people will say or predict anything and everything to DNA ... Because in general, fetishized DNA can be a great tool of discrimination? Not to mention the safe uses that could be made of it: from joining a community considered potentially dangerous to the identification of an individual profile "at risk". We do not dare to imagine what would happen if a State or a private group ill-intentioned take control of this gold mine. Especially since, beyond the one who gives, it is his past, present and future family that is given.

Of course, one must not be afraid of the knowledge of DNA: it represents a formidable instrument at the service of humanity. But one can legitimately worry about this anarchic entry into the world of commerce..."

Hugues Fulchiron
hugues.fulchiron@free.fr

REPORT OF THE SURVEY EDITOR

The 2018 Survey was mailed out in August. If you are a paid-up member of ISFL, you should have received yours. If you have not, it is likely because your address (as listed on the ISFL website) is incorrect. I discovered, for instance, that the mailing code on mywork address had been changed to that of my home address. PLEASE check your listing on the website before contacting me.

The 2018 Survey included 27 chapters from all inhabitants on topics ranging through the entire human lifespan (and beyond, since some dealt with property disposition after death). Intersentia designed a beautiful new cover and I am very happy with all my interactions with the editorial staff there. The chapter authors have copied me on thank you notes to them too.

I am currently working on the 2019 Survey, which of necessity be a bit shorter, meaning there will be fewer chapters, since I overshot the page limit in our new contract with Intersentia. I currently

have 21 commitments from authors who are to submit their manuscripts by the end of February.

Margaret Brinig
Margaret.brinig.1@nd.edu

REPORT OF THE NEWSLETTER EDITOR

This edition of the Newsletter features 6 brief articles about family law changes in China, Denmark, and South Africa for the “What’s New?” section. Your reports are particularly welcome in the intervals between World Congresses and we continue to learn much from you. We would love to have others also write about developments of interest in their countries in the spring. Contributors may explore specific topics that they believe would be interesting to an international audience. Country reports offer an excellent opportunity for newer scholars to become known to an international audience of family law colleagues, so we encourage our newer members to contribute as well. For the fall newsletter, we ideally would receive your report, news or announcement by April 15, 2019. We also continue our Comparative Law series, working this time from a child support problem offered by CHEN Wei and SHI Lei. These brief family law questions and your “answers” from your countries’ perspective and using your bodies of law are informative but also useful for comparative family law. Please let us know if you find them valuable. If you have a problem to offer for future editions, I would be grateful to hear from you.

If you change your email address, could you please amend your entry in the directory on the website, or email your new email address to Jo Miles jkm33@cam.ac.uk. As always, I and the Executive Council welcome comments about the general format of the newsletter.

Robin Fretwell Wilson, Editor
The Family Letter
wils@illinois.edu

REPORT OF THE WEBMASTER

We are particularly excited about a project that we have currently in development to substantially enhance the functionality of the ISFL website directory. This will provide the facility for members to include a brief description of their research and teaching interests within family law, information about their language competencies, and a link to their personal/institutional webpages. We hope that these changes will help members of the ISFL to connect with colleagues working in similar areas, so that you can all exchange ideas between conferences!

Jo Miles and Robin Fretwell Wilson, website content editors
Jkm33@cam.ac.uk
wils@illinois.edu

ANNOUNCEMENTS

I have been working with the Editors of the Houston journal of international law to obtain submissions regarding Standards governing the award of post- divorce spousal support. We now have submissions from Japan, Canada, Scotland, Germany, France and The Netherlands. Copies will be available in spring 2019 for \$27.50 including postage. Those interested in obtaining an issue should contact the journal through its website. The web address is: www.hjil.org. Once a person gets there, they need to click on ‘subscribe’ and then the option pops up to purchase the “family law issue,” Vol. 41, “3, for USD \$20 plus postage.

Tom Oldham
University of Houston

CONFERENCES AND CALL FOR PAPERS

Notice and Call for Papers

**Family as the Crucible of Culture and
Society: Inequality, Vulnerability, and
Justice within the Family**

ISFL North American Regional Conference | Thursday & Friday,
June 13-14, 2019

University of Illinois Discovery Partners Institute | Chicago, IL

This conference takes place at an important cultural moment in which the status of women in the United States and elsewhere are getting renewed attention. We stand at the cusp of the 40th anniversary of CEDAW, the Convention on the Elimination of All Forms of Discrimination Against Women, and we are nearing the 50th anniversary of the International Society of Family Law.

This conference will focus on revisiting and reimagining the status of women and vulnerable persons in the family, the setting that often shapes our lives more than any other. This conference will consciously straddle empirical research on the family, innovative thinking about family law policy, and efforts at engaged policy making. In particular, the Family Law and Policy Program will provide scholarships to policy makers who will participate in rich engaged conversations.

This is an exciting time to explore recent innovations in the regulation of families that may promote human flourishing and child welfare, including Illinois’ recent innovations on alimony, the Uniform Law Commission’s recent proposals for parentage, the ongoing discussions about support for nonmarital families, and the question of what the inclusion of LGBT families has meant for human flourishing.

The conference theme is intended to be inclusive, extending to both public and private law, doctrinal and clinical family law approaches, and those from the social sciences. International and comparative approaches are strongly encouraged but not required. Participants will be welcome to propose panels or individual presentations. **Participants may participate in multiple formats.**

This conference will have a number of innovations:

- **Co-Creative Conversations** on policy in which we collect thoughtful voices on a specific topic. These may be organized around a “What if...”. For example, what if . . . support for families was not defined by conjugality, or we meaningfully rewarded child care in the family, or we were to approach alimony in innovative ways, or we assigned parentage in entirely new ways? Participants can propose a “What if...” topic and names of participants. We may also loosely arrange participants on topics.
- **Conversations with the Author Roundtables** may also be proposed for books published in the last three years. Authors may suggest pre-packaged panels of speakers about the book.
- **Public Engagement Workshops** on topics such as what needs to be done to connect yourself as a scholar to lawmakers, how to interact with international bodies, or how to pursue public engagement on the family. These **workshops** will describe what scholars need to do to connect themselves to lawmakers, how to connect themselves to organizations like international public policy bodies like CEDAW, and other ways to make one’s work relevant to policy makers.

The panels will involve organic discussions led by a strong moderator and organized by themes as described above.

Presentations can be in Spanish, French or English but the conference will not be able to provide translators.

Proposals to participate in the conference should be submitted through this website: <https://www.familylawprogram.com/isfl-conference>, no later than **Monday, April 15, 2019**. The proposals should include the participant’s name, affiliation, indication of whether the proposal is for an individual presentation, panel, co-creative conversation, workshop or Author Meets Reader roundtable, and abstract describing the content of the proposal. If the proposal is for a panel or roundtable, it should include the name and affiliation of all of the proposed participants. Abstracts should not exceed a single page for each presentation. Accepted paper presenters will be notified by **May 1**. Proposals may be submitted at any time. Please indicate if you need an earlier acceptance date in order to arrange travel or funding.

Co-Conveners: Professor Robin Fretwell Wilson, University of Illinois, Director of the Family Law and Policy Program, and Professor Margaret Brinig, University of Notre Dame.

Scientific committee: Professor Ruth Halperin-Kaddari, Bar-Ilan University; Margaret J. Brinig, University of Notre Dame; Robin Fretwell Wilson, University of Illinois; Julie McConnell, University of Richmond.

Sponsored by: the University of Illinois College of Law’s Family Law & Policy Program in conjunction with the International Society of Family Law; Notre Dame Law School; The Rackman Center, Bar-Ilan University; The Discovery Partners Institute; and the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women.

Cost:

- Early Registration (Before April 15): \$100 (ISFL members), \$125 (nonmembers)
- After April 15: \$125 (ISFL members), \$150 (nonmembers)

To become an ISFL member, see this link: <https://www.isflhome.org/membership>.

Registration for non-presenters will open Friday, February 1, 2019. For registration, visit:

<https://www.familylawprogram.com/isfl-conference>.

Notice and Call for Papers
Harry Krause Emerging Family Law Scholars Workshop
University of Illinois, Discovery Partners Institute
Chicago, IL
Saturday, June 15, 2019

In conjunction with the International Society of Family Law North American Regional Conference, the Family Law and Policy Program at the University of Illinois College of Law—in conjunction with Notre Dame Law School, the Rackman Center, Bar-Ilan University, Brooklyn Law School, and the University of Minnesota Law School—is pleased to invite paper proposals for the 2019 HARRY KRAUSE EMERGING FAMILY LAW SCHOLARS WORKSHOP. The workshop is named for Professor Krause, who as a member of the Illinois law faculty, mentored many budding family law scholars across a half century of teaching.

The Workshop will take place on Saturday, June 15, 2019 at the University of Illinois Discovery Partners Institute in Chicago, IL, at the conclusion of the International Society of Family Law North American Regional Conference. The Workshop is designed to assist and mentor emerging scholars in family law and related fields – such as reproductive rights, biomedical ethics, children and the law, law and gender, and law and sexuality – to hone draft papers and works in progress for submission to journals for publication. The Workshop provides not only a mechanism for senior scholars to mentor emerging scholars, but also is an opportunity for emerging scholars writing in these fields to connect with one another.

The Workshop is designed for emerging scholars who have been in tenure track positions for seven years or less. Visiting Assistant Professors, Fellows, Adjunct Professors and lecturers seeking full-time positions as law teachers may also apply. (For purposes of calculating “seven years or less” of teaching, fellowships, adjunct positions, and lectureships do not count against the total.)

Working accepted papers not yet finalized for publication may be submitted, as well as earlier drafts where guidance from senior scholars in the field can assist the author. Co-authored papers will be considered as long as one of the authors has been involved in teaching for seven years or less or is seeking law teaching positions.

The Workshop Committee will consist of Illinois Law Professor Robin Fretwell Wilson, who directs the law school’s Program in Family Law and Policy, and Professors Margaret Brinig, June Carbone, Marsha Garrison, and Ruth Halperin-Kaddari.

The Workshop can accommodate three scholars. One slot will give preference to an international emerging scholar and one to individuals seeking law teaching positions.

Proposals should be no more than two pages or 1000 words in length and sent to Professor Wilson at wils@illinois.edu before Wednesday, May 1, 2019. The Workshop Committee will notify selected Scholars by Wednesday, May 15, 2019.

If accepted, the Family Law Program will provide accommodations and meals for the Workshop. Invited scholars are expected to pay their own travel to the University of Illinois, although “modest” scholarships for travel support will be available to scholars who have no funds from their home institution.

Notice and Call for Papers
ISFL REGIONAL CONFERENCE IN ISRAEL: CHILDREN'S RIGHTS AND INTERESTS
December 9-10, 2019

The conference will mark the upcoming 30th anniversary of the United Nations Convention on the Rights of the Child (in November 2019)

The adoption of the UN Convention on the Rights of the Child in November 1989, the first international instrument which recognized children as rights bearers, was seen by many as signaling a new era in the approach of the nations of the world to children. Indeed, since the widespread signing and ratification of the Convention much progress has been made globally and domestically in prioritizing and emphasizing children's rights. For instance, significant progress has been made in fighting ritual practices of female genital mutilation, in centering custody and abduction decisions on the best interests of children, and in fighting human trafficking of children. Yet, there is still much more work to be done and much that the Convention leaves unaddressed. The Convention focuses on best interests, a standard which is exceedingly hard to apply, and leaves vague how much of children's rights should be governed by parental discretion as opposed to children's own voices or state intervention. Putting children front and center in family law and beyond is a work in progress that must be continuously discussed to be furthered .

We invite speakers to discuss advances in children's rights since the signing of the Convention, the ways in which the Convention has come up short and the challenges faced in attempting to achieve optimal realization of children's rights and interests. Such advances, hurdles and challenges need not have been directly caused or related to the Convention, but where relevant the Convention and its affects should be discussed.

The conference will discuss all public and private law aspects of children's rights and interests, including, but not limited to:

- Children's right to participate in decisions concerning them
- Children's right to know their biological parentage
- Children's right to education
- Children's right to health
- The impact of parental separation on children
- The impact of religion and culture on children
- The impact of migration, refugee status, and deportation on children
- Poverty and children's rights
- Corporal punishment of children
- Children's right to privacy
- The extent to which local and international child protection legislation protects children's rights
- The work of the UN Children's Rights committee and other organizations devoted to protecting children's rights

- The impact of EC legislation and decisions on children's right
- Advancing children's interests in diverse family forms and relationships

The Committee welcomes a range of approaches to matters concerning children's rights and interests, including both doctrinal and theoretical work, the presentation of clinical work, interdisciplinary approaches, domestic concerns relating to the laws of a particular country as well as and cross-border issues.

Location: The Academic Center for Law and Science, Hod Hasharon Israel (near Tel-Aviv).

Dates: 9-10 December 2019.

Submission of Paper Proposals: Persons wishing to present a paper at this conference should submit a one-page proposal containing the following information: Working Title of the Paper, Author's Name, Academic or Professional Title, Institutional Affiliation, Mailing Address, Phone, and Email Address, and a one-or two paragraph description or outline of the issues, ideas and points they intend to discuss in their paper. The Committee also welcomes proposals for pre-formed panels of 3-4 papers. Send proposals as an email attachment to **CRC30Anniv@gmail.com**. Deadline for submission: **April 15th, 2019**. (extended. acceptances will be made on a rolling basis).

Publication of Papers: We plan to publish selected papers from the conference to mark 30 years of the Convention on the Rights of the Child. We have not yet finalized the venue for publication, but please indicate on your abstract if you may be interested in publishing your paper, if not previously published, as part of your participation in the conference. We will circulate the details of publication when they are finalized

Co-conveners: Dr. Ayelet Blecher-Prigat, Prof. Rhona Schuz, Prof. Pamela Laufer-Ukeles, Dr. Tehila Alon.

Scientific Committee: Olga Khazova (the Institute of State & Law within Russian Academy of Sciences, Moscow. Elected member the UN Committee on the Rights of the Child), Tamar Morag (Academic Director, Child Advocacy Clinical Program , Hebrew University); Maria Donata Panforti (University of Modena and Reggio Emilia), Patrick Parkinson (Academic Dean and Head of School for the TC Beirne School of Law, University of Queensland), Carol Rogerson (University of Toronto), Helen Stalford (University of Liverpool)

Registration: Details including hotel information to follow, which will be published on the ISFL website. <http://www.isflhome.org/>

FAMILY LAW AROUND THE WORLD: WHAT'SNEW?



NEWS FROM CHINA

ISBN: 978-0-9964805-1-2

Faculty Edited

Prof. Chen Wei Attended the Two Seminars on Marriage & Family and Inheritance Law of the Chinese Civil Law

On April 16-17, 2018, the “Legislation Research Seminar of Marriage & Family and Inheritance Law of the Specific Provision of Civil Law” was held in Yingze Hotel of Taiyuan City, Shanxi Province of China.

The conference was hosted by the Supreme People's Court and organized by the Higher People's Court of Shanxi Province. About 60 Representatives such as judges of higher people's courts and intermediate people's courts, experts and scholars of some colleges and universities attended the Seminar. Prof. Chen Wei, director of Foreign Family Law and Women's Theory Research Center of Southwest University of Political Science and Law (SWUPL) in China, attended the conference.

On April 20, 2018, the “Legislation Seminar of Marriage and Family Law of the Chinese Civil Law” was held at the Honghu Hall on the fourth floor of Yingbin Building of Hubei Mansion, Beijing, China. This conference was held by China’s Marriage Law Society under China Law Society, and organized by China Women’s University.

Prof. Chen Wei, director of the Foreign Family Law and Women's Theory Research Center of SWUPL in China, attended the conference as the group leader responsible for writing the chapter of “Guardianship”. The participants discussed the difficult issues related to the legislation on “Marriage and Family Law of the Specific Provision of Civil Law.”

News Writer: Liu Yujiao
Translators: CHEN Wei & GE Qinming

The Symposium of Family Trial Reform and Family Law Modification Was Held in SWUPL, China

On May 25, 2018, the Symposium of Family Trial Reform and Family Law Modification was grandly held in the Library’s Academic Hall of Southwest University of Political Science and Law (SWUPL), Chongqing, China.

This seminar was co-hosted by China’s Marriage Law Society under China Law Society, SWUPL and Chongqing Higher People's Court, and co-organized by School of Civil and Commercial Law of SWUPL, the Foreign Family Law and Women’s Theory Research Center of SWUPL and the Chen Wei Labor Model Innovation Demonstration Studio of Chongqing City, China. More than 100 participants attended the meeting.

The participants discussed in four topics about the issues such as the legislative theory and practice of “the Marriage and Family Law of the Chinese Civil Code”, the theory and practice of family trial reform, the legislative theory and practice of “Inheritance Law of the Chinese Civil Code” and so on.

Writer: Liu Yujiao
Translators: CHEN Wei & GE Qinming

Professor LI Xia Participated in the 5th World Congress on Adult Guardianship Held in Seoul, Korea

The 5th World Congress on Adult Guardianship was held from October 23~26 at the Seoul Dragon City in Korea. Professor LI Xia, EXCO of ISFL, members of the standing director of the Chinese Marriage and Family Law Research Society were invited to attend the meeting.

The meeting was jointly organized by International Guardianship Network (IGN), Korea Guardianship Association, South Korea's Supreme Court and the Ministry of Justice. Experts, scholars and practitioners from more than 40 countries and regions, including the United States, China, the United Kingdom, Germany, France, Australia, Switzerland, Argentina, Singapore, Japan and South Korea, attended the meeting.

The theme of conference was 'Living Together with Persons with Cognitive Impairments in the Communities'. The emphasis was on supporting adult custodians to return to society and correcting the adult guardianship system that had previously isolated them from society and treated them as objects of medical care and charity.

Participants mainly discussed human rights issues related to guardianship, theories and practices related to alternative decision-making system, government's role in the protection of rights of disabled people, lawyers' agency for mental disorders and notary, etc. On the morning of 23rd, Professor Xia LI delivered a keynote speech in the second unit of the conference on the "On the Health-care Decision-making: Focusing on the Will of the Persons under Guardianship". In addition, Professor LI Xia chaired the meeting unit on "Challenges to the East Asian Adult Guardianship System" on the afternoon of October 26, marking the international recognition of her academic research and status in the field of global adult guardianship. Finally, as an expert, she participated in the panel discussion of the East Asia and Europe dialogue and reiterated and emphasized the close relationship between the adult guardianship system and the United Nations convention on the rights of persons with disabilities.

The World Adult Guardianship Conference is an international conference organized every two years by the International Guardianship Network (IGN). The World Adult Guardianship Conference holds an initiative to reform the legislation and practice of adult guardianship laws to promote the human rights of both mentally and intellectually disabled people and the elderly. The conference also established the International Advisory Committee (IAB) to continue to play a role in the gradual abolition of adult guardianship and the paradigm shift of support decision-making. The conference concluded with the "Seoul Declaration on Adult Guardianship for the Disabled", aiming to establish a common foundation for further paradigm shift in adult guardianship in Asia.

Seminar on Family Law Draft of Civil Code & The 22nd Legislative Expert Consultation of the Chinese Law Society

On September 20, 2018, the seminar on Family Law Draft of Civil Code and the 22nd Legislative Expert Consultation of the Chinese Law Society were held in Beijing. The meetings were jointly

hosted by the Research Department of the Chinese Law Society and the Chinese Marriage and Family Law Research Society.

The meetings were attended by well-known experts and scholars from the Chinese Marriage and Family Law Research Society, the First Civil Division of the Supreme People's Court, the Legal Department of ACWF (All-China Women's Federation) and Tsinghua University etc. Professor Xia LI, attended the meetings and expressed her personal opinions. In particular, she proposed that the specific content of the guardianship system should be detailed in the Marriage and Family Law to reflect the overall perspective of the compilation of Chinese Civil Code and the current development trend of guardianship legislation.

The seminar on Marriage and Family Law Draft of Civil Code and the 22nd Legislative Expert Consultation of the Chinese Law Society will enable Chinese legislators to hear the most authentic voice and well-founded criticism from the domestic legal circles. After the meetings, the Research Department of the Chinese Law Society will carefully sort out the suggestions of experts and scholars, and form an "Expert Consultation Report" to be sent to the Legislative Affairs Commission of the Standing Committee of the National People's Congress and the relevant departments of the central authorities for reference in legislative decision-making, so as to promote scientific legislation and democratic legislation.

LI Xia
East China University of Political Science and Law
Shanghai, China



NEWS FROM DENMARK

First Annual FamLaPP Conference 4-6 October 2018 in Aalborg/Denmark

The Nordic Centre for the Study of Family Law, Practices and Policies (FamLaPP) at Aalborg University, Denmark, just concluded its first annual conference, October 6-8, 2018 in Aalborg. FamLaPP is organized by Professors Marianne Holdgaard (Aalborg) and Terje Stordalen (Oslo/Aalborg), and further information on the Centre can be found here: <https://www.law.aau.dk/forskning/forskningsorganisering/Familieformer/>

The conference coincided with the 10th anniversary celebration of the Institute of Law of the University of Aalborg, at which the newly appointed AAU Distinguished professor Nancy Dowd (University of Florida) and Honorary Professor Jens M. Scherpe (University of Cambridge) gave their inaugural lectures. Dowd spoke on "Equality, Equity, Dignity" and presented on her new book "Reimagining Equality: A New Deal for Children of Color", Scherpe's lecture was entitled "The Present and Future of Parent-Child Relationships". Both of them will be working closely with FamLaPP in the future.

The conference was attended by leading family scholars from throughout the Nordic hemisphere, each one presenting their intellectual biography and current projects, as a way of linking and connecting the scholars in the room to begin the process of scholarly exchange and mutual support

that is a key goal of FamLaPP. The participants (a full list is included below) represent not only most of the Nordic jurisdictions, but also have expertise in a broad range of topics including family law, child law, human rights law, social welfare law, social studies, political science, anthropology, cultural studies and comparative research. At the opening of the conference, the FamLaPP research was presented by Holdgaard and Stordalen as well as Professors Bettina Lemann Kristiansen (Aarhus University) and Bodil Selmer (Aarhus University). Short papers were then offered by Eva Ryrstedt (Lund University), Tone Lin Wærstad (University of Oslo), Annika Rejmer (Uppsala University), Hrefna Friðriksdóttir (University of Iceland), Joanna Schiratzki ((Ersta Sköndal Bräcke University College, Stockholm); Wouter de Tavernier, (Aalborg University), and Thomas Eeg (University of Bergen).

Another aim of FamLaPP is to mentor and support young scholars. Five of them (Erik Magi, Gothenburg University; Marie Göransson, Lund University; Katrine Fredwall, University of Oslo; Jose Maria Lorenzo Villaverde, Brussels; and Frank Høgholm Pedersen, University of Copenhagen) gave presentations and received constructive critique and, nurturing the cross disciplinary interaction so essential to the FamLaPP vision.

This first gathering of experts laid a foundation for the future work of this Nordic Centre. While exploring the family laws all the Nordic countries and promoting comparison within, the Centre will also look outward and include comparisons with the EU and non-EU countries; FamLaPP expressly aims to work for interdisciplinarity and work across disciplines. It understands itself as a facilitator and network of researchers in family matters and is open to co-operations with researchers from around the globe. It is also envisaged that it will provide the basis for a publication series on family relations.

If you are interested in more information about FamLaPP or would like to join the group, please send an email to the administrative coordinator of the network, Maria Hjeds mahj@law.aau.dk.

Jens M. Scherpe
Conville and Caius College
Cambridge, UK



NEWS FROM SOUTH AFRICA

South African Family Law Teachers' Colloquium September 2018

Family law teachers across South Africa gathered at Nelson Mandela University for their annual colloquium. Given that it is the centenary of Nelson Mandela's birth, it was a fitting place to host the colloquium. Topics ranged from care for the elderly, to burial rights, to marriage by capture. The colloquium was also an opportunity for law teachers to discuss major impending changes to family law in South Africa, including: a recent case forcing government to recognise Muslim Marriages in South Africa, a law commission discussion paper updating the SA matrimonial property regime, and the possibility of a marriage omnibus bill. The colloquium will be held at the University of the

Western Cape in September next year (Cape Town). The organisers welcome family law teachers from other jurisdictions to attend and present.

Helen Kruuse
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COMPARATIVE LAW PROBLEM & COUNTRY RESPONSES

Thanks to CHEN Wei and SHI Lei, for generating this problem for discussion.

During the period when BG, a young man from a rural area, was dating his girlfriend WH, he considered future family needs and planned to build a house in his hometown. The budget for the home was about 200,000 Yuan. Because his savings at the time was not sufficient, he borrowed 100,000 Yuan from his friend, ZS, in the same village. Finally, he built a house with a sitting room and 3 bedrooms. On 1 Feb 2015, BG and WH married in accordance with the law. On 5 Feb, BG borrowed 50,000 Yuan from his sister BL for the costs of holding a marriage banquet. During their marriage, both BG and WH lived in this new house. In January 2016, BG died of a serious illness. The heavy medical costs of the illness made it impossible for his family to pay back any of the debts. Later, ZS and BL came to WH and asked for repayment. WH said that she did not know about the debts and refused to pay. BL argued that since WH had finished writing a novel during their marriage, she should pay off the debts with the remunerations she might acquire from publishers. WH accepted the fact that she finished a novel during the marriage, but she said that the manuscript has not been published. Even if it were to be published, any monetary interests from that should be her own property. She did not consent to BL's proposal.

Q1: What is the default matrimonial property system in your jurisdiction (country)?

Q2: Should the house BG built be his personal property before the marriage or the common property of both spouses? Why?

Q3: Should the first loan of 100,000 Yuan be borne by both spouses or not? Why?

Q4: Should the second loan of 50,000 Yuan be the common debt of both spouses? Why?

Q5: Should the intellectual property interests of WH in her novel be the common property of both spouses? Why?

ADDENDUM

For purposes of this question, assume the house was completed before marriage and so only BG contributed financially to building the house. Also, that the wife did not know anything about the loan from BG's sister. The medical debts were incurred by the husband and wife in a two month period before the husband's death.



ANSWERS FROM BRAZIL

Q1: What is the default matrimonial property system in your jurisdiction (country)?

In Brazil, the legal matrimonial property system is the partial community property or ganancial community property, according to the terms of Article 1640 of the Civil Code. *Expressis verbis*:

Art. 1.640. If there is no agreement, or if it is null or ineffective, the property of the spouses shall be governed by the regime of partial community.

That is, if the couple has not opted for a specific system of property or if said agreement is null or invalid, the regime adopted will be that of partial community, by determination of the Brazilian legal system.

This regime establishes that the goods acquired before the celebration of the marriage will not be considered common property between the spouses. Thus, it establishes the separation of past assets (which the spouses had before marriage) and community of future assets (the ones acquired during the marriage).

From this regime derive, then, three sets of assets: the common properties (belonging to the couple), those belonging solely to the husband and those belonging solely to the wife. And, so to speak, these assets are classified as incommunicable/ non-transferable or communicable/transferable. The first ones are those that constitute the private property of each one of the spouses and are provided for in articles 1,659 and 1,661 of the Civil Code, while the second ones are those introduced into the community.

Incommunicable assets are not only those acquired prior to the marriage, but also all goods acquired by donation or inheritance and goods subrogated in their place, that is, goods acquired by the alienation of goods received by donation or inheritance. In addition, the following assets are incommunicable: goods acquired exclusively with values belonging to one of the spouses in subrogation of private property; pre-marriage obligations; personal property, books and instruments of profession; the earnings of each spouse's personal labor; pensions, wages and other similar income. "

The liabilities for debts incurred during the marriage are of both spouses, and the administration of the common patrimony is the responsibility of either of the spouses. Article 1,664 of the Civil Code provides that "the assets of the community respond to the obligations contracted by the husband or the wife to cover the family expenses, the expenses of administration and those resulting from legal imposition."

This regime will be considered extinct, according to article 1,571 of the Civil Code, by the death of one of the spouses; by the nullity or annulment of the marriage; or by divorce.

Q2: Should the house BG built be his personal property or the common property of both spouses? Why?

If the marital property regime is that of partial community of assets (already mentioned in this study) or that of separate property (provided for in articles 1.687 and 1.688 of the Brazilian Civil Code), it is understood that ownership belongs only to BG, not being communicable to WH, since it was acquired before the marriage.

On the other hand, if the regime is that of the Universal or Absolute community property, provided for in article 1,667 to 1,671 of the Civil Code, the house would belong to both spouses, since, according to such a regime, even goods acquired before the marriage would be communicable between the spouses.

Q3: Should the first loan of 100,000 Yuan be borne by both spouses or not? Why?

If the marital property regime is that of partial community of assets, according to Article 1,659 of the Civil Code, debts contracted before the marriage are not communicable, and BG's debt should not therefore be borne by WH. The same logic applies to the separate property regime.

On the other hand, if the spouses were married under the system of universal community property, according to article 1,668 of the Civil Code, considering that the debt contracted by BG benefited WH - since the house in which she lives was acquired as a result of such debt, the answer would be different. Since this debt was reverted to common advantage, in the case of this matrimonial regime, such debt could be collected from any of the spouses.

Q4: Should the second loan of 50,000 Yuan be the common debt of both spouses? Why?

In the partial community property system, even debts that are incurred during the period of marriage will only reach the spouse's assets if reverted to the enrichment or benefit of the family.

In this case, considering that the loan benefited both spouses, since the money was invested in their wedding buffet, it is understood that the debt is communicable to WH and should be borne by her, since it cannot be paid by BG because of his death.

In the case of marriages with the regime of separate property, the spouse who has contracted the debt has the responsibility to liquidate it, without the possibility of using the other spouse's assets to do so.

In case of the regime of universal community property, the debt contracted during the marriage must be borne by both spouses, without exceptions.

Q5: Should the intellectual property interests of WH in her novel be the common property of both spouses? Why?

In this sense, the understanding of the doctrinaires Jaury Nepomuceno de Oliveira and João Willington, is the following:

"The author's patrimonial rights are incommunicable, (...) however, the proceeds from these rights, resulting from the commercial exploitation of the work, these yes, are communicable. Thus, in case of separation from the couple, these proceeds must be included in the distribution of assets. "

Within this same line of reasoning, the Judge of the Court of Justice of Rio de Janeiro, Flávia Romano de Rezende, in the records of the interlocutory appeal no. 0052795-61.2012.8.19.0000, understood the following:

"... the appeal is partially granted, only to remove from the list the professional tools of the appellant (paintbrushes, paints, canvases, etc.), as well as to return the direct ownership of the works of art to the same, after the end of the appraisal. However, in the event of the sale of such works or of any other form of obtaining income from the economic exploitation of them, I understand that the appellant must deposit in the competent court, 50% of the proceeds received"

Therefore, the majority understanding nowadays is that the fruits of the intellectual property are, yes, communicable, depending on the matrimonial regime.

Paulo Lins e Silva
Rio de Janeiro, Brazil

1) The default matrimonial regime is partial, so only AFTER the marriage, the property will be divided only if it was bought during the marriage, and not received from free. If bought during the marriage, it will be divided in half and WH will receive 50%. The other half, will be divided by the children (bilateral or unilateral).

In this case, the house was built before the marriage, so the wife doesn't have half. If they had kids (bilateral children), she will receive at least 1/4 of the house. If unilateral, the house will be divided equally.

The 50,000 loan, she will have to pay half.

She has the right to live in the house, if she hasn't any.

If they didn't have any kids, but he left parents, she will receive 1/3 if he left father and mother.

If he left father OR mother or doesn't have any of them left, but has grandparents, she will receive 1/2.

2) Yes, because it was built BEFORE the marriage and the default marriage regime is partial. It universal, she will receive 1/2 of everything and the debts cannot reach her personal belongings.

3) No, because the money was to build the house before the marriage.

4) Yes, because the loan was directed to the marriage and considered by the civil law.

5) No. Her creativity and belongings from her intellectual work is exclusively hers.

Patricia Gorisch

Q1: What is the standard matrimonial property system in your jurisdiction (country)?

In Brazil, from Federal Law 6,515 / 77, the legal or supplementary regime is that of partial communion of goods, whose essence determines the sharing and division of all assets acquired onerously in the constancy of marriage.

Q2: The house that BG built should be your personal property before marriage or common property of both spouses? Because?

Here in Brazil the ownership of the property is exclusive of BG, since it is a property acquired before the wedding. However, for the purpose of death succession, the surviving spouse married under the partial communion regime, has the right to inheritance over the private property of the deceased, under the terms of article 1,829, I of the Brazilian Civil Code, as well as in Superior Court judgments of Justice (guardian of Brazilian infra-constitutional legislation) dating from 2015 and still in force today.

Q3: Should the first loan of 100,000 yuan be paid by both spouses or not? Because?

Under Brazilian law, no, since it takes care of an obligation prior to marriage and without reversion in favor of the family unit, since, as said, the patrimony is particular to BG. Article 1,659, III, of the Brazilian Civil Code.

Q4: The second loan of 50,000 yuan should be the common debt of both spouses? Because?

Yes, instead of referring to expenses for the wedding party, that is, with a clear reversion in favor of the family unit. In this sense, article 1,668, III, of the same Brazilian Civil Code is applied by analogy, under penalty of unjust enrichment of the other consort.

Q5: WH's intellectual property interests in your novel should be common property of both spouses? Because?

In this case, according to the joint analysis of the Brazilian Copyright Law (Federal Law 9.610 / 98), in its article 39, and of the provisions of article 1,659, VI, of the National Civil Code, only if the economic benefit had occurred during the marriage, BG could claim its share (motive) on the currencies received. As this did not occur, that is, there was no commercial exploitation of the work until then, the law is eminently authorial and exclusive to WH.

Andre Franco Ribeiro Dantas
Rio Grande do Norte, Brazil



ANSWERS FROM CHINA

Q1: What is the defaulted matrimonial property system in your jurisdiction (country)?

In China, there are statutory property system and contractual property system according to the current Marriage law of the People's Republic of China (hereinafter referred to as the "Marriage Law") amended in 2001. If there is no agreement on the property system between the husband and wife, the statutory property system will apply.

With regard to the statutory property system, China's statutory property system is that any property acquired during the marriage would be the common property. According to Article 17 of the Marriage Law, following property acquired by husband and/or wife during the marriage shall be jointly owned by the husband and wife: (1) wages and bonuses; (2) income from production and business operation; (3) income from intellectual property rights; (4) inheritance or gift, except as provided in paragraph 3 of Article 18 of this Law; (5) Other property that shall be owned jointly. Husband and wife have equal right to manage community property. At the same time, Article 18 of this law provides that the following property belongs to the husband's or wife's personal property: (1) the premarital property of one party; (2) the medical expenses incurred by one party for physical injury, the living allowance for disabled persons, etc.; (3) property that is determined to belong only to the husband or wife by will or by a gift contract; (4) the daily necessities for one party; and (5) other property that should belong to one party.

Article 19 in the 1st Judicial Interpretation of the Supreme People's Court on Several Issues in the Application of Marriage Law of the People's Republic of China (effective on December 27, 2001) (hereinafter referred to as the 1st Judicial Interpretation) provides that the property owned by the husband or wife as described in Article 18 of the Marriage Law shall not change into property jointly owned by both parties, except as otherwise agreed by the parties. Articles 11 and 12 in the 2nd Judicial Interpretation of the Supreme People's Court on Several Issues in the Application of Marriage Law of the People's Republic of China (effective on April 1, 2004) (hereinafter referred to as the 2nd Judicial Interpretation) provide that during the marriage, the following property belongs to "other property that should be common property" under Article 17 of the Marriage Law: (1) the income obtained by one party in personal property investment; (2) the housing subsidy and the public accumulation fund for housing construction that both parties have actually obtained or should obtain; (3) pension insurance and bankruptcy resettlement compensations actually obtained or should be obtained by both men and women. The "income of intellectual property rights" under paragraph 3, Article 17 of the Marriage Law refers to the property income that has already been obtained or is sure to be obtained during the marriage.

With respect to the contractual property system, according to Article 19 of the Marriage Law, the husband and wife may agree that the property acquired during the marriage and the property before marriage shall be owned separately, owned jointly or owned by each partially or owned by both partially. The agreement shall be made in writing. Where there is no agreement or the agreement is not clear, the provisions of Articles 17 and 18 of this Law shall apply. The agreement between the

husband and wife on the property acquired during the marriage and the premarital property is binding on both parties. Where the husband and wife tied up an agreement that their property shall be owned respectively, the debt of the husband or the wife shall be paid off by the property of the husband or the wife if the third party knows the said agreement.

With regard to the liability of the husband and wife to pay off their joint debts, article 41 of the Marriage Law provides that at the time of divorce, the debts jointly incurred by both husband and wife for the common life shall be paid out of the jointly owned property. If the joint property is insufficient to repay debts, or the property is individually owned, the agreement shall be settled by both parties; if the agreement is not met, the People's Court shall make a judgment. It can be inferred that the husband and wife bear unlimited joint liability for joint debts. Moreover, in accordance with the provisions of Articles 23 and 26 of the 2nd Judicial Interpretation, if the creditor claims the rights to the spouse of the debtor regarding the personal debts incurred by a party before marriage, the People's Court shall not support it unless the creditor can prove that the debt is used for the family to live together after marriage. If the husband or the wife dies, the surviving party shall bear joint and several liability for paying off the joint debts incurred during the marriage.

Regarding the attribution of economic interests of intellectual property rights that one party has not yet obtained at the time of divorce, Article 15 in the Several Opinions on Property Division Disputes when the People's Court Hearing Divorce Cases issued by the People's Supreme Court (effective on November 3, 1993) (hereinafter referred to as the "the Supreme People's Court's Judicial Interpretation of the Division of Divorce Property in 1993") provides that economic interests of intellectual property rights that one party has not yet obtained at the time of divorce shall be owned by one party. When dividing joint property of husband and wife, the other party can get proper care according to the specific situation.

Q2: The house BG built should be his personal property before the marriage or the common property of both spouses? Why?

The house BG built with BG's deposit and borrowings should be his personal property before the marriage according to Article 18 of the Marriage Law. According to Article 19 of the 1st Judicial Interpretation, the property owned by one of the spouses includes the individual's premarital property and is not converted into the joint property of the spouse due to the continuation of the marriage relationship, unless otherwise agreed by the parties. In this case, BG has completed construction of this house by borrowings before marriage, and the husband and wife have not made any agreement on their premarital property and the property acquired during marriage. Therefore, the statutory property system should be applied. The house shall belong to BG's personal property according to law. Even if BG and WH have been living here since marriage, the ownership status of the house cannot be changed.

Q3: Should the first borrowing of 100,000 Yuan be borne by both spouses or not? Why?

This first borrowing of 100,000 yuan should be borne by both spouses. Although this loan belongs to BG's premarital personal debt, the house is built for the married life, and both BG and WH have been living in the house since they got married. Article 41 of the Marriage Law provides that, at the time of divorce, the debts originally incurred by couples for living together shall be joint debts. According to Article 23 of the 2nd Judicial Interpretation: The personal debt of a party before

marriage cannot be confirmed as a joint debt of the husband and wife, but the creditor can prove that the debt is used for the family living after marriage. Therefore, although this debt is the personal debt of BG before marriage, it is for the marriage life and cohabitation with WH, so it should be determined as the joint debt of husband and wife. This has nothing to do with the specific ownership of the house built by BG, and nothing to do with WH's argument that she does not know this debt. According to Article 26 of the 2nd Judicial Interpretation, the husband BG has died, the surviving spouse WH shall bear joint and several liabilities for the joint debt.

Q4: Should the second borrowing of 50,000 Yuan be the common debts of both spouses? Why?

The second borrowing of 50,000 yuan should be the common debts of both spouses. This loan was borrowed by BG for preparation of wedding banquet. According to Article 41 of the Marriage Law, it can be inferred that the debts borne by a spouse during the marriage for the family life should be confirmed as a joint debt of the spouses. As far as the loan is concerned, it does not fall into the stipulation in paragraph 3 of Article 19 in the Marriage Law: where the husband and wife agree to own their property respectively that obtained by man or women during the marriage, the debt of the husband or the wife shall be paid off by his or her personal property, if the agreement is known to the third party. It does not belong to a situation where it cannot be recognized as a joint debt of husband and wife: (1) debts agreed by both husband and wife to be borne by the individual, except for the purpose of evading debts; (2) debts incurred by one party, without the consent of the other party, for subsidizing the relatives and friends whom this party has no obligation to support; (3) debts incurred by one party for raising funds to engage in business without the consent of the other party, and its income is not used for common life; (4) other debts that should be borne by the individual; (5) debts incurred by one party before marriage. Therefore, the 50,000 Yuan loan belongs to the joint debt of husband and wife. WH's argument that she didn't know this cannot be accepted.

Q5: Should the intellectual property interests, like the remunerations herein, be the common properties of both spouses? Why?

The intellectual property interests, like the remunerations herein, should not be the common properties of both spouses. The proceeds of the manuscript fee shall belong to the personal property of WH, not the joint property of the husband and wife. As mentioned above, Article 17 of Marriage Law provides five types of property that are joint property of husband and wife. As long as the property acquired by both spouses or one party during the marriage, it is a joint property of the husband and wife. The intellectual property income is one of the five types, which refers to the property income which have been actually obtained or is sure to be obtained during the marriage. WH finished the novel and obtained the intellectual property rights during the marriage. WH is the owner of these rights, but the economic benefits legally obtained are the couple's joint property according to the Marriage Law. However, due to the fact that the novel was not published during the marriage. BG's death terminated the marriage. Since then, if WH's novel is published, the remunerations or other economic benefits are not joint property any more. Because, according to Article 15 of the Supreme People's Court's Judicial Interpretation of the Division of Divorce Property in 1993, intellectual property of a party which has not yet produced economic benefits at the time of divorce shall be owned by this party. When dividing the joint property of the husband and wife, the other party may be given appropriate care according to the specific situation. In other words, the economic benefits of intellectual property acquired by a spouse after divorce, including

the remuneration, does not belong to the joint property of the spouses. Therefore, after the death of BG, the remuneration obtained by WH in publishing her own work should be owned by herself. On the other hand, if WH's novel is published during the marriage, the remuneration is the joint property of couple.

Finally, it must be stated that according to Article 41 of the Marriage Law, the husband and wife are responsible for the unlimited joint and several liabilities in China. According to Article 26 of the 2nd Judicial Interpretation, the husband BG had died, the surviving wife WH should bear joint and several liabilities for the joint debts. Therefore, for the joint debts of the couples mentioned above of BG and WH, if the joint property of the couple is short to pay off, WH shall pay off all these debts with her personal property according to the Marriage Law.

CHEN Wei and SHI Lei
Chongqing, China

1. In China, the default matrimonial property system is the legal matrimonial property system, that is, according to the relevant provisions of the marriage law to determine the property belongs to both spouses or belongs to one of them during the marital relationship. The legal matrimonial property system including the legal common property system and the legal personal property system.

In accordance with the provisions of the Marriage law and the Judicial Interpretation of Marriage Law, during the marital relationship, the common property of both spouses including: ① wages, bonuses; ② incomes from production and operation; ③ intellectual property interests, refers to property interests actually acquired or explicitly available to acquire during the marital relationship; ④ property acquired by inheritance or gift, but that does not include the property exclusively belong to the husband or wife in the will or gift contract; ⑤ incomes from one spouse's investment in individual property in addition to the fruits and natural value-added of property; ⑥ housing subsidy, housing provident fund, endowment insurance and bankruptcy resettlement compensation actually obtained or should be obtained by both spouses; ⑦ the soldiers' demobilization fees, self-employment fees and other one-time fees; ⑧ the real estate which is purchased by both parents is registered in the name of one child, the real estate may be found to be shared by both spouses in accordance with the share of their parents' contribution, except as otherwise agreed by the spouses; ⑨ a party leased a house before marriage and purchased the house with common property after marriage, although housing ownership certificate registered in the name of the party, the house shall be identified as the common property of both spouses.

The individual property of one spouse includes: ① the party's premarital property; ② medical expenses, living allowance for disabled persons and other expenses obtained by the party due to bodily injury; ③ the property which is determined to belong only to the party in the will or gift contract; ④ one party's special articles for daily use; ⑤ other property that shall belong to the party, including: A. Soldier's injuries and deaths insurance, disability supplement and medical subsistence allowance. B. The husband or wife signed the contract for the sale of real estate before the marriage, paid the down payment and got a bank loan by personal property, repaid the loan with the common property of both spouses after the marriage, and the real estate registration is under the down payment payer name, if, at the time of divorce, no agreement can be reached on the disposal of the real estate, the court can decide that real estate belongs to the owner of the property right registration.

C. an real estate purchased by a parent of a party after marriage, which was registered in the name of the sponsor's child, shall be deemed to be a gift only to one of his or her children, and the real estate should be deemed to be a spouse's personal property. D. the rest of soldier's demobilization fees, self-employment fees, deducted from the common property of both spouses, belong to the personal property.

2. The house BG built should be his personal property before the marriage.

The house was built by BG before the marriage. After completion of the house, BG and WH got married, thus the house was not built after marriage, so it should be BG's personal property before the marriage.

3. The first loan of ¥100,000 should be borne by both spouses.

According to the Article 23 of the Judicial Interpretation of Marriage Law(II), the People's Court shall not support a creditor who claims the rights of the debtor's spouse in respect of the personal debt owed by a party before marriage. But if the creditor is able to prove that the debts are used for the common life of family after marriage, the debt can be concerned as the common debt of the spouses. The loan was borrowed by BG before marriage from his friend, but the loan was used to build the house which was used for the marriage. After the marriage, BG and WH lived together in the house, the debt is equivalent to use for the family common life. So, the debt belongs to the common debt of both spouses and should be shared by BG and WH.

4. The second loan of ¥50,000 should be the common debt of both spouses.

According to the Article 2 of the Interpretation of the Supreme People's Court on Issues Relating to the Application of Law to Cases Involving Marital Debt Disputes, when one of the spouses borrowed money from the creditor in the name of the individual for the needs of family daily life during the marriage, the court shall support the creditor who claims the rights on the grounds of the common debt of both spouses. On February 1, BG and WH entered into marriage according to law, on February 5, BG borrowed ¥50,000 from his sister in his own name for the costs of holding a marriage banquet. The debt was generated during the marital relationship of the BG and WH and was used for family life. So the second loan of ¥50,000 should be the common debt of both spouses

5. The intellectual property interests of WH should not be the common property of both spouses.

Article 17 of the Marriage Law stipulates that the intellectual property interests acquired by the spouses during the marriage shall be owned jointly by both spouses. Article 12 of the Judicial Interpretation of Marriage Law (II) stipulates that the "intellectual property interests" in Article 17 of the Marriage Law refers to property interests actually acquired or explicitly available to acquire during the marriage. In this case, WH's novel, although completed during the marriage, was not published, so WH did not acquire any property interests. Even if the novel were to be published, any property interests from that should be WH's own property, not the common property. Because BG has passed away and the conjugal relation has been terminated, so at this time, the intellectual

property interests of WH in her novel are not occurred during the marriage.

LI Xia
East China University of Political Science and Law
Shanghai, China



ANSWER FROM ISRAEL

.1the default interest relations between spouses married after 1975 rule relations between spouses 1975. Apparently not conducted pre-marriage property agreement all accumulated possessions after marriage belongs to the parties ways and thereby concerning duties and obligations. As the debt created before marriage belongs to the owner of the debt that created it.

.2According to the case law since its construction began before the marriage and the perfection in the second after marriage, what account will be invested before the marriage and what was invested after marriage and the woman is entitled to half the proportion built after marriage and also be entitled to the inheritance law of the deceased's wife but if building The home was completed prior to marriage and money of me. G and even the household debt belongs to him, but the ruling would find a way to interpretation in this case because the White House BG was built to serve as the home of the couple who were friends of the couple know what doll is for the House.

.3on the first loan of 100,000 – the debt of so-called BG. because it was taken before the marriage and all rights and obligations before marriage, will belong to my heart g but since we said above that the courts will find a way to give interpretative to WH Property rights, that interpretation commits her to you in half.

.4loan of 50,000 that was taken after the wedding day 5/2/2015, belongs to the parties ways and only the woman knew about the loan if the loan is not known, it is impossible to automatically say that is exempt from debt that according In the story she had to know that she saw built something else, she knew that her husband was insufficient money, knew he had previous loan debt anymore, so she had to look at the building reached 50,000. I think that even if she knew she would have to get half.

.5intellectual property built during the marriage: white the other part in intellectual property rights, since while the intellectual property owner has spent time building the intellectual property of the other spouse contributed to the contribution and shared across the dealing in building intellectual property. However very difficult to talk about building an intellectual property when the couple was married only one year. However in this case, although the book was completed during the marriage but not published yet and it is unclear if he will, therefore, still unable to translate the book for money and still not be able to guarantee that the proceeds from the book she returns the money to the owner's sister. Maybe the husband's sister's appeal was premature.

.6regarding the obligations for medical treatment: I think it's like any debt to basic needs, such as grocery shopping and debt being created two months before he died, and she had to pay her debts

left from the estate. According to our heritage, she would pay the debt if a bequest to pay. In this case there really is, and have to sell the House to pay back debts.

Iris Assif
Tel Aviv, Israel



ANSWER FROM JAPAN

The relevant sections of the Civil Code Japan are as follows:

- Section 760
A husband and wife shall share the expenses that arise from the marriage taking into account their property, income, and all other circumstances.
- Section 761
If one party to a marriage engages in a juristic act with a third party regarding everyday household matters, the other party shall be jointly and severally liable for debts that arise from that act; provided that this shall not apply if prior notice is given to the third party to the effect that the other party will not assume such liability.
- Section 762
Subsection (1) Property owned by one party before marriage and property obtained in the name of that party during marriage shall be separate property (property owned singularly by one party to a marriage).
Subsection (2) Property that does not clearly belong to either husband or wife shall be presumed to be held in co-ownership.
- Section 920
If an heir makes unconditional acceptance, he/she shall inherit the rights and duties of the decedent without limitation.
- Section 922
An heir may accept inheritance reserving to perform the obligation or testamentary gift of the decedent only within the extent of the property obtained by inheritance.

Q1: What is the default matrimonial property system in your jurisdiction (country)?

- The separate matrimonial property system is applied to disputes between spouses and between a spouse and a third party (see section 762 and Supreme Court Decision Sep. 6, 1961 Minshu 15-8-2047). Accordingly, as a rule the property and assets owned by each spouse (spouse's name) before and during marriage will be dealt as belonging to that party individually.
- In the case of disputes between spouses, however, section 762 shall not be applied literally but with some modification. The property and assets acquired during marriage will be interpreted to be common property unless either spouse can clearly prove himself/herself to be the distinct owner. For instance, the respondent spouse must prove either that he/she actually gained that asset by himself/herself or that the claimant spouse had made no contribution to it. This interpretation shall be allied especially at the time of division of matrimonial property when they get divorced.

Q2: Should the house BG built be his personal property before the marriage or the common property of both spouses? Why?

- Since BG built the house before marriage by his own money and debts, he is personally the owner of the house notwithstanding the fact that BG built the house as matrimonial home (see section 762 (1)).

Q3: Should the first loan of 100,000 Yuan be borne by both spouses or not? Why?

- Only BG is the debtor of that loan since he borrowed 100,000 Yuan by his own name before the marriage (see section 762(1)).
- The purpose of borrowing money is not relevant in this case and he borrowed the money and he is only the debtor.

Q4: Should the second loan of 50,000 Yuan be the common debt of both spouses? Why?

- As a general rule, the second loan of 50,000 Yuan shall not be the common debt of BG and WH but only of BG. In this case, BG borrowed the money for wedding reception but not for everyday matrimonial expenses during their marriage. If BG and/or WH spent the borrowed money for everyday matrimonial expenses such as buying foods or paying electricity fee, BG or WH is jointly responsible to pay back the money to BL (see section 761 and section 760).
- If the expenses for wedding reception may be interpreted as everyday matrimonial expenses since the wedding reception was held after their marriage registered, it could be possible to interpret that BG or WH must return the money to BL (see section 761 and section 760).

Q5: Should the intellectual property interests of WH in her novel be the common property of both spouses? Why?

- The intellectual property interests of WH in her novel only belongs to her as a separate property and she can refuse BL's proposal (see section 762).

*additional information

- When BG died, WH succeeded all BG's assets including debts in the case of unconditional acceptance (only WH was a successor and a last will did not exist). In accordance, WH shall be responsible for the debts for ZS and BL (section 920).
- In the case of acceptance with the benefit of inventory (section 922), WH's liability in respect of the BG's estate is only up to the amount of assets that WH receives. Furthermore, WH's property does not merge with the estate of BG. In this respect, WH can avoid being indebted by virtue of the succession.
- WH shall not be responsible for all debts if WH renounced the succession.

Satoshi Minamikata



ANSWER FROM SERBIA

Q1: What is the default matrimonial property system in your jurisdiction (country)?

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Under the Serbian Family Act (2005) the default matrimonial property regime is regime of common property (Article 171). Spouses can change that regime with their (pre) nuptial contract and agree to exclude common property regime and contract a separate property regime. Common property is a property that spouses acquire during the marriage by their work, be it that only one of them is employed and earns money by its work, be it that both of them are employed. There are three conditions for common property: 1. that marriage is concluded; 2. that spouses cohabite i.e. that their marital community is not ceased (there is no separation from the table and bed); 3. That spouses or at least one of them works and earns a money.

Q2: Should the house BG built be his personal property before the marriage or the common property of both spouses? Why?

According to Article 168 of the Serbian FA the property that a spouse acquires before concluding a marriage is his/her separate property. That is to mean that the house is a personal property of BG because he acquired that house before a marriage and not during the marriage. However, if during cohabitation in marriage, the value of the separate property of one spouse slightly increases, the other spouse has the right to a pecuniary claim in proportion to his/her contribution. If, during cohabitation in marriage, the value of the separate property of one spouse considerably increases, the other spouse has the right to a share in such property in proportion to his/her contribution. None of this can be applied in the case, because the marriage last very short time and the other spouse has not contributed to the value of her husband's property. Moreover, according to Art. 186 each spouse is liable for his/her personal obligations undertaken before or after the conclusion of the marriage with his/her separate property as well as his/her share in joint property.

Q3: Should the first loan of 100,000 Yuan be borne by both spouses or not? Why?

The first loan of 100.000 Yuan will not be borne by both spouses, because this debt is taken over before the marriage and is not part of a common property. Thus, as it is mentioned above, under Art. 186 each spouse is liable for his/her personal obligations undertaken before the conclusion of the marriage with his/her separate property as well as his/her share in joint property. However, the surviving spouse is the heir of the deceased spouse, and, since they have not a common child, she will inherit one half of his inheritance (one half of the house) and the other half goes to his parents, and, in case they are not alive, to their descendants (siblings of deceased and their descendants). The surviving spouse as the heir is liable for the debts of the deceased up to the level of his/her inherited share (Art. 122 of the Inheritance Act). Debts among the heirs shall be divided proportionately to their inheritance share, if from the will (testament) does not follow anything else (Art. 224 para 2).

If the surviving spouse is pregnant and the child is born alive, she and their child will be the only heirs, and each will inherit one half of the inheritance. However if she is not pregnant and renounces her inheritance, the whole inheritance will belong to the parents of the deceased, and if one of them or both are not alive, it will be shared among their descendants.

Q4: Should the second loan of 50,000 Yuan be the common debt of both spouses? Why?

The second loan of 50.000 Yuan will not be the common debt of both spouses, if they did not agree to borrow it for the wedding banquet. As she claims she did not know anything about that debt, it

should be proved if it is true, and if so, applies the mentioned Art. 186 (Each spouse is liable for his/her personal obligations undertaken before or after the conclusion of the marriage with his/her separate property as well as his/her share in joint property). That means that she is not liable for his spouse's debt, but, as one of his heirs, she is liable to pay back this debt up to the level of her inheritance share. No one is liable to the debt of deceased over its inheritance share. If he would not have any estate to be inherited, then surviving spouse will be not liable for the debt of his deceased spouse, and it falls at the risk of creditor. If they agree to

Q5: Should the intellectual property interests of WH in her novel be the common property of both spouses? Why?

Under Serbian Family Act, Art. 173 (1) the property acquired by using intellectual property rights during cohabitation in marriage is joint property. So, since WH still did not, during short duration of marriage, use her intellectual property rights, it cannot be part of common property. Her novel had not yet been published during her marriage, so there is no acquired property at all.

Olga Cvejic Jancic
University of Novi Sad
Serbia



ANSWER FROM UNITED STATES

I find a timeline can be helpful in assessing claims, so I include a figure below.

Q1: What is the default matrimonial property system in your jurisdiction (country)?

States in the US follow two systems:

(a) a community property system which treats property acquired during the marriage (and sometimes, premarital property owned by only one of the spouses before marriage) as belonging to the community both during the marriage itself and afterward, and

(b) a common law property system, which treats property of spouses as owned by the title holder *during* the marriage, but giving rights to both spouses in marital property *upon* divorce. Thus, rights spring up for the non-title-holding spouse at divorce if the equitable division statute treats a specific piece of property as marital.

Community property states, which are largely located in the West and Southwest, sometimes divide the community's property equally (as California does) but more often use a set of factors to divide the property to achieve justice (as Washington state does).

Common Law property states set forth lists of factors that judges are to use when dividing property equitably. These factors are very exhaustive.

In both systems, debt is apportioned after the marriage equitably if treated as belonging to the community or as marital.

Q2: Should the house BG built be his personal property before the marriage or the common property of both spouses? Why?

In nearly all states, if the house is completely owned by one spouse before the marriage (see Q3) it will remain the property of that spouse after marriage unless the property is transmuted. Transmutation is the notion that (a) the non-owning spouse contributed in such a degree or amounts that the contributions become untraceable--not able to be separated from the original property—or (b) the owning spouse somehow indicated an intent to make the property the property of both (e.g., by titling in both parties' names).

The addendum indicates that the house was fully paid for, with the exception of the loan, before the marriage started. Here, whether the loan was paid periodically using wages earned during the marriage will matter. It is unclear whether payments are made on the loan during the marriage, and if so, whether it comes from the BG's salary. Salary is the classic marital asset so if BG uses his salary to pay down the loan, WH may have rights spring up. But if the loan has not been paid, and the balance remains at 100,000 Yuan, then no one would not have contributed to the house with marital funds, and WH would not have rights.

Q3: Should the first loan of 100,000 Yuan be borne by both spouses or not? Why?

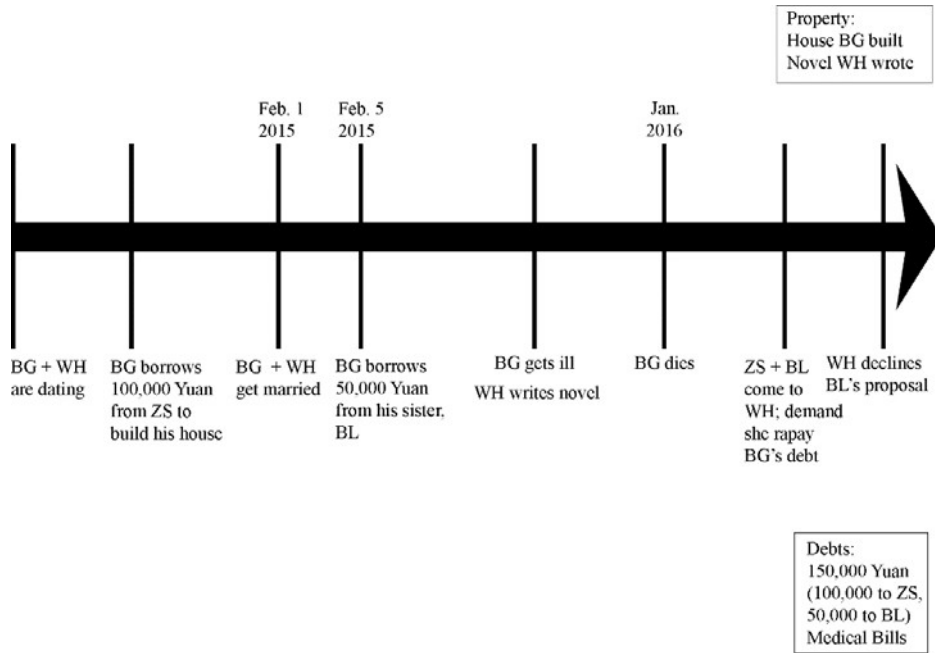
The addendum indicates that the house was fully paid for, with the exception of the loan, before the marriage started. Here, the nature of the loan will matter. If it takes the form of a mortgage, secured by the house and BG alone is responsible for the loan, and the payments on the loan have been paid by BG alone with non-marital funds (e.g. not from his salary), then the loan should remain his sole responsibility because the house is his sole property. But if BG "transmuted" the house from being solely his to being marital property of both, the loan obligation will be equitably divided, just as the property is. This may mean, however, the court gives the house to one party—if they had a minor child and the house was marital, it likely would be assigned to the party receiving custody of the minor child—and the loan to whoever has the ability to pay it.

Q4: Should the second loan of 50,000 Yuan be the common debt of both spouses? Why?

The second loan of 50,000 Yuan from his sister allowed the couple to hold a marriage banquet, which benefitted both parties. As a "family expense," both would likely share responsibility for it.

Q5: Should the intellectual property interests of WH in her novel be the common property of both spouses? Why?

Anything earned by labor during the marriage, unless specifically exempted, will presumptively be shared by both spouses and divisible. Here, the novel is not yet published, although completed during the marriage. In this sense, it is like a stock option earned as compensation during the marriage but not realized until after. Absent a special statutory treatment of future interests, the court is likely to divide the right to receive payment. Valuing future earnings are hard questions in the United States because personal efforts to promote the book after the marriage can affect the value of the underlying book, so one should expect WH to argue this point.



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MEMBER NEWS

CHINA



CHEN Wei Labor Model Innovation Studio was awarded the medal and certificate of “Chongqing Municipal Labor Model Innovation Demonstration Studio” in China

On the eve of Teacher's Day of China in September 2018, the leaders of Chongqing Municipal Labor Union in the field of Education, Science, Culture, Health and Sports (CMLUESCHS) in China, represent Chongqing Municipal Federation of Trade Unions (CMFTU) in China to award the medal and certificate of “Chongqing Municipal Labor Model Innovation Demonstration Studio” (CMLMIDS) to “CHEN Wei Labor Model Innovation Studio of Southwest University of Political Science and Law”. At 4 o'clock on the afternoon of September 16, 2018, Li Qinyang, Vice President of CMLUESCHS, visited Southwest University of Political Science and Law (SWUPL) in China to hold a condolence meeting for the labor model teachers. Professor CHEN Wei, director of CMLMIDS, and other three teachers attended the meeting. Vice President Li firstly expressed his cordial condolences to the provincial and ministerial labor model teachers of SWUPL on behalf of CMFTU and CMLUESCHS, and sincerely thanked them for their positive contributions to the development of school and society! He encouraged all labor model teachers to continue to work hard and make greater contributions to the development of SWUPL and the legal system construction of China!

In order to give full play to the demonstration role of labor models, under the guidance of the labor union of SWUPL, Professor CHEN Wei, the National Excellent Teacher and the National Advanced Individual Regarding Teaching Professional Ethics, acted as the leader and created “CHEN Wei Labor Model Innovation Studio of SWUPL”. Under the leadership of Prof. CHEN Wei, all members of this studio worked diligently, making great achievements in teaching reform, scientific research, participation in national and local legislation, legal consultation services for the public, and sino-foreign academic exchanges. Such work has achieved remarkable results and has been well received by the public and media. In December 2016, this studio was awarded the title of “The First Industrial-scale Labor Model Innovation Studio” by CMLUESCHS. In December 2017, the studio was awarded “Chongqing Municipal Labor Model Innovation Demonstration Studio” by CMFTU. In the future, under the leadership of Prof. CHEN Wei, all team members will continue to work hard, and make contributions on the development of SWUPL and the construction of our country ruled by law.

Writer & Photographic person: Liu Yujiao
Translator: CHEN Wei, Guo Qingmin

Professor LI Xia Was Invited to the University of Illinois College of Law at Urbana-Champaign to Deliver Speeches

In September, 2018, Professor LI Xia, Ex Co of ISFL, was invited by Professor Robin Wilson, Ex Co of ISFL, of the University of Illinois College of Law to deliver speeches at the University of Illinois at Urbana-Champaign.

One of LI Xia's speeches is “On Drafting and Compilation of the Marriage and Family Law in Civil Code of China”. She gave a brief introduction about the latest progress and basic situation of the drafting of the Marriage and Family Law in civil code of China. And she pointed out the main idea of the legislation of marriage and family from the legislation guidance, legislation orientation, legislation technology etc.

The other speech is “1982-2018 One Child Policy to Two Child Policy In China.” First, she introduced the problems arising from the One Child Policy in 1982 with some distinct charts, such as the increase of the elderly, a large number of rural left-behind children and the injuries of left-behind children. Then she described the prominent problems since the implementation of the Two Child Policy in China, and made a brief analysis of the problems.

The two speeches delivered by Professor LI at the University of Illinois at Urbana-Champaign made foreigners know more about the current situation of China's Marriage and Family Law legislation and China's birth policy.

This is the first time for the ExCo members to hold scholar exchange. During Professor Li`s visit at Illinois University, Professor Wilson offered warm and considerable receipt and accompanied Prof. Li with all her itinerary in Illinois.

LI Xia
East China University of Political Science and Law
Shanghai, China

SCOTLAND

Having spent half of each year researching and teaching at Lewis & Clark Law School in Portland, Oregon, for some 20 years until December 2017, Elaine E. Sutherland is now a Distinguished Professor of Law Emeritus there and will continue her relationship with Lewis & Clark Law School on a less scheduled basis. She remains the Professor of Child and Family Law at Stirling University Law School, Scotland, and will resume teaching there on her return from research leave in January 2020.

Elaine Sutherland
University of Stirling
Scotland, UK

UNITED STATES

In December, 2018, Professor Robin Wilson traveled to Punta del Este, Uruguay to attend the conference on Human Dignity for Everyone Everywhere. The conference was convened under the auspices of the European Academy of Religion, in cooperation with the International Center for Law and Religion Studies, J. Reuben Clark Law School, Brigham Young University, Provo, Utah. The purpose of the conference was the culmination of a series of conferences that were held throughout the year on the topic of human dignity for everyone everywhere. At this conference a Declaration was presented and signed. It is the hope of conference attendees that the Declaration will be used as a mechanism for reaffirming and reinvigorating the worldwide commitment to human rights as we celebrate the 70th Anniversary of the University Declaration of Human Rights (UDHR).

Following her trip to Punta del Este, Professor Wilson traveled to Buenos Aires, Argentina and

was hosted by Dr. Ursula Basset, Pontifical Catholic University, Argentina.

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RECENT AND FORTHCOMING PUBLICATIONS

Chen Wei and Chen Bin *Researches on Theories of Family Justice Reform and Family Law Revision in China and Its Practice*, Chief Editors Chen Wei and Chen Bin, China People's Public Security University Press, 2018.

Chen Wei and Chen Zhao *Research on the New Adult Guardianship System in Switzerland and Its Enlightenment to China*, *Private Law Research* 22 (2018) 57-81

Nina Dethloff *Family Law* 32. Edition, Munich 2018, 582 Pages

Law Reforms in Abundance, in: *The International Survey of Family Law*, Brinig (ed.), Intersentia, Mortsel/Cambridge 2018 (with Katharina Kaesling)

Surrogacy in German Law, in: *La Gestation pour Autrui*, Boillet/Roca i Escoda/de Luze (eds.), Limal, Lichtenhahn 2018, p. 29 - 42

Child Brides on the Move: Legal Responses to Culture Clashes, in: *International Journal of Law, Policy and The Family*, 2018, 32, p. 302 - 315

Gillian Douglas has two recent publications: *Obligation and Commitment in Family Law*, Hart Publishing, 2018 and *International and National Perspectives on Child and Family Law: Essays in Honour of Nigel Lowe*, edited by Gillian Douglas, Mervyn Murch and Victoria Stephens, Intersentia, 2018.

Nancy E. Dowd *Reimagining Equality A New Deal for Children of Color*, NYU Press, 2018

Federica Giardini *Filiation Inside and Outside Marriage in Italy: The Principle of Equality in Family Relations from a Historical and Comparative Legal Perspective*, 4 Int'l. J. Juris. Fam. 259 (2013) posted to SSRN August 2018.

Sally Goldfarb *Violence Against Women and Women's Legal Rights: International and U.S. Perspectives*, 38 Women's Rights Law Reporter 340 (2017)

Olga Khazova Chapter 'Child and the Family' in the book *International Human Rights of Children*, Springer, 2018. <http://springer.iq-technikum.de/referencework/10.1007/978-981-10-3182-3>

Jens M. Scherpe Anatol Dutta/Tobias Helms (Eds.), *The Legal Status of Intersex Persons*, 535 pages, Intersentia Publishing 2018. <https://intersentia.com/en/the-legal-status-of-intersex-persons.html>

Barbara Stark recent publications *Introduction: Special Symposium on the Trump Administration and Children's Human Rights*, 56 FAM. CT. REV. 283 (2018); *Mr. Trump's Contribution to Women's Human Rights*, 56 ILSA J. INT'L & COMP. L. 317-43 (lead article, 2018);

In addition, our Routledge research guide (with chapters by several ISFL members!) is forthcoming: ROUTLEDGE HANDBOOK ON INTERNATIONAL FAMILY LAW (Barbara Stark & Jacqueline Heaton eds., forthcoming 2018)

Introduction: International Family Law (with Jacqueline Heaton)

Chapt. 2. *Divorce*

Chapt. 11. *Adoption*

Elaine Sutherland has three recent publications:

"Family law: still scope for reform" *Journal of the Law Society of Scotland online*, uploaded 17 June 2017: http://www.journalonline.co.uk/Magazine/#.WWyj_IgrKM8;

"Proactive Child Protection: A Step Too Far?" in Margaret F Brinig (Ed), *International Survey of Family Law: 2017 Edition* (Bristol: Jordans, 2017); and

"The Welfare Test: Determining the Indeterminate" (2018) 22 *Edinburgh Law Review* 94

Robin Fretwell Wilson recent publications *The Contested Place of Religion in Family Law*, Robin Fretwell Wilson, Ed., Cambridge University Press, 2018. To buy:

<https://robinfretwellwilson.com/books/> and enter discount code RWILSON2018 for 20% discount;

"The Medicalization of Poverty" *The Journal of Law, Medicine & Ethics* Vol. 46:3 Fall 2018; and *Religious Freedom, LGBT Rights, and the Prospects for Common Ground*, William N. Eskridge, Jr. and Robin Fretwell Wilson, Editors, Cambridge University Press, 2018. To buy:

<https://robinfretwellwilson.com/books/> and enter discount code WNESKRIDGE2018 for 20% discount.

IN MEMORIAM

Professor Harry Krause

Max L. Rowe Professor Emeritus

Harry D. Krause joined the University of Illinois Law Faculty in 1963 as an Assistant Professor and rose to become the Max. L Rowe Professor of Law at the College of Law where he continued teaching until 2007. Before joining the academy, Professor Krause practiced tax law with Covington & Burling and international business law with Ford Motor Co.

During his still active career, Prof. Krause served as U.S. State Department delegate to The Hague Conference on Private International Law developing the Treaty on International Adoptions. As a Commissioner on Uniform State Laws, he served as Reporter for the Uniform Parentage Act and the Uniform Putative Fathers Act. As a member of the Academie Internationale de Droit Compare, he served as rapporteur on U.S. Law at Congresses all over the world. Professor Krause was appointed an Illinois Commissioner on Uniform Laws and is a life member of the American Law Institute. Professor Krause served as the Vice President of the International Society of Family Law and on ISFL's Executive Council for over 2 decades. Professor Krause received the Alexander von Humboldt Research Prize in 1992. Professor Krause's academic work lead to the recognition that

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Faculty Edited

non-marital children cannot be denied rights extended to other children, in *Levy vs. Louisiana*, 391 US 68 (1968).

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Urbana-Champaign, Illinois

A TRIBUTE TO HARRY KRAUSE

Many moons ago, when I began my teaching career, there were a few “stars” in the family law universe. Harry was certainly one of the brightest of these stars. He was actively involved in law reform in important areas of family law, such as improving the process for making and enforcing child support awards and enhancing the rights of children of unmarried men and women. Harry was also very interested in learning about how other jurisdictions were trying to solve important family law problems. His work with the Uniform Parentage Act in the early 1970s had a dramatic impact on U.S. family law.

When he decided that he no longer wanted to keep updating his family law text with West, I was very glad when we worked out an arrangement whereby I would be one of the people who would take over the book. I had already been teaching with the book, and enjoyed being able to continue to use the materials as they continued to evolve. Harry also encouraged me to get involved with the Board of Editors of the *Family Law Quarterly*, an association that I have greatly enjoyed.

Tom Oldham
University of Houston
Houston, Texas

Professor Harry Krause is an outstanding contemporary American family law scholar. His English book *FAMILY LAW IN A NUTSHELL* (fifth edition, 2007) was translated by me with other Chinese scholars and published in China by the Press of China Political Science and Law University in March 2010. The translation is a good study reference book of American family law and its major changes in recent years for teachers and students of law schools of universities and researchers from research institutes in China.

On behalf of Chinese family law scholars, I would like to express our deep condolences on the death of Professor Harry Krause!

CHEN Wei
Southwest University of Political Science and Law
Chongqing, China

UPDATED ADDRESSES

NOTE: To receive the current ISFL international survey, you must have updated your address on the webpage by April 15, 2019.