

People's Democratic Republic of Algeria
Ministry of Higher Education and Scientific Research
Alignment
Master's Program Offer
Academic

Department	Faculty	Institution
Law	Faculty of Law and Political Science	Mohamed Seddik Ben Yahia University, Jijel

Field: Law and Political Science

Branch: Law

Specialization: Family Law

Academic Year: 2017-2018

Table of Contents

I- Master's Program Identification Card	04
1. Defining the Location of the Program	05
2. Participants in the Program	05
3. Framework and Objectives of the Program	06
a. Admission Requirements	06
b. Program Objectives	06
c. Target Qualifications and Skills	06
d. Regional and National Employment Opportunities	06
e. Pathways to Other Specializations	07
f. Indicators for Monitoring the Program Project	07
g. Supervisory Skills	07
4. Available Human Resources	08
a. Faculty Members Involved in the Specialization	08
b. External Supervision	14
5. Available Material Resources	14
a. Pedagogical Laboratories and Equipment	14
b. Fields for Internships and Training in Institutions	14
c. Research Laboratories Supporting Master's Program Training	15
d. Research Projects Supporting Master's Program Training	16
e. Personal Workspaces and Information and Communication Technologies	17
II- Semester Organization Card	18
1. First Semester	19
2. Second Semester	20
3. Third Semester	21
4. Fourth Semester	22
5. Comprehensive Summary of the Program	22
III- Detailed Program for Each Subject	23
IV- Contracts/Agreements	46

I. Master's Program Identification Card

1. Defining the Location of the Program:

- **Mohamed Seddik Ben Yahia University - Jijel**
 - Faculty of Law and Political Science
 - Department: Law

2. Participants in the Program:

- **Other University Institutions: /**
- **Other Socio-Economic and Institutional Partners:**
 - Judicial Institutions
 - Public Institutions (Municipalities, Wilaya, Various Directorates)
 - Child Care Institutions
 - Elderly Care Institutions
 - Maternity and Child Protection Institutions
 - Women's Promotion Associations
 - Civil Society Organizations

Foreign International Partners: /

3. Framework and Objectives of the Program:

A. Admission Requirements

- Students graduating under the new system (LMD):
 - The student must have a good conduct and behavior.
 - The student must hold a Bachelor's degree in Law or a Bachelor's degree in Sharia and Law.
- Students graduating under the old system (Classical):
 - The student must have a good conduct and behavior.
 - The student must hold a Bachelor's degree in Law or a Bachelor's degree in Sharia and Law.

B. Program Objectives

The program has two main aspects:

Theoretical Aspect

This aims to provide the necessary scientific competencies and psychological preparations, enabling the student to:

- Acquire the necessary experiences to understand the nature of disputes that arise within the family.
- Possess the ability to interpret legal texts and apply them properly to serve the benefit and interests of the family.
- Assess the real risks that threaten the family and society in general.

Practical Aspect

This aims to develop the student's individual capacities in terms of:

- Understanding the mechanisms and regulations on which family legislation in both law and Sharia is based.
- The ability to address the issues of the Algerian family and find appropriate solutions.
- The ability to supervise and guide specialists in family affairs in the future.
- **C. Targeted Qualifications and Skills**
The specialization in Family Law includes various elements related to society and influences public life in its various aspects, including political and economic ones.
- A deep study of this specialization allows the student to understand the nature of family relationships through a vast amount of information and knowledge, from the establishment of the marital relationship to its termination. The student will then be able to offer solutions inspired by Algerian Family Law and Islamic jurisprudence, in accordance with Article 222 of the Algerian Family Code. The stability and progress of society depend on the well-being of the family, which is considered by the legislator as the fundamental unit in the construction of society. This makes us think about the legal and legislative frameworks that are appropriate, by searching to support, amend, or enrich them to serve the interests of individuals, guarantee their rights, and support their freedoms, whether related to the

husband, wife, or children. All of this depends on training researchers specialized in family law, with a broad culture and expertise in family legislation.

- **D. Regional and National Employment Opportunities for Graduates**

Upon obtaining this degree, the student can be employed in the courts by joining the High Judicial School. With excellent training, the graduate will be able to take on the responsibility of issuing judicial rulings in family law cases.

- The student can also become an excellent lawyer, defending rights and truth, especially in cases where divorce is the solution. The student will possess the skills to investigate the reasons and causes, searching for a way out and a solution to all family problems in court.
- Whether as a judge, lawyer, or proficient researcher and academic, through this specialization, the graduate will undoubtedly provide a valuable service to society, contributing to creating stability.

E. Pathways to Other Specializations:

- This degree serves as a bridge towards enrolling in a PhD program, ensuring the continuity of specialized research work in this field.
- It can also establish specialized judicial sectors for family law cases.
- This specialization can be a key to training imams, inspectors, counselors, and legal advisors in family law matters.

F. Indicators for Monitoring the Training Project:

The student can continue their studies and enroll in a PhD program in the same specialization in the following areas:

- Family Law
- Civil Status Law
- Family Disputes

G. Supervisory Capacities:

- Up to 50 students can be enrolled.

B- External Supervision:**1- Available Material Resources:****A- Educational Laboratories and Equipment**

Capacity of each piece of equipment.

Capacity	Number	Equipment Name	Number
1400	07	Auditorium	01
500	02	Large Halls	02
1750	50	Practical Room	03
120	04	Fully Equipped Special Room	04
50	02	Internet Room	05

Research Laboratories

Notes	Number	Equipment Name	Number
	02	Pedagogical	01
	06	Research	02

Library

Notes	Number	Equipment Name	Number
	2500	Basic	01
	400	Exploratory	02
	150	Methodological	03
	280	Shared	04

Information Technology Equipment

Notes	Number	Equipment Title	Number
	02	Server	01
	60	Personal Computers	02
	02	Network Equipment	03
	10	Software Tools	04
	60	Internet Sockets	05

Other Equipment

Capacity	Number	Equipment Title	Number
		Various Audio-Visual Equipment (Audio-Visual Room)	01

A- Internship and Training Fields in Institutions:

H- Personal Workspaces and Information and Communication Technologies:

- The Faculty of Law and Political Science houses a library that includes a loan bank containing approximately 3,200 books, of which 500 are reference books, as well as numerous graduation theses and academic dissertations.
- The faculty library also features a reading room equipped with 300 study tables.
- The library has most of the references mentioned in the research project.
- The faculty contains two internet rooms: the first is designated for professors and contains 50 high-speed computers, while the second is for students and has 100 high-speed computers. Each internet room has an area of 50 m².
- A server is available to provide internet service via ADSL with a speed of 02 Mbps.

II. Semester Organization Card

1 - First Semester:

Evaluation Type		Credits	Coefficient	Weekly Hours				Total Hours for the Semester	Teaching Unit	
Exam	Continuous			Other Works	Practical Works	Directed Works	Lecture	15 Weeks		
		18	9	16.30		4.30	9	450	Core Teaching Units	
×	×	6	3	5.30		1.30	3	150	Course 1: Marriage Contract and Its Effects	Code: UT A Coefficient: 09 Credits: 18
×	×	6	3	5.30		1.30	3	150	Course 2: Inheritance Science 1	
×	×	6	3	5.30		1.30	3	150	Course 3: Methods of Proof in Family Law	
		9	3	10.30		3	1.30	225	Methodological Teaching Units	
×	×	6	2	7.00		1.30	1.30	150	Course 1: Research Methodology 1	Code: UT M Coefficient: 3 Credits: 9
	×	3	1	3.30		1.30		75	Course 2: Administrative and Judicial Writing Methodology in Family Law	
		2	2				3	45	Exploratory Teaching Units	
×		1	1				1.30	22.30	Course 1: Civil Status Law	Code: UT I Coefficient: 2 Credits: 2
×		1	1				1.30	22.30	Course 2: Family Sociology	
		1	1			1.30		22.30	Horizontal Teaching Unit	
×		1	1			1.30		22.30	Course: Foreign Language (English) 1	Code: UT A Coefficient: 1 Credits: 1
		30	15	27		9.00	13.30	742.30	Total for the Semester1	

2 - Second Semester:

Evaluation Type		Credits	Coefficient	Weekly Hours				Total Hours for the Semester	Teaching Unit	
Exam	Continuous			Other Works	Practical Works	Directed Works	Lecture	15 Weeks		
		18	9	16.30		4.30	9	450	Core Teaching Units	
×	×	6	3	5.30		1.30	3	150	Course 1: Dissolution of Marital Bond	Code: UT A Coefficient: 09 Credits: 18
×	×	6	3	5.30		1.30	3	150	Course 2: Rules of Inheritance 2	
×	×	6	3	5.30		1.30	3	150	Course 3: Penal Protection of the Family	
		9	3	10.30		1.30	3	225	Methodological Teaching Units	
×	×	6	2	7.00		1.30	1.30	150	Course 1: Research Methodology 2	Code: UT M Coefficient: 3 Credits: 9
×		3	1	3.30			1.30	75	Course 2: Information and Communication Technologies	
		2	2				3	45	Exploratory Teaching Units	
×		1	1				1.30	22.30	Course 1: General Purposes of Family Rules	Code: UT I Coefficient: 2 Credits: 2
×		1	1				1.30	22.30	Course 2: Family Law in International Law	
		1	1			1.30		22.30	Horizontal Teaching Unit	
×		1	1					22.30	Course: Foreign Language (English) 2	Code: UT A Coefficient: 1 Credits: 1
		30	15	27		7.30	15.00	742.30	Total for the Semester1	

3 - Third Semester:

Evaluation Type		Credits	Coefficient	Weekly Hours				Total Hours for the Semester	Teaching Unit	
Exam	Continu- ous			Other Works	Practical Works	Directed Works	Lecture	15 Weeks		
		18	9	16.30		4.30	9	450	Core Teaching Units	
×	×	6	3	5.30		1.30	3	150	Course 1: Conflict of Laws in Family Matters	Code: UT A Coefficient: 09 Credits: 18
×	×	6	3	5.30		1.30	3	150	Course 2: Family Law Claims	
×	×	6	3	5.30		1.30	3	150	Course 3: Donations	
		9	3	10.30		3	3	225	Methodological Teaching Units	
×	×	6	2	7.00		1.30	1.30	150	Course 1: Methodology of Writing a Thesis	Code: UT M Coefficient: 3 Credits: 9
	×	3	1	3.30		1.30		75	Course 2: Professional and Personal Project	
		2	2				3	45	Exploratory Teaching Units	
×		1	1				1.30	22.30	Course 1: Institutional Protection of Family and Childhood	Code: UT I Coefficient: 2 Credits: 2
×		1	1				1.30	22.30	Course 2: Legal Guardianship	
		1	1			1.30	1.30	22.30	Horizontal Teaching Unit	
×		1	1				1.30	22.30	Course: Foreign Language (English) 3	Code: UT A Coefficient: 1 Credits: 1
		30	15	27		9.00	13.30	742.30	Total for the Semester1	

4 - Fourth Semester:

Field: Law and Political Science

Branch: Law

Specialization: Family Law

Credits	Coefficient	Weekly Hours	
2	1	3.30	Seminar
28	1	46.30	End-of-Study Thesis
30	2	750	Total for Semester 4

5 - Comprehensive Summary of the Training:

Total	Seminar + Thesis	Horizontal	Exploratory	Methodological	Core	Directed & TD (Tutorials)
697.5	/	67.30	135	90	405	Lectures
292.5	/	/	/	90	202.30	Directed Work
/	/	/	/	/	/	Practical Work
1965	750	/	/	472.30	742.30	Personal Work
2955	750	67.30	135	652.5	1350	Total
120	30	3	06	27	54	Credits
%100	%25	%2.5	%05	%22.5	%45	% of Credits per Unit

III - Detailed Program for Each Subject

Master's Program Title: Family Law
Semester: First
Course Title: Marriage Contract and Its Effects

Course Content:

- **Engagement:**
 - Concept and legitimacy of engagement.
 - Nature of engagement.
 - Withdrawal from engagement and its effects.
 - Claims related to engagement.
- **Formation and Proof of the Marriage Contract:**
 - The element of consent.
 - The condition of eligibility.
 - Mahr (dowry).
 - Presence of the guardian (wali).
 - Witnesses.
 - Absence of legal prohibitions.
 - Proof and registration of the marriage contract.
- **Effects of the Marriage Contract:**
 - Spousal maintenance (nafqa).
 - Waiting period (iddah).
 - Proof of lineage (nasab).

Course Title: Inheritance Rules 1

Course Content:

- The concept of the estate and its components, and the rights related to it.
- Inheritance: its pillars, conditions, causes, and prohibitions.
- Types of inheritance and the rightful heirs.
- The concept of the grandfather: its forms and the rules that govern it.
- The rules of "ta'sib" (inheritance through agnates) and "hijab" (exclusion).
- The principles of inheritance issues and their correction, including modifications.

Course Title: Methods of Evidence in Family Law

Course Content:

- General concepts about methods of evidence.
- Official documents in family law.
- Informal documents in family law.

Course Title: Scientific Research Methodology 1

Course Content:

1. **Principles of Research and Scientific Publishing**

2. **Rules and Conditions of Citation, Referencing, and Quotation**
3. **Methods of Writing Cited References**
4. **Academic Plagiarism: A Major Concern in Scientific Research**

Course Title: Methodology of Administrative and Judicial Drafting in Family Law

Course Content:

Chapter 1: Concept, Characteristics, and Features of Administrative Drafting

- **Section 1: Concept of Administrative Drafting**
 - Subsection 1: Definition of Administrative Drafting
 - Subsection 2: Importance of Administrative Drafting
- **Section 2: Characteristics of Administrative Drafting**
 - Subsection 1: Respect for Administrative Hierarchy
 - Subsection 2: Responsibility and Caution
 - Subsection 3: Duty to Maintain Professional Confidentiality

Chapter 2: Models of Administrative Drafting in Family Law

- **Section 1: Marriage Contract**
- **Section 2: Divorce Contract**
- **Section 3: Gift Contract**
- **Section 4: Will Contract**

Chapter 3: Judicial Rulings and Decisions

Course Title: Civil Status Law

Course Content:

1. Civil Status Officer

- Responsibilities of civil status officers
- Accountability of civil status officers

2. Civil Status Records

- Birth certificate register
- Death certificate register
- Marriage certificate register
- Opening and closing of civil status records
- Filing and archiving the records
- Access to and transmission of the records
- Civil status documents tables
- Legal value of civil status records
- Creation and registration of civil status documents

3. Civil Status Documents

Institution: Mohamed Seddik Ben Yahia University, Jijel **Master's Program Title:** Family Law
Academic Year: 2017-2018

- **A. Birth Certificate**
 - Birth in normal conditions
 - Birth in abnormal conditions
- **B. Marriage Certificate**
 - Elements and formal requirements of a marriage contract
 - The official authorized to draft the contract
 - Data included in the marriage certificate
 - Drafting and registering the marriage contract
 - Registering the marriage by judicial decision
- **C. Death Certificate**
 - Death in normal circumstances
 - Death in special or unusual circumstances
 - Data included in the death certificate
 - Registering death by judicial decision

4. Changes in Original Civil Status Documents

- Cancellation
- Correction
- Amendment
- Destruction of records
- Documents that substitute for the original civil status documents
- Copies extracted from the original
- Family record book

Course Title: Family Sociology

Course Content:

Chapter 1: Theoretical Approaches to Studying the Family Sociologically

1. **History of Family Sociology Studies**
2. **Challenges in Studying Family Sociology**
3. **Sociological Approaches to Studying the Family**

Chapter 2: The Social Structure of the Family (Family and its Relation to Value Systems)

Chapter 3: Urbanization and the Social Structure of the Family

Chapter 4: Kinship and the Social Structure of the Family

Chapter 5: The Family and Dynamics of Change – Empirical Studies

- **Study 1:** The Conflict of Values and Its Impact on Family Structure and Functions
- **Study 2:** The Impact of Social Change on the Social Structure of the Family
- **Study 3:** The Impact of Social and Technological Change on the Family Structurally and Functionally

Course Title: Foreign Language (English) 1

Course Content:

The course is divided into two parts: one focusing on acquiring English language skills, and the other focusing on specialized legal terminology.

Master's Program Title: Family Law

Semester: Second

Course Title: Dissolution of the Marital Bond

Course Content:

First – Methods of Dissolution of Marriage:

- Divorce
- Khula
- Annulment for reasons (e.g., illness or incapacity)
- Divorce due to absence
- Divorce due to lack of support
- Divorce due to conflict (dispute)
- Arbitrary divorce
- Divorce during terminal illness

Second – Effects of Dissolution of Marriage:

- Effects of revocable divorce
- Effects of irrevocable divorce
- Idda (waiting period): its cause and types

Course Title: Inheritance Law 2

Course Content:

Inheritance by Estimation and Precaution:

- Inheritance of a fetus, missing persons, and hermaphrodites
- Succession, reduction, and inheritance of relatives
- Calculation of wills and acknowledgments

Course Title: Criminal Protection of the Family

Course Content:

Criminal Protection of the Family in Algerian Legislation:

- The concept of crimes against the family (conceptual framework)
- Types of crimes against the family:
 - Crime of abandoning the family home
 - Crime of neglecting a pregnant wife
 - Crime of failing to pay alimony

Institution: Mohamed Seddik Ben Yahia University, Jijel **Master's Program Title:** Family Law
Academic Year: 2017-2018

- Crime of abortion
- Crime of abandoning children and endangering them
- Crime of child abduction
- Moral crimes: (Adultery, Incestuous acts between relatives)

Course Title: Research Methodology 2 (Methodology for Commenting on Legal Texts and Judicial Decisions).

Course Content:

Methodology for Commenting on Legal Texts and Judicial Decisions

- **First Topic:** Methodology for Commenting on Legal Texts
- **Second Topic:** Methodology for Commenting on Judicial Decisions

Course Title: Information and Communication Technologies

Course Content:

First Topic: Concepts and Aspects

1. The concept of new information and communication technologies.
2. The phenomenon of information explosion.

Second Topic: Remote Communication Technologies

1. Wireless communication technologies.
2. Wired communication technologies (cable and fiber optics).

Third Topic: Some Modern Applications

1. Digital communication technologies and their networks.
2. Computer technology.
3. Satellite communication technologies.
4. Microphone technology.
5. Low-power and high-definition television broadcasting technology.
6. Video cassette technology, video disks, teletext, videotex, videophones, etc.
7. Internet, intranet, and extranet technologies.
8. Mobile phone and email technologies.
9. Tablet computer (electronic tablet) technology.

Conclusion: Some perspectives for future development.

Course Title: General Objectives of Family Provisions

Course Content:

1. The concept and criteria of the general objectives of family provisions.
2. Types of general objectives of family provisions.
3. Practical examples of the general objectives of family provisions (in marriage and divorce).

Course Title: Family Law in International Law

Course Content:

1. **Introduction**
2. **Convention on the Elimination of All Forms of Discrimination Against Women:**
 - Definition of discrimination against women.
 - Measures that must be taken to combat discrimination (in political, educational, labor fields, and equality before the law).
 - Mechanisms overseeing the effective application of these obligations and the degree of compliance by countries.
 - The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women.
3. **Convention on the Rights of the Child:**
 - Procedures and measures that member states must adopt (right to identity, right to express views, right to information, children deprived of a family environment, rights of refugee children, rights of disabled children, right to health, right to education, rights of children deprived of liberty, rights of children during wartime, and rights of children accused of crimes).
4. **Mechanisms for Protecting Children's Rights:**
 - Establishment of a committee on children's rights (composition, tasks, etc.).

Course Title: Foreign Language (English) 2

Course Content:

The course is divided into two sections:

1. **Acquiring English Language Skills**
 2. **Legal Terminology Specific to the Field**
-

Master's Program Title: Family Law

Semester: Third

Course Title: Conflict of Laws in Family Matters

Course Content:

- General rules of conflict of laws.
- Preference between the law of nationality and the law of domicile.
- Determination of issues falling within the scope of family law and the applicable law on:
 - Status and capacity
 - Marriage (validity of marriage, formal requirements, material conditions of marriage, custody, effects of marriage, dissolution of marriage).

Course Title: Family Affairs Litigation

Course Content:

- **Litigation procedures before the Family Affairs Division** (Articles 423 to 498 of the Civil and Administrative Procedures Law):
 1. **Jurisdiction**
 - **Special jurisdiction**
 - **Regional jurisdiction**
 2. **Divorce cases before the Family Affairs Division**
 - **Divorce by mutual consent**
 - Procedures (application, session scheduling)
 - Role of the judge
 - Appeal against the judgment
 - **Divorce at the request of one of the spouses**
 - Stages of litigation
 - Divorce judgments
 - Appeal
 3. **Urgent matters before the Family Affairs Division**
 - **Powers of the judge in urgent matters**
 - **Urgency in specific cases**
 - Guardianship of minor children
 - Management of minor children's property
 - Protection of adults with limited capacity

Course Title: Donations

Course Content:

- **General Provisions on Donation Contracts:**
 1. Definition of donation contracts
 2. Characteristics of donation contracts
- **Types of Donation Contracts and Their Provisions:**
 1. **Wills and Their Provisions**
 2. **Gifts and Their Provisions**
 3. **Endowments (Waqf) and Their Provisions**

Course Title: Methodology of Writing a Thesis

Course Content:

- The method and steps of preparing any scientific research.
- How to choose and define the topic of the thesis.
- How to register the scientific university topic for the thesis.
- How to create an outline for the research plan for the thesis.
- How to write the scientific research in terms of formatting.
- The method for documenting and citing sources in the thesis.
- How to include appendices in the thesis.
- Methodology for defending the thesis.

Course Title: Professional and Personal Project

Course Content:

- Analyzing the situation.
- Setting goals and performance indicators.
- Preparing the work breakdown structure.
- Optimal use of resources (Techniques for program evaluation and revision).
- Clarifying responsibilities for each task.
- Execution and adjustment to maximize results.
- Evaluation to improve the current project design and/or design of future projects.
- Models of projects.
- All professions that require a Bachelor's or Master's degree in Law, such as: judiciary, notary services, judicial officers, law practice, administrative positions at the local and national government levels, etc.
- Research related to professions, technical sheets about professions, field visits, and lectures organized by professionals.

Course Name 1: Institutional Protection of Family and Childhood

Course Content:

1. Legal texts governing the institutional protection of the family
2. Institutions and bodies related to family protection (organization and tasks)
3. Evaluation of the role of the institutions and bodies concerned with family protection.

Course Name: Legal Guardianship

Course Content:

1. Definition of legal capacity, its divisions, stages, and limitations.
2. Custody and its causes.
3. Guardianship, its divisions, conditions, and the powers of guardians.
4. Custodianship, its definition, types, conditions, the actions of the custodian, and their powers.

Course Content:

The course is divided into two sections: one focused on acquiring English language skills and the other dedicated to specialized legal terminology.