

13TH WORLD CONFERENCE
OF THE INTERNATIONAL
SOCIETY OF FAMILY LAW

ISFL
2008

Family Finances



**VIENNA, AUSTRIA,
SEPTEMBER 16-20, 2008**

VENUE: FEDERAL MINISTRY OF JUSTICE – PALAIS TRAUTSON
CONVENOR: O.UNIV.-PROF. DR. BEA VERSCHRAEGEN, LL.M., E.M.M.
IN COOPERATION WITH THE AUSTRIAN LAWYERS ASSOCIATION
UNDER THE AUSPICES OF DR. HEINZ FISCHER,
THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA

Programme





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Das Generalthema dieses Kongresses „Familie und Finanzen“ wurde nicht zufällig gewählt. Sowohl die Familie als auch ihre Finanzen sind krisenbehaftet. Die Erwartung finanzieller Leistungen und Sachleistungen innerhalb der Familie sowie solcher an Dritte und von Dritten steigt, während die Erbringung der Leistungen schwieriger wird und ihr Ziel oft nicht erreicht.

Das Ziel des Weltkongress besteht darin, die Diskussion über das Generalthema zu ermöglichen und die damit verbundenen Fragen zu erörtern: Was ist eine Familie? Welche Transferleistungen sind notwendig, um die Familien“ zu unterstützen? Welche Rolle kommt den individuellen Familienmitgliedern bei der finanziellen Stabilität der Familie zu? Welche Bedeutung hat das Familienrecht? Schon aus diesen Fragestellungen geht hervor, dass „Familie und Finanzen“ ein interdisziplinäres Thema ist. Bei dieser Weltkonferenz werden Wissenschaftler und Praktiker des Familienrechts das Generalthema von verschiedenen Perspektiven beleuchten können.

Im Lichte der Erweiterung der Europäischen Union von 15 auf 27 Staaten und der wachsenden Bedeutung der internationalen Bezüge auch zu Drittstaaten ist der Standort des Kongresses in Wien ideal. In vielen Mittel- und Osteuropäischen Ländern bedarf das Familienrecht noch gewisser Anpassungen an die mit der Öffnung dieser Staaten verbundenen Anforderungen. Die wachsende Mobilität des Personen- und Dienstleistungsverkehrs, eine steigende Flüchtlingsrate, die größere Schere zwischen arm und reich, die Perfektionierung moderner Technologien stellen vor Herausforderungen, die internationalen Charakter haben.

Bei der Organisation dieser 13. Weltkonferenz haben mir viele Menschen geholfen. Dazu zählt vor allem Rechtsanwalt Dr. Franz *Marschall*, Vizepräsident des Österreichischen Juristenverbandes, der wichtige Wege geebnet und wertvolle Kontakte vermittelt hat. Durch ihn lernte ich Prof. Dr. Fritz *Wennig*, Präsident des Österreichischen Juristenverbandes und Frau Mag. Susanne *Schöner*, Generalsekretärin des Österreichischen Juristenverbandes sowie des Österreichischen Rechtsanwaltsvereins kennen, die ihrerseits zu wichtigen Kontakten und Sachleistungen verholfen haben. Erst in einem relativ späten Stadium der Kongressorganisation musste ich bzgl des Kongressortes umdisponieren. Frau Justizministerin Dr. Maria *Berger* hat zu großzügigen Bedingungen das Palais Trautson (Bundesministerium für Justiz) zur Verfügung gestellt, ebenso wie Mag. Dr. Anton *Sumerauer*, Präsident des OLG Wien, Tagungsräume im Justizpalast. Bei der internen Organisation im Bundesministerium für Justiz sowie im Justizpalast sind mir ua Hofrat Otto *Müller* sowie Amtsdirektor Gottfried *Feiterer* zur Seite gestanden. Die Wiener Medizinische Akademie, namentlich Claudia *Schantl*, hat mit Akribie und großer Gewissenhaftigkeit die administrative“ Seite der Organisation übernommen, was von unschätzbarem Wert war. Nicht zuletzt seien meine MitarbeiterInnen, allen voran Mag. Ilse *Koza*, aber auch Mag. Katharina *Polster*, Mag. Lukas *Oberndorfer* und Dr. Judith *Schacherreiter*, erwähnt, die sich immer wieder um Detailfragen gekümmert haben. Schließlich haben auch die Sponsoren die Durchführung des Kongresses ermöglicht. Allen danke ich sehr herzlich für ihre Unterstützung.

Bea Verschraegen,
Convenor



Welcome and Acknowledgements

The general theme of this conference, “Family Finances,” has not been chosen by coincidence. Today, many families are facing financial crisis. Expectations of financial and other contributions in the family as well as contributions to third parties and from third parties are high, but it has become increasingly difficult to meet such expectations and often the goal is not achieved.

The purpose of this World Conference is to stimulate discussion of a wide range of issues related to family finances: What is a family? What kind of transfers are necessary to protect families? What is the role of individual family members in ensuring families’ financial stability? What is the role of family law? Family Finances is an interdisciplinary topic, and the conference will offer both academic family law experts and family law practitioners the opportunity to address Family Finances from a wide range of perspectives, in both oral and poster presentations.

In light of the expansion of the European Union from 15 to 27 member states and the growing importance of the EU’s relationships with non-EU countries, Vienna is an ideal venue in which to explore these questions. In many countries of Central and Eastern Europe, family law is still adapting to democratic government and market economies. These countries also face increasing mobility of persons and services, a large number of refugees, growing wealth and income inequality, and the development of modern technologies, problems that are representative of those faced by families and family law throughout the world.

Many persons have helped and supported me in organizing this 13th World Conference of the ISFL. I owe particular thanks to Dr. Franz *Marschall*, attorney and vice-President of the Austrian Lawyers Association, who gave me invaluable advice and introductions. Thanks to Dr. *Marschall*, I met Prof. Dr. Fritz *Wennig*, President of the Austrian Lawyers Association, and Mag. Susanne *Schöner*, Secretary General of the Austrian Lawyers Association and of the Austrian Society of Attorneys, both of whom generously assisted me in making contacts and obtaining contributions. At a very late stage, it became necessary to change the conference venue. The Austrian Minister of Justice, Dr. Maria *Berger* graciously offered to host the World Conference at the Palais Trautson (Ministry of Justice) and Mag. Dr. Anton *Sumerauer*, President of the Vienna Regional Court of Appeal, at the Palace of Justice on very generous terms. Hofrat Otto *Müller* and Amtsdirektor Gottfried *Reiterer* were of great help with regard to administrative issues within the Ministry of Justice and the Palace of Justice. Claudia *Schantl*, under the auspices of the Vienna Medical Academy, was responsible for the administrative side of organizing the conference, a task she fulfilled with care, tact, and distinction. Last but not least, my assistants, especially Mag. Ilse *Koza*, but also Mag. Katharina *Polster*, Mag. Lukas *Oberndorfer* and Dr. Judith *Schacherreiter*, handled, admirably, many conference details. I would also like to express my gratitude to all of the conference sponsors for their support.

Bea Verschraegen,
Convenor



Convenor

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Konferenzorganisation

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Reisebüro

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Travel Agency

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Konferenzort

Bundesministerium für Justiz, Palais Trautson, Museumstraße 7, 1070 Wien
Justizpalast, Schmerlingplatz 11, 1016 Wien

Konferenzgebühren

	ISFL Mitglied	ISFL Nicht-Mitglied
Teilnehmer	EUR 450	EUR 490
Berufstätige unter 30	EUR 450	EUR 490
Studenten unter 24		EUR 250
Tagesticket		EUR 250
Begleitperson(en) (Eintritt zum gesamten Abendprogramm)		EUR 110 p.P.

Registrierungszeiten

Di., 16. September	14.00 – 18.00
Mi., 17. September	08.00 – 18.00
Do., 18. September	08.00 – 18.00
Fr., 19. September	08.00 – 18.00
Sa., 20. September	08.00 – 12.00

Die Teilnahmegebühr inkludiert

- Teilnahme an allen wissenschaftlichen Sitzungen
- Programm und Abstractband
- Begrüßungscocktail (16. September)
- Mittagsbuffet, Kaffeepausen

Die Gebühr für Begleitpersonen inkludiert

Teilnahme am Begrüßungscocktail, ISFL-Abend und Bankett (keine Teilnahme an den wissenschaftlichen Sitzungen, Kaffeepausen und Mittagsbuffets)

Kongresssprachen

Deutsch, Englisch

Simultanübersetzung

Bitte beachten Sie, dass Übersetzungen von Englisch auf Deutsch und Deutsch auf Englisch nur während der Plenarsitzungen zur Verfügung gestellt werden.

Öffentliche Verkehrsmittel

Wien verfügt über ein modernes, gut funktionierendes Verkehrssystem bestehend aus Straßenbahnen, U-Bahn und Bussen. Fahrkarten sind in den Verkaufsstellen der Wiener Linien, in Tabakläden und bei Automaten an den U-Bahnhaltestellen erhältlich. Informationen dazu finden Sie auf der Webseite der Wiener Linien unter www.wienerlinien.at oder unter +43 1 7909-100.



Anreise zum Kongressort

U-Bahn: U2, U3 Volkstheater
Straßenbahn: 49 (Station Volkstheater)
Bus: 48A (Station Volkstheater)

Bitte beachten Sie, dass es auf Grund von Sicherheitsschleusen im Eingangsbereich des Justizpalastes zu Wartezeiten kommen kann.

Stornobedingungen

Im Falle Ihrer Verhinderung bitten wir um eine schriftliche Absage per Fax oder Brief an das Kongressbüro. Bei Rücktritt bis zum 15. August werden 75% der Teilnahmegebühr refundiert, danach kann keine Refundierung mehr vorgenommen werden.

Vergünstigte Registrierung

Bitte beachten Sie, dass die vergünstigten Tarife nur bei gleichzeitiger Zahlung der Gebühren innerhalb der Fristen Gültigkeit haben. Bei Anmeldung vor einer dieser Fristen (30. Juni und 31. August 2008) ohne Bezahlung der Teilnahmegebühr ist die volle Gebühr vor Ort bei der Registratur zu begleichen (Kreditkarte oder bar).

Mittagessen

Tickets für das Mittagessen am Mittwoch, Donnerstag und Freitag konnten ausschließlich über das Anmeldeformular vorbestellt und **nicht vor Ort erworben werden**. Die Tickets sind nur für einen Teilnehmer gültig.

Catering

Das Catering wird besorgt vom „Grünen Kreis“ (Pool7), der größten österreichischen gemeinnützigen Organisation zur Rehabilitation und Reintegration suchtkranker Menschen.



Conference Venue

Federal Ministry of Justice, Palais Trautson, Museumstraße 7, 1070 Vienna
Palace of Justice, Schmerlingplatz 11, 1016 Vienna

Conference Fees

	ISFL Member	ISFL Non-Member
Regular Participants	EUR 450	EUR 490
Young professionals under 30	EUR 450	EUR 490
Students under 24		EUR 250
Day Ticket		EUR 250
Accompanying Person(s) (Admission to all Social Events)		EUR 110 p.p.

Registration hours

Tue., September 16	14.00 – 18.00
Wed., September 17	08.00 – 18.00
Thu., September 18	08.00 – 18.00
Fri., September 19	08.00 – 18.00
Sat., September 20	08.00 – 12.00

The registration fee includes

- Admission to all scientific sessions
- Programme and Abstract book
- Welcome reception (September 16)
- Lunches, Coffee Breaks

Accompanying Person's fee includes

Admission to the welcome reception, ISFL-Evening and Banquet (no admission to lectures, coffee breaks and lunches)

Conference Languages

German and English

Simultaneous translation

Please note that translation from English into German and German into English will only be provided during the plenary sessions.

Public Transport

Vienna has a modern, well-functioning system of public transport, comprising trams, subway and buses. Tickets are available at the counters of Wiener Linien, the Vienna Public Transport Company, at tobacconists' and at vending machines in the subway stations. For detailed information, please consult the website of Wiener Linien under www.wienerlinien.at or call +43 1 7909-100.



Getting to the Congress Venue

By underground: U2, U3 Volkstheater
By Tram: 49 (Station Volkstheater)
by bus: 48 A (Station Volkstheater)

Please note, that due to the security control at the entrance of the Palace of Justice delays can occur.

Cancellation and refunds

Notice of cancellation must be made in writing by registered letter or fax to the Congress Office. Registration fees may be refunded as follows: through August 15, 2008: 75% refund, after August 15, 2008: no refund

Reduced registration fee

The reduced registration fee is only applicable if it is credited to the congress account before the deadline. Any registration before one of the two deadlines (June 30 and August 31, 2008) does not imply a reduced fee, unless payment was actually made. Pre-registration without payment of the registration fee is, however, possible. The full fee is to be paid at the registration desk (Credit card or cash in EURO).

Lunches

Lunch tickets for Wednesday, Thursday and Friday had to be pre-ordered on the registration form – and **cannot be purchased on site**. The tickets are valid only for one participant.

Catering

Catering services are provided by the “Grüner Kreis” (Pool7), the largest Austrian non-profit organisation for rehabilitation and reintegration of drug addicts.



Vorträge

- Wir bitten Sie Ihre Daten auf einem USB-Stick oder einer CD mitzubringen.
- Ihre Daten werden mit Windows XP und PPT 2003 präsentiert.
- Mac-user werden gebeten ihr eigenes Notebook mitzubringen, um die Kompatibilität der Daten zu Windows zu überprüfen.
- Vor Ort steht Ihnen ein Techniker zur Bearbeitung und Überprüfung Ihrer Präsentation zu Verfügung. Jede Konvertierung kann Abweichungen vom Original mit sich bringen. Daher empfiehlt es sich zeitgerecht eine Kontrolle im Vortragsraum vorzunehmen.

Posterpräsentation

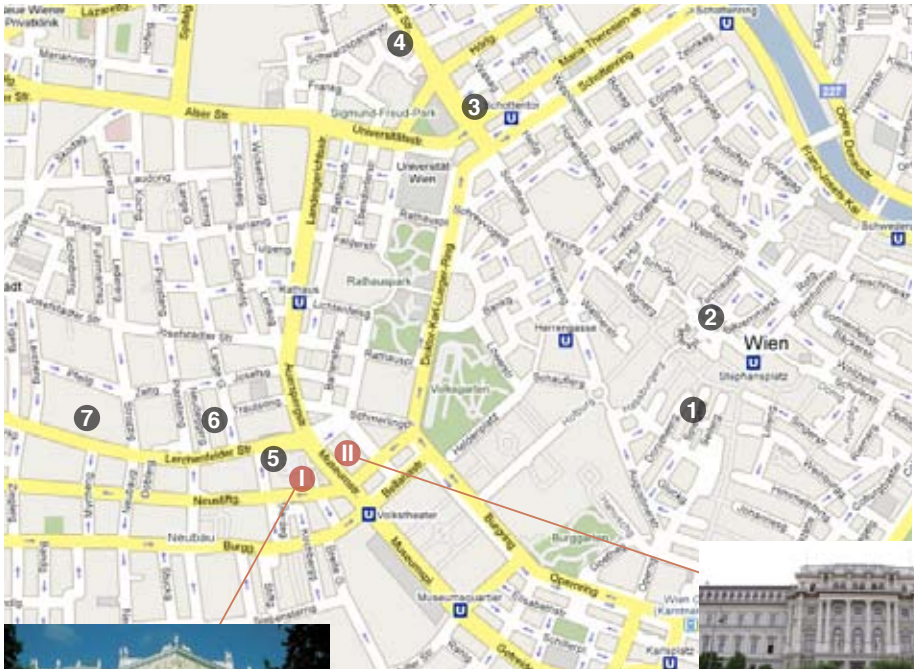
- Posterformat: 90 cm x 130 cm (Breite x Höhe)
- Befestigungsmaterial ist vor Ort erhältlich.
- Akzeptierte Poster werden von Mittwoch, 17. September bis Samstag, 20. September ausgestellt.
- Die Autoren der Poster müssen während der Postersitzung anwesend sein. Alle Poster werden während dieser Führung vorgestellt und diskutiert.
- **Postersitzung:**
Donnerstag, 18. September 2008,
14:00 – 15:30 Uhr
Eingangshalle,
Bundesministerium für Justiz

Oral Presentations

- Please bring your presentation on an USB-stick or CD with you.
- The lecture room will be equipped with Windows-PC (XP/Office2003).
- Mac users are kindly requested to bring their own Note-book with them in order to check the compatibility with Windows.
- It is essential to load and view the presentation at least two hours prior to your presentation in order to check the compatibility with the technician in the lecture room.

Poster Presentation

- The usable surface of the poster panel measures 130 cm in height x 90 cm in width.
- Pins will be provided onsite.
- Posters will be on display from Wednesday, September 17 to Saturday, September 20, 2008.
- In order to enable discussions and interaction with other participants, authors are requested to be present at the poster board in order to present their poster.
- **Poster session:**
Thursday, September 18, 2008,
14:00 – 15:30 hrs
Entrance Hall,
Federal Ministry of Justice



Konferenzort – Conference Venue

- I** **Bundesministerium für Justiz – Federal Ministry of Justice**
Palais Trautson,
Museumstraße 7, 1070 Vienna
- II** **Justizpalast – Palace of Justice**
Schmerlingplatz 11, 1016 Vienna

Hotels

- 1** **Graben Hotel**
Dorotheergasse 3, 1010 Vienna
- 2** **Hotel Wandl**
Petersplatz 9, 1010 Vienna
- 3** **Hotel De France**
Schottenring 3, 1010 Vienna
- 4** **Hotel Regina**
Rooseveltplatz 15, 1090 Vienna
- 5** **Hotel Atlas**
Lerchenfelderstraße 1–3, 1070 Vienna
- 6** **Rathaus Wein&Design**
Lange Gasse 13, 1080 Vienna
- 7** **Akademia**
Pfeilgasse 3a, 1080 Vienna

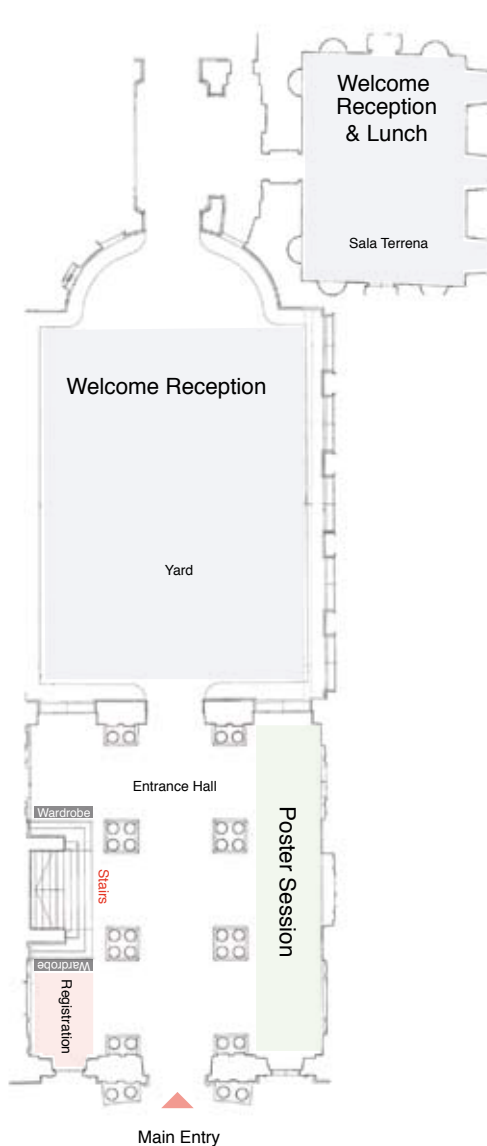


Öffentliche Verkehrsmittel Public Transport



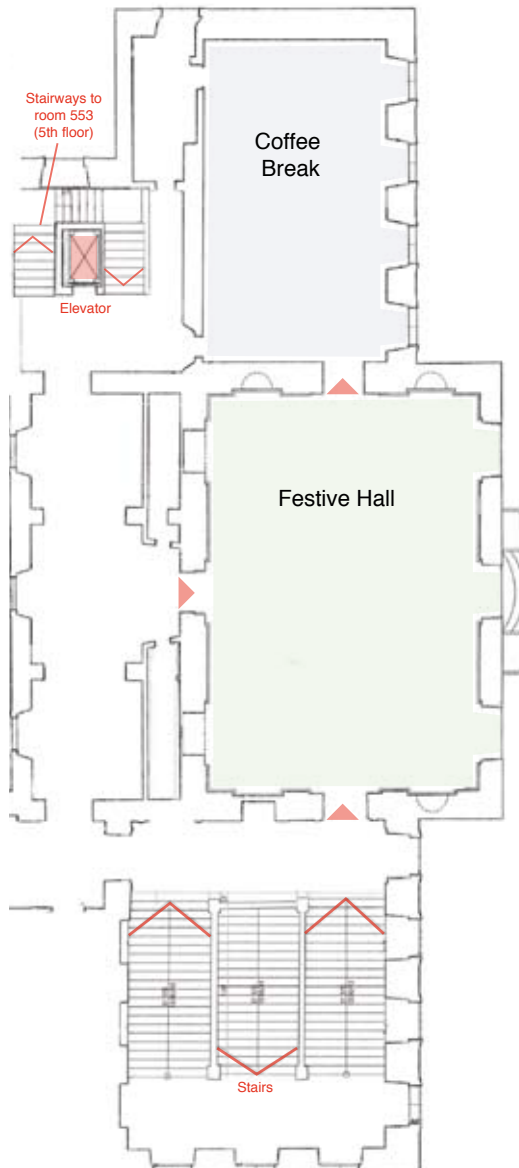


Ground Floor





1st Floor



Dienstag, 16. September
Tuesday, September 16

Bundesministerium für Justiz – Federal Ministry of Justice

14:00 – 18:00

Federal Ministry of Justice – Entrance Hall

REGISTRATUR – REGISTRATION

13:00 – 15:00

FMJ – Room 553 (Federal Ministry of Justice)

SITZUNG DES ISFL-VERWALTUNGS-AUSCHUSSES ISFL-EXECUTIVE COUNCIL MEETING

(nur für Mitglieder des Verwaltungsausschusses –
restricted to the members of the Executive Council)

16:00

FMJ – FH (Federal Ministry of Justice, Festive Hall)

BEGRÜSSUNG UND ERÖFFNUNG – WELCOME AND OPENING

Begrüßung – Greeting

o. Univ.-Prof. Dr. Bea Verschraegen, LL.M., E.M.M.
Vizepräsidentin der ISFL, Convenor
Vice-president of the ISFL, Convenor

Music by “Justizwachmusik”

Grußwort – Welcome address

Prof. Dr. Fritz Wennig
Präsident des Österreichischen Juristenverbandes
President of the Austrian Lawyers Association

Dr. Engelbert Petrasch
First vice-President of the Austrian Chamber of Notaries
President of the Insurance Company of the Austrian Notaries
Vizepräsident der Österreichischen Notariatskammer
Präsident der Versicherungsanstalt des Österreichischen Notariats

Dr. Michael Auer
Präsident der Wiener Rechtsanwaltskammer
President of the Vienna Chamber of Attorneys

o. Univ.-Prof. Dr. Georg Winckler
Rektor der Universität Wien
Rector of the University of Vienna

o. Univ.-Prof. DDr. Heinz Mayer
Dekan der Universität Wien
Dean of the Faculty of Law

Prof. Dr. Paul Vlaardingerbroek
Präsident der ISFL
President of the ISFL

Music by “Justizwachmusik“

Eröffnung – Opening

Dr. Maria Berger
Bundesministerin für Justiz
Federal Minister of Justice

Music by “Justizwachmusik“

Eröffnungsvortrag – Opening speech

Prof. Dr. Rainer Frank, Freiburg/Br
ehemaliger Präsident der ISFL
Past-president of the ISFL

European hymn

anschließend/afterwards

Begrüßungscocktail – Welcome reception

im Bundesministerium für Justiz/at the Federal Ministry of Justice
gesponsert vom Bundesministerium für Justiz
sponsored by the Federal Ministry of Justice

Mittwoch, 17. September
Wednesday, September 17

Bundesministerium für Justiz – Federal Ministry of Justice

	Festive Hall	Room 553
09:00–10:30	01. Plenary Session: Family Solidarity, Allocation of Ressources and Social Reality	
11:00–12:30	02. Plenary Session: Finances and the Best Interest of the Child	
14:00–16:00	03.I Spousal Maintenance	07. Matrimonial Finances
16:45–18:00	03.II Spousal Maintenance	08. Children and Economics

Justizpalast – Palace of Justice

	Lecture Hall	Conference Room
14:15–15:30	13.I State Responsibility and State Intervention	
14:15–15:45		16.I Family Finances and Succession Rights
16:45–18:00	13.II State Responsibility and State Intervention	16.II Family Finances and Succession Rights

FMJ – FH (Federal Ministry of Justice, Festive Hall)

09:00 – 10:30

01. PLENARY SESSION:

FAMILY SOLIDARITY, ALLOCATION OF RESSOURCES AND SOCIAL REALITY

Moderator: S. Katz (Newton Centre, *United States*)

- 01.1 **Partners, Parents and Children: Grounds for allocating Resources across Households**
J. M. Eekelaar (*Oxford, United Kingdom*) 20'
- 01.2 **Property, Maintenance, and Post-soviet European family law**
O. A. Khazova (*Moscow, Russian Federation*) 20'
- 01.3 **Family law and intergenerational family solidarity: Should there be enforceable maintenance rights vis-à-vis adult relatives?**
J. Ribot (*Girona, Spain*) 20'
- Discussion 30'

Coffee Break (Federal Ministry of Justice)

10:30 – 11:00

FMJ – FH (Federal Ministry of Justice, Festive Hall)

11:00 – 12:30

02. PLENARY SESSION:

FINANCES AND THE BEST INTEREST OF THE CHILD

Moderator: B. Atkin (Wellington, *New Zealand*)

- 02.1 **The Child Support System: The competing interests of the Custodial v. Non Custodial Parent – Is it really in the best interest of the Child?**
M. Haughton Worrell (*Gainesville, United States*) 20'
- 02.2 **Children's rights, children's law and economics: surveying experiences from Southern and Eastern African law reform processes**
J. Sloth-Nielsen (*Bellville, South Africa*) 20'
- 02.3 **Family finances by German support laws: effects of child support priority**
B. Willenbacher (*Hannover, Germany*) 20'
- Discussion 30'

Lunch Break (Federal Ministry of Justice)
(sponsored by "Agrarmarkt Austria")

12:30 – 14:00

14:00 – 16:00

FMJ – FH (Federal Ministry of Justice, Festive Hall)

03.I SPOUSAL MAINTENANCE

Moderator: W. Pintens (Leuven, *Belgium*)

- 03.I.1 **An analysis of the rights of south african women and children to maintenance from husbands and fathers in african customary marriages and domestic partnerships**
J. C. Bekker (Pretoria, *South Africa*) 15'
- 03.I.2 **Maintenance obligations under Family Act of Serbia**
O. Cvejić Jančić (Novi Sad, *Serbia*) 15'
- 03.I.3 **Alimony in divorce in Italian legal system**
R. Duca (Palermo, *Italy*) 15'
- Discussion 15'
- 03.I.4 **Quantifying the unquantifiable: Reflections on section 7(3) of the South African Divorce Act**
R. Robinson, D. A. Horsten (Potchefstroom, *South Africa*) 15'
- 03.I.5 **A new frontier in post-divorce financial obligations: Canada's experiment with spousal support advisory guidelines**
C. Rogerson, R. Thompson (Toronto, *Canada*) 15'
- 03.I.6 **Alimony in the new Brazilian civil code and its efficacy in the district of Manaus**
A. Macedo Ventura, C. Lindoso e Lima, P. Sicsú (Manaus, *Brazil*) 15'
- Discussion 15'

16:00 – 16:30

Coffee Break (Federal Ministry of Justice)

16:30 – 18:00

FMJ – FH (Federal Ministry of Justice, Festive Hall)

03.II SPOUSAL MAINTENANCE

Moderator: R. Schuz (Hod Hasharon, *Israel*)

- 03.II.1 **Grounds for maintenance obligations between former spouses**
N. D. Spalter (Amsterdam, *Netherlands*) 15'
- 03.II.2 **Reconceptualizing income sharing at divorce: Children as unfinished partnership business**
C. L. Starnes (East Lansing, *United States*) 15'

03.II.3	Solidarity between former spouses – what if guilt has nothing to do with it? P. Vitor (Coimbra, <i>Portugal</i>)	15'
03.II.4	Alimony on the margin: Is homemaking “productive labor”? L. D. Wardle (Provo, <i>United States</i>)	15'
	Discussion	30'
FMJ – Room 553 (Federal Ministry of Justice)		14:00 – 16:00

07. MATRIMONIAL FINANCES

Moderator: B. Woodhouse (Cedar Key, *United States*)

07.1	Choice of law in relation to matrimonial property in Israel: equality versus legitimate expectations R. G. Schuz (Hod Hasharon, <i>Israel</i>)	15'
07.2	Family Finance – the Consumer Credit Crunch B. S. Collins (Londonderry, <i>United Kingdom</i>)	15'
07.3	Matrimonial finances in the context of the Macanese legal system: General principles and issues P. Nunes Correia (Macau, <i>China</i>)	15'
07.4	Law, State and influence of its economy on the family M. D. Damirchiyeva (Baku, <i>Azerbaijan</i>)	15'
07.5	Quelques aspects de l'entreprise dans le régime legal du mariage en Espagne G. García Cantero (Zaragoza, <i>Spain</i>)	15'
07.6	Family home and the protection of family investments M. Paglietti (Roma, <i>Italy</i>)	15'
07.7	Who is the Breadwinner? Remarks on the Changing Roles of Spouses in the Post-Soviet Families O. Dyuzheva (Moscow, <i>Russian Federation</i>)	15'
	Discussion	15'
Coffee Break (Federal Ministry of Justice)		16:00 – 16:30

16:30 – 18:00

FMJ – Room 553 (Federal Ministry of Justice)

08. CHILDREN AND ECONOMICS

Moderator: A. Van der Linde (Pretoria, *South Africa*)

- | | | |
|------|---|-----|
| 08.1 | Regulation of parenthood – deregulation of marriage
H. Brækhus (Tromsø, <i>Norway</i>) | 15' |
| 08.2 | Family finances and parental relocation disputes
P. N. Parkinson (Sydney, <i>Australia</i>) | 15' |
| 08.3 | Time is money? Alternating residence for children in Sweden
A. Singer (Uppsala, <i>Sweden</i>) | 15' |
| 08.4 | Financial implications of post-separation relocation disputes
N. J. Taylor (Auckland, <i>New Zealand</i>) | 15' |
| 08.5 | Children and economics:
child support enforcement goes international
L. Elrod (Topeka, <i>United States</i>) | 15' |
| | Discussion | 15' |

14:15 – 15:30

POJ – Lecture Hall (Palace of Justice)

13.I STATE RESPONSIBILITY AND STATE INTERVENTION

Moderator: T. Sverdrup (Oslo, *Norway*)

- | | | |
|--------|--|-----|
| 13.I.1 | The necessity and sustainability of public and private survivors' and divorce benefits in the adult worker model: Incorporation of new social risks
E. Alofs (Brussels, <i>Belgium</i>) | 15' |
| 13.I.2 | Significance of law and economy of the state on family systems
N. R. Devi Reddy, T. B. Bafna (Gandhinagar, <i>India</i>) | 15' |
| 13.I.3 | The impact of evolving family forms on the duty of support in South African family law
T. Davel, J. D. Sinclair (Pretoria, <i>South Africa</i>) | 15' |
| | Discussion | 30' |

16:00 – 16:30

Coffee Break (Federal Ministry of Justice)

POJ – Lecture Hall (Palace of Justice)

16:45 – 18:00

13.II STATE RESPONSIBILITY AND STATE INTERVENTION

Moderator: T. Sverdrup (Oslo, Norway)

- 13.II.1 **State Responsibility in Maintenance Obligations towards Children**
R. Farrugia (Msida, Malta) 15'
- 13.II.2 **Is Three Better than Two? Allocating Financial Responsibility Among Multiple Parents**
M. B. Jacobs (East Lansing, United States) 15'
- 13.II.3 **Keeping it real: Sustaining the family in the Republic of Trinidad and Tobago**
B. Lambert Peterson (Port of Spain, Trinidad and Tobago) 15'
- Discussion 30'

POJ – Conference Room (Palace of Justice)

14:15 – 15:45

16.I FAMILY FINANCES AND SUCCESSION RIGHTS

Moderator: G. Kovaček Stanić (Novi Sad, Serbia)

- 16.I.1 **Planning succession in international family businesses: A Spanish perspective**
B. Anoveros Terradas (Barcelona, Spain) 15'
- 16.I.2 **Family Businesses: The need for a general framework**
M. Artigot.-Golobardes, L. Alascio-Carrasco (Barcelona, Spain) 15'
- 16.I.3 **Ways of distributing the assets of a deceased spouse**
J. Asland (Oslo, Norway) 15'
- 16.I.4 **Legitimate portion and other techniques of protection of surviving spouses and children. A comparison between civil law and common law systems. Recent reforms in some civil law countries**
A. Fusaro (Genova, Italy) 15'
- Discussion 30'

Coffee Break (Federal Ministry of Justice)

16:00 – 16:30

16:45 – 18:00

POJ – Conference Room (Palace of Justice)

16.II FAMILY FINANCES AND SUCCESSION RIGHTS

Moderator: G. Kovaček Stanić (Novi Sad, *Serbia*)

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|---------|--|-----|
| 16.II.1 | Planning Succession in international family businesses: a German perspective
R. Krause (Berlin, <i>Germany</i>) | 15' |
| 16.II.2 | Immobilis in mobile: the Italian law of succession in a changing family and society
A. Miranda (Palermo, <i>Italy</i>) | 15' |
| 16.II.3 | Self-determination and state interference: the legitimate portion in the Brazilian Civil Code from 2002 facing the new familiar arrangements
C. E. Pozzi (Coimbra, <i>Portugal</i>) | 15' |
| 16.II.4 | Legal protection of the survivor of a couple in French family law
O. Roy (Les Alluets le Roi, <i>France</i>) | 15' |
| | Discussion | 15' |

18:30

Abfahrt mit Bussen vom Bundesministerium für Justiz
Departure with Buses from the Federal Ministry of Justice

19:00

ISFL-Abend beim Heurigen Welser“
ISFL-Evening at the Wine Tavern “Welser”

Donnerstag, 18. September
Thursday, September 18

Bundesministerium für Justiz – Federal Ministry of Justice

Festive Hall		Room 553
09:00 – 10:30	04.I Maintenance Children	09. Torts as a Financial Issue
11:00 – 12:30	04.II Maintenance Children	10. Financial Consequences of Divorce and Separation
14:00 – 15:15	04.III Maintenance Children	
15:15 – 16:00	05.I Impact of Non-formal Relationships on Family Finances	
16:30 – 17:45	05.II Impact of Non-formal Relationships on Family Finances	

14:00 – 15:30 Poster Session in the Entrance Hall

Justizpalast – Palace of Justice

Lecture Hall		Conference Room
09:00 – 10:15	13.III State Responsibility and State Intervention	17.I Family Finances and Access to Court
11:15 – 12:15	13.IV State Responsibility and State Intervention	17.II Family Finances and Access to Court
14:15 – 15:45	14.I Premarital and Post-nuptial Agreements	
14:15 – 15:15		17.III Family Finances and Access to Court
16:45 – 18:00	14.II Premarital and Post-nuptial Agreements	

09:00 – 10:30

FMJ – FH (Federal Ministry of Justice, Festive Hall)

04.I MAINTENANCE CHILDREN

Moderator: B. Willenbacher (Hannover, *Germany*)

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|--------|---|-----|
| 04.I.1 | Securing children's financial interests following divorce: Between support decrees and property division
A. Blecher-Prigat (Hod Hasharon, <i>Israel</i>) | 15' |
| 04.I.2 | Mamma mia!: The never ending story of the economic support of the adult child in Italy
S. Casabona (Palermo, <i>Italy</i>) | 15' |
| 04.I.3 | Money, Status, and Parenting: An Examination of Child Support Theory set within the Modern Conception of Parenthood in English Law
L. Ferguson (Oxford, <i>United Kingdom</i>) | 15' |
| 04.I.4 | Determination of child maintenance: A legal comparison between The Netherlands and Norway
M. Jonker (Utrecht, <i>Netherlands</i>) | 15' |
| | Discussion | 30' |

10:30 – 11:00

Coffee Break (Federal Ministry of Justice)

11:00 – 12:30

FMJ – FH (Federal Ministry of Justice, Festive Hall)

04.II MAINTENANCE CHILDREN

Moderator: B. Willenbacher (Hannover, *Germany*)

- | | | |
|---------|---|-----|
| 04.II.1 | Child in a single-parent family: support and family home
G. Kovaček-Stanić (Novi Sad, <i>Serbia</i>) | 15' |
| 04.II.2 | The Maintenance of the Children: Maintenance Fond as the Saving Grace?
S. Kraljic, V. Rijavec (Maribor, <i>Slovenia</i>) | 15' |
| 04.II.3 | The child's right to two parents: Facilitating and financing joint parenting
A. Kronborg, C. Jeppesen de Boer (Copenhagen, <i>Denmark</i>) | 15' |
| 04.II.4 | Should children alimony be reduced when a new son or daughter appears? A judge's discussion
E. Lauroba (Barcelona, <i>Spain</i>) | 15' |

04.II.5	Child support after divorce in Japan M. Nakamura (Tokyo, <i>Japan</i>)	15'
	Discussion	15'

Lunch Break (Federal Ministry of Justice)
(sponsored by the Federal Ministry of Internal Affairs)

12:30 – 14:00

FMJ – FH (Federal Ministry of Justice, Festive Hall)

14:00 – 15:15

04.III MAINTENANCE CHILDREN

Moderator: P. Parkinson (Sydney, *Australia*)

04.III.1	Financial Provisions and Child Equality A. T. Pote (Oxford, <i>United Kingdom</i>)	15'
04.III.2	New child maintenance obligations in Croatia: more and more being a concern of the public law and less of the civil law B. Resetar (Osijek, <i>Croatia</i>)	15'
04.III.3	Extension of the maintenance obligation towards children L. N. Van Schalkwyk (Pretoria, <i>South Africa</i>)	15'
04.III.4	Who is left holding the baby? The (financial) responsibility for children conceived with third party genetic material in Dutch and English law M. J. Vonk (Utrecht, <i>Netherlands</i>)	15'
	Discussion	15'

FMJ – FH (Federal Ministry of Justice, Festive Hall)

15:15 – 16:00

05.I IMPACT OF NON-FORMAL RELATIONSHIPS ON FAMILY FINANCES

Moderator: I. Schwenzer (Basel, Switzerland)

05.I.1	Financial consequences of cohabitation between persons of opposite sex according to Greek law P. Agallopoulou (Athens, <i>Greece</i>)	15'
05.I.2	The Legal World of Unmarried Couples – Does the New Zealand Approach Shed any Light on the Future? W. R. Atkin (Wellington, <i>New Zealand</i>)	15'
	Discussion	15'

16:00 – 16:30

Coffee Break (Federal Ministry of Justice)

16:30 – 17:45

FMJ – FH (Federal Ministry of Justice, Festive Hall)

05.II IMPACT OF NON-FORMAL RELATIONSHIPS ON FAMILY FINANCES

Moderator: I. Schwenzer (Basel, *Switzerland*)

- 05.II.1 **The protection of a vulnerable party when a cohabitee relationship ends – an evaluation of the Swedish Cohabitees Act**
M. Brattström (Uppsala, *Sweden*) 15'
- 05.II.2 **Formalizing property sharing rights for non-formal relationships: the New Zealand experience**
M. J. Briggs (Dunedin, *New Zealand*) 15'
- 05.II.3 **New perspectives and traditional problems in Italian family law: cohabitation (outside marriage)**
F. Giardini (Padova, *Italy*) 15'
- Discussion 30'

09:00 – 10:30

FMJ – Room 553 (Federal Ministry of Justice)

09. TORTS AS A FINANCIAL ISSUE

Moderator: A. Singer (Uppsala, *Sweden*)

- 09.1 **Tort law in the family: an enforcement tool for maintenance obligations**
A. D'Angelo (Pisa, *Italy*) 15'
- 09.2 **Financial compensation for the victims of child abuse and child mistreatment within the family in the Netherlands and the UK. Wishful thinking or a hardcore right?**
N. H. G. de Vries (Utrecht, *Netherlands*) 15'
- 09.3 **Towards a new Children Tort Law?**
A. Ferrante (Oviedo, *Spain*) 15'
- 09.4 **The recovery of damage for wrongful death as protection of surviving spouse**
F. Vaccaro (Palermo, *Italy*) 15'
- Discussion 30'

10:30 – 11:00

Coffee Break (Federal Ministry of Justice)

FMJ – Room 553 (Federal Ministry of Justice)

11:00 – 12:30

10. FINANCIAL CONSEQUENCES OF DIVORCE AND SEPARATION

Moderator: D. Goubau (Québec, *Canada*)

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|------|---|-----|
| 10.1 | Quelles solidarités dans les couples séparés ?
H. Fulchiron (Lyon, <i>France</i>) | 15' |
| 10.2 | When Happily Ever After Isn't: Dissolving Same Sex Marriages in a Mobile Society
J. Bohl (Gulfport, <i>United States</i>) | 15' |
| 10.3 | The State's Role in Intimate Relationships – A Comparative Analysis of the Financial Consequences of Separation
N. Dethloff (Bonn, <i>Germany</i>) | 15' |
| 10.4 | Fault principle still a shadow in our South African divorce patrimonial consequences
L. A. Gura (Mafikeng, <i>South Africa</i>) | 15' |
| 10.5 | The Financial Consequences of Divorce in England & Wales
M. A. Thorpe (London, <i>United Kingdom</i>) | 15' |
| | Discussion | 15' |

Lunch Break (Federal Ministry of Justice)

12:30 – 14:00

POJ – Lecture Hall (Palace of Justice)

09:00 – 10:15

13.III STATE RESPONSIBILITY AND STATE INTERVENTION

Moderator: L. Wardle (Provo, *United States*)

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|----------|---|-----|
| 13.III.1 | Social hardship in children's lives. What are the economic consequences of state interventions in the family unit?
T. E. K. Mattsson (Lund, <i>Sweden</i>) | 15' |
| 13.III.2 | French Family Housing Law
M. Nicolas-Maguin (Nanterre, <i>France</i>) | 15' |
| 13.III.3 | Supporting Working Mothers and Children in Japan: Issues of current Governmental support system
K. Nijjima (Kazo-shi, <i>Japan</i>) | 15' |
| | Discussion | 30' |

10:30 – 11:00

Coffee Break (Federal Ministry of Justice)

11:15 – 12:15

POJ – Lecture Hall (Palace of Justice)

13.IV STATE RESPONSIBILITY AND STATE INTERVENTION

Moderator: L. Wardle (Provo, *United States*)

- 13.IV.1 **The extent of the state's duty to support family life through prevention and early intervention programmes: A reflection on the Children's Act 38 of 2005**
A. Van der Linde (Pretoria, *South Africa*) 15'
- 13.IV.2 **Financing the Future: Early Childhood Policies in Comparative Context**
B. Woodhouse (Gainesville, *United States*) 15'
- Discussion 30'

12:30 – 14:00

Lunch Break (Federal Ministry of Justice)

14:15 – 15:45

POJ – Lecture Hall (Palace of Justice)

14.I PREMARITAL AND POST-NUPTIAL AGREEMENTS

Moderator: O. Khazova (Moscow, Russian Federation)

- 14.I.1 **Freedom of contract and family law**
A. Alongi (Sciacca, *Italy*) 15'
- 14.I.2 **Financing the Romance: Marriage Contract in the Serbian Family Act**
M. Draskic (Beograd, *Serbia*) 15'
- 14.I.3 **Temporary Marriage in Canadian Shi'ite Communities as a Means of Managing the Financial Consequences of Conjugality**
S. G. Drummond, R. Ahmed, L. Pourzand (Toronto, *Canada*) 15'
- 14.I.4 **The preventive agreements about matrimonial crisis**
M. Giambruno (Palermo, *Italy*) 15'
- Discussion 30'

16:00 – 16:30

Coffee Break (Federal Ministry of Justice)

POJ – Lecture Hall (Palace of Justice)

16:45 – 18:00

14.II PREMARITAL AND POST-NUPTIAL AGREEMENTS

Moderator: O. Khazova (Moscow, *Russian Federation*)

- 14.II.1 **Autonomy or Protection: Will English Law Decide?**
R. N. Kay (Chester, *United Kingdom*) 15'
- 14.II.2 **The Status of Pre-Nuptial Agreements in English Law – should we move to a Continental European Approach?**
N. V. Lowe (Cardiff, *United Kingdom*) 15'
- 14.II.3 **Sharing of accruals as the best solution for marriage?**
A. Stepien-Sporek (Gdansk, *Poland*) 15'
- 14.II.4 **Pre- and post-nuptial agreements on family finances**
F. Swennen (Antwerp, *Belgium*) 15'
- Discussion 15'

POJ – Conference Room (Palace of Justice)

09:00 – 10:15

17.I FAMILY FINANCES AND ACCESS TO COURT

Moderator: R. Farrugia (Msida, Malta)

- 17.I.1 **The mutations of the access to family and child law and justice in Portugal (1976–2007)**
E. P. Branco, J. A. Pedroso (Coimbra, Portugal) 15'
- 17.I.2 **The implementation of the Child's right to legal representation at state expense in civil proceedings – Lessons from South Africa**
C. Feldhaus (Potchefstroom, South Africa) 15'
- 17.I.3 **Supporting the family by telling the truth: the law's duty of veracity**
S. T. FitzGibbon (Newton, United States) 15'
- 17.I.4 **"Time to Focus the Parties" – An Introduction to Australian Developments for Dealing with Family Law Clients and Court Innovations**
B. Campbell (Canberra, Australia) 15'
- Discussion 15'

Coffee Break (Federal Ministry of Justice)

10:30 – 11:00

11:15 – 12:15

POJ – Conference Room (Palace of Justice)

17.II FAMILY FINANCES AND ACCESS TO COURT

Moderator: R. Farrugia (Msida, *Malta*)

- 17.II.1 **The impact of recent ancillary relief jurisprudence in the ‘everyday’ ancillary relief case**
E. Hitchings (Bristol, *United Kingdom*) 15'
- 17.II.2 **Family dispute in Japan – What prevents people from going to court**
S. Minamikata (Niigata, *Japan*) 15'
- 17.II.3 **Comity, family finances, autonomy and transnational legal regimes**
D. S. Rosettenstein (Hamden, *United States*) 15'
- Discussion 15'

12:30 – 14:00

Lunch Break (Federal Ministry of Justice)

14:15 – 15:15

POJ – Conference Room (Palace of Justice)

17.III FAMILY FINANCES AND ACCESS TO COURT

Moderator: A. Estin (Iowa City, United States)

- 17.III.1 **Economics and Mediation**
E. B. Ryrstedt (Lund, *Sweden*) 15'
- 17.III.2 **The in-court conciliation for divorce in Japan – its problems and challenges in the era of legal reform**
M. Wakabayashi (Tokyo, *Japan*) 15'
- Discussion 30'

16:00 – 16:30

Coffee Break (Federal Ministry of Justice)

FMJ (Federal Ministry of Justice) – Entrance Hall

14:00 – 15:30

POSTERSESSION

Moderator: O. Cvejic-Jančić (Novi Sad, *Serbia*)

- | | | |
|-----|---|----|
| P01 | Maintenance agreements and natural sons
S. Vecchio Verderame (Palermo, <i>Italy</i>) | 5' |
| P02 | Freedom of contract vs. protection of the weaker spouse
B. Braat (Utrecht, <i>Netherlands</i>) | 5' |
| P03 | cancelled | |
| P04 | The recent Italian law on family settlements: a strong novelty within the civil law tradition
F. Pighi (Modena, <i>Italy</i>) | 5' |
| P05 | Implementation of the legal obligation to support alimony and respect the personality rights in Brazilian legal perspective
L. N. B. T. Nunes (Ribeirão Preto, <i>Brazil</i>) | 5' |
| P06 | The family home in the relationship breakdown: Italian rules and regulations
I. Ferrari (Modena, <i>Italy</i>) | 5' |
| P07 | Principles, deviations therefrom and consequences of formal and non-formal relationships
L. Mandia (Tirana, <i>Albania</i>) | 5' |
| P08 | Financial Implication of Non-Formal Relationships in the Czech Republic: Legal protection of non-married mother/divorced mother and her child
Z. Králíčková (Brno, <i>Czech Republic</i>) | 5' |
| P09 | Considering the benefits of legal aid and legal assistance at state expense for certain meritorious family institutions and their individual members: National and international demands
B. Bekink (Pretoria, <i>South Africa</i>) | 5' |

Coffee Break (Federal Ministry of Justice)

16:00 – 16:30

Abend zur freien Verfügung
Evening at free disposal

Freitag, 19. September
Friday, September 19

Bundesministerium für Justiz – Federal Ministry of Justice

Festive Hall		Room 553
09:00–10:30	05.III Impact of Non-formal Relationships on Family Finances	
09:00–10:15		11.I Family Finances and Social Law
11:00–12:15		11.II Family Finances and Social Law
12:45–13:15	ISFL General Meeting	
14:00–16:00	06.I Financial Planning for Incapacity and Old Age	12. Interdisciplinary Focus on Family Finances
16:30–17:30	06.II Financial Planning for Incapacity and Old Age	

Justizpalast – Palace of Justice

Lecture Hall	
09:00–10:15	15.I Property Distribution
11:15–12:30	15.II Property Distribution
14:00–15:45	15.III Property Distribution
16:30–18:00	15.IV Property Distribution

FMJ – FH (Federal Ministry of Justice, Festive Hall)

09:00 – 10:30

05.III IMPACT OF NON-FORMAL RELATIONSHIPS ON FAMILY FINANCES

Moderator: M. Antokolskaia (Amsterdam, *Netherlands*)

- 05.III.1 **Financial Consequences of de facto Conjuality:
Is ‘free love’ still free?**
D. Goubau (Québec, *Canada*) 15'
- 05.III.2 **De facto family and family enterprise in Italian legal system**
S. Insinga (Bagheria, *Italy*) 15'
- 05.III.3 **Married Against Their Will?
Toward a liberal regulation of Cohabitation Law**
S. Lifshitz (Ramat-Gan, *Israel*) 15'
- 05.III.4 **Financial consequences at the termination of
cohabiting relationships**
T. Sverdrup (Oslo, *Norway*) 15'
- 05.III.5 **Splitting off the couple:
Cohabitation and Financial provisions in Italy**
V. Zambrano (Fisciano, *Italy*) 15'
- Discussion 15'

Coffee Break (Federal Ministry of Justice)

10:30 – 11:00

Lunch Break (Federal Ministry of Justice)

12:30 – 14:00

FMJ – FH (Federal Ministry of Justice, Festive Hall)

12:45 – 13:15

ISFL GENERAL MEETING

14:00 – 16:00

FMJ – FH (Federal Ministry of Justice, Festive Hall)

06.I FINANCIAL PLANNING FOR INCAPACITY AND OLD AGE

Moderator: N. Dowd (Gainesville, *United States*)

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|--------|--|-----|
| 06.I.1 | Planning for future incapacity by continuing powers of attorney or court-appointed representatives
K. Blankman (<i>Amsterdam, Netherlands</i>) | 15' |
| 06.I.2 | Maintenance obligations of children towards the family: The italian perspective between declamations and operational rules
A. De Giacomo (<i>Palermo, Italy</i>) | 15' |
| 06.I.3 | Maintenance, Protection and Care of Olds: Impact of Globalization
K. Jain (<i>Jaipur, India</i>) | 15' |
| | Discussion | 15' |
| 06.I.4 | The trust and the guardianship of weak individuals
A. Pera (<i>Palermo, Italy</i>) | 15' |
| 06.I.5 | Elderly Dependency, Family Caretaking and Law in Portugal
M. R. Vaz Tomé (<i>Porto, Portugal</i>) | 15' |
| | Discussion | 30' |

16:00 – 16:30

Coffee Break (Federal Ministry of Justice)

16:30 – 17:30

FMJ – FH (Federal Ministry of Justice, Festive Hall)

06.II FINANCIAL PLANNING FOR INCAPACITY AND OLD AGE

Moderator: N. Dowd (Gainesville, *United States*)

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|---------|--|-----|
| 06.II.1 | Maintenance obligation of children towards their parents/grandparents in Nigeria
E. N. Uzodike (<i>Lagos, Nigeria</i>) | 15' |
| 06.II.2 | Financial Protection of Adult Persons and the Role of the Family
P. Vlaardingerbroek (<i>Tilburg, Netherlands</i>) | 15' |
| | Discussion | 30' |

FMJ – Room 553 (Federal Ministry of Justice)

09:00 – 10:15

11.I FAMILY FINANCES AND SOCIAL LAW

with the cooperation of the “Chamber of Labour Vienna”

Moderator: J. Eekelaar (Oxford, *United Kingdom*)

- 11.I.1 **Social assistance as a means to enhance family life:
A Southern African perspective**
M. Bekink (Pretoria, *South Africa*) 15'
- 11.I.2 **Matters of Conscience: Lessons for Same-Sex Marriage
from the Healthcare Context**
R. F. Wilson (Lexington, *United States*) 15'
- 11.I.3 **The enforcement of the socio-economic rights of children –
Examples from South African jurisprudence**
L. Jansen van Rensburg (Potchefstroom, *South Africa*) 15'
- Discussion 30'

Coffee Break (Federal Ministry of Justice)

10:30 – 11:00

FMJ – Room 553 (Federal Ministry of Justice)

11:00 – 12:15

11.II FAMILY FINANCES AND SOCIAL LAW

with the cooperation of the “Chamber of Labour Vienna”

Moderator: J. Eekelaar (Oxford, *United Kingdom*)

- 11.II.1 **Not easy for the mother to be absent: Maintenance and
financial implications of the absent parent in South African
social security law**
N. L. Morei (Mafikeng, *South Africa*) 15'
- 11.II.2 **All families and partner relationships are equal, but some
are more equal than others. Formal and informal families
and partners in maintenance law and social security law.**
W. M. Schrama (Utrecht, *Netherlands*) 15'
- 11.II.3 **Financial support of the family and parental leave in the
Italian legal system**
G. Vecchio (Marsala, *Italy*) 15'
- Discussion 30'

Lunch Break (Federal Ministry of Justice)

12:30 – 14:00

14:00 – 16:00

FMJ – Room 553 (Federal Ministry of Justice)

12. INTERDISCIPLINARY FOCUS ON FAMILY FINANCES

Moderator: A. Vanderlinden (Amersfoort, *Netherlands*)

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|------------|---|-----|
| 12.1 | Little things mean a lot: The contribution of child labour to family finances in the developing world
D. N. Gill (London, <i>United Kingdom</i>) | 15' |
| 12.2 | An interdisciplinary approach of family finances
G. C. Groeninga (São Paulo, <i>Brazil</i>) | 15' |
| 12.3 | Study on Legal and Financial Support for Multi-Culture Family in South-Korea
K. Choe (Seoul, <i>Republic of Korea</i>) | 15' |
| Discussion | | 15' |
| 12.4 | Rainbowism in South African family law?
A. S. Louw (Pretoria, <i>South Africa</i>) | 15' |
| 12.5 | The death of marriage: myth or reality?
R. Martins, (Coimbra, <i>Portugal</i>) | 15' |
| 12.6 | Only Love. A law and literature approach to the history of family wealth through the Italian novels of the XIX century
M. D. Panforti (Modena, <i>Italy</i>) | 15' |
| Discussion | | 15' |

16:00 – 16:30

Coffee Break (Federal Ministry of Justice)

09:00 – 10:15

POJ – Lecture Hall (Palace of Justice)

15.I PROPERTY DISTRIBUTION

Moderator: N. Lowe (Cardiff, *United Kingdom*)

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|--------|---|-----|
| 15.I.1 | The Assignment of the Family home and Step-families
V. Amenta (Palermo, <i>Italy</i>) | 15' |
| 15.I.2 | “Comunione legale” and bond acquisition with the proceeds of the separate activity of the spouse
R. Cammalleri (Palermo, <i>Italy</i>) | 15' |

15.I.3	Clean hands and broken hearts: how 'detrimental reliance' can serve to establish beneficial interests in the family home A. R. Diver (Londonderry, <i>United Kingdom</i>)	15'
15.I.4	Polish Matrimonial Property Law in New Economic System P. Fiedorczyk (Bialystok, <i>Poland</i>)	15'
	Discussion	15'

Coffee Break (Federal Ministry of Justice)	10:30 – 11:00
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POJ – Lecture Hall (Palace of Justice)	11:15 – 12:30
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15.II PROPERTY DISTRIBUTION

Moderator: N. Lowe (Cardiff, *United Kingdom*)

15.II.1	What Divorce Property-Division Rules Are Best? M. Garrison (Brooklyn, <i>United States</i>)	15'
15.II.2	Achieving economic equality at the end of marriage and other relationships – not all is fair in love and war M. Henaghan (Dunedin, <i>New Zealand</i>)	15'
15.II.3	New features of hungarian matrimonial property law in the draft of a new civil code A. Körös (Budapest, <i>Hungary</i>)	15'
15.II.4	The Gender Dilemma at the Heart of the Redistribution of Property when Relationships End C. Lind (Brighton, <i>United Kingdom</i>)	15'
	Discussion	15'

Lunch Break (Federal Ministry of Justice)	12:30 – 14:00
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POJ – Lecture Hall (Palace of Justice)	14:00 – 15:45
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15.III PROPERTY DISTRIBUTION

Moderator: F. Swennen (Antwerp, *Belgium*)

15.III.1	The family home on divorce and mortgage J. Marsal Guillaumet (Barcelona, <i>Spain</i>)	15'
15.III.2	Labor, Luck, and Love: Reconsidering the Sanctity of Separate Property S. Motro (Richmond, <i>United States</i>)	15'

15.III.3	Family and the Economics in Japan – Focusing on the divorce proceedings T. Ogawa (Osaka, <i>Japan</i>)	15'
15.III.4	Lifting the veil on family trusts in New Zealand N. S. Peart (Dunedin, <i>New Zealand</i>)	15'
15.III.5	The Pursuit of Life, Liberty, Happiness and Fairness? Property Division in American and English Big Money Divorce Cases M. Ryznar (Niles, <i>United States</i>)	15'
15.III.6	Family-owned SMEs and unexpected events among shareholders L. Sund, H. Runhede (Jönköping, <i>Sweden</i>)	15'
	Discussion	15'

16:00 – 16:30

Coffee Break (Federal Ministry of Justice)

16:30 – 18:00

POJ – Lecture Hall (Palace of Justice)

15.IV PROPERTY DISTRIBUTION

Moderator: F. Swennen (Antwerp, *Belgium*)

15.IV.1	Distribution of “matrimonial” property of married, cohabiting, and same-sex couples in Japan T. Tamaki (Niigata, <i>Japan</i>)	15'
15.IV.2	The economic consequence of divorce in Japan: Trends in no-fault divorce and Rikon Isharyo (solatium by divorce) scheme F. Tsuneoka (Soka, <i>Japan</i>)	15'
15.IV.3	Reform Bill on the Seperate Property System of Korea W. Lee (Seoul, <i>Republic of Korea</i>)	15'
15.IV.4	Property relations in registered same-sex partnerships in Slovenia V. Žnidaršič Skubic (Ljubljana, <i>Slovenia</i>)	15'
15.IV.5	Financial consequences of cohabitation and registered partnership in Hungary O. Szeibert-Erdős (Budapest, <i>Hungary</i>)	15'
	Discussion	15'

19:30

Bankett im “Wiener Rathauskeller“ mit traditioneller Wiener Musik
Banquet at the “Wiener Rathauskeller” with traditional Viennese music

Samstag, 20. September
Saturday, September 20

Bundesministerium für Justiz – Federal Ministry of Justice

Festive Hall		Room 553
08:00–09:00		Sitzung des ISFL-Verwaltungsausschusses ISFL-Executive Council Meeting
09:00–10:45	18.I	Plenary Session: International and EU Issues
11:00–12:15	18.II	Plenary Session: International and EU Issues
12:15–13:00		Schlussvortrag Concluding Lecture
13:00		End of the Conference

FMJ – Room 553 (Federal Ministry of Justice)

08:00 – 09:00

SITZUNG DES ISFL-VERWALTUNGS-AUSCHUSSES ISFL-EXECUTIVE COUNCIL MEETING

(nur für Mitglieder des Verwaltungsausschusses –
restricted to the members of the Executive Council)

FMJ – FH (Federal Ministry of Justice, Festive Hall)

09:00 – 10:45

18.I PLENARY SESSION: INTERNATIONAL AND EU ISSUES

Moderator: P. Vlaardingerbroek (Tilburg, *Netherlands*)

- | | | |
|--------|--|-----|
| 18.I.1 | Adoption in a globalized world
K. Bagan-Kurluta (Bialystok, <i>Poland</i>) | 15' |
| 18.I.2 | International Recovery of Child Support
I. Curry-Sumner (Utrecht, <i>Netherlands</i>) | 15' |

18.I.3	Families Across Borders: Transnational Family Finances and the United States A. Estin (Iowa City, <i>United States</i>)	15'
18.I.4	Expulsion of irregular foreign residents in Japan: Consideration of the right to family unification and the best interests of children Y. FU (Tsukuba, <i>Japan</i>)	15'
18.I.5	Where are the children? – EU cross-border family finance measures L. E. Ramsey (London/Derry, <i>United Kingdom</i>)	15'
	Discussion	30'

10:45 – 11:15

Coffee Break (Federal Ministry of Justice)

11:15 – 12:15

FMJ – FH (Federal Ministry of Justice, Festive Hall)

18.II PLENARY SESSION: INTERNATIONAL AND EU ISSUES

Moderator: P. Vlaardingebroek (Tilburg, *Netherlands*)

18.II.1	The Hague Convention on Child Support and Other Forms of Family Maintenance: Divergent Private International Rules and the Limits of Harmonization R. G. Spector (Norman, <i>United States</i>)	15'
18.II.2	Overcoming obstacles in cross-border families C. Valente (Modena, <i>Italy</i>)	15'
18.II.3	(International) Adoption of minors in the Netherlands A. P. Van der Linden (Amersfoort, <i>Netherlands</i>)	15'
	Discussion	15'

12:15 – 13:00

FMJ – FH (Federal Ministry of Justice, Festive Hall)

CONCLUDING LECTURE

B. Verschraegen

End of the Conference



Dienstag, 16. September, 2008

Welcome Reception/Begrüßungscocktail
im Bundesministerium für Justiz,
ca. 18.00 Uhr, Museumstraße 7, 1070 Wien

Anmeldung im Voraus unbedingt erforderlich!



Tuesday, September 16, 2008

Welcome Reception at the Federal Ministry of Justice,
approx. 18.00 hrs, Museumstraße 7, 1070 Vienna

Registration in advance is mandatory!

Mittwoch, 17. September, 2008

ISFL-Abend beim Heurigen "Welsler"
19.00 Uhr, Probusgasse 12, 1190 Wien

Genießen Sie ein köstliches Angebot österreichischer Spezialitäten und Weine in der einzigartigen Atmosphäre eines traditionellen Wiener Heurigen. Ein "Heuriger" ist einerseits der Wein des aktuellen Jahres und andererseits der Ort, an dem der Winzer seine hausgemachten Speisen und Weine ausschenkt.

Anmeldung im Voraus ist unbedingt erforderlich! Begrenzte Teilnehmerzahl!

Kleidung: Freizeitkleidung

Abfahrt: 18:30 Uhr

Haupteingang des Bundesministerium für Justiz

Rückfahrt: ca. 22.00 Uhr zum Bundesministerium
für Justiz



Wednesday, September 17, 2008

ISFL-Evening at the Wine Tavern "Welsler"
19.00 hrs, Probusgasse 12, 1190 Vienna

Enjoy a delicious range of Austrian specialities and wines in the unique atmosphere of a traditional Viennese "Heuriger". A "Heuriger" is a young wine of the year on the one hand and the place where the winegrowers offer their wines and homemade specialities on the other.

Please note that **registration in advance** is mandatory! Limited attendance!

Dress code: smart casual

Departure: with buses from the Federal Ministry of Justice at 18.30 hrs

Return: approx. 22.00 hrs return to the Federal Ministry of Justice



Freitag, 19. September, 2008

Bankett im Wiener Rathauskeller“
19.30 Uhr, Rathausplatz 1, 1010 Wien
Hintergrundmusik: traditionelle Wiener Musik

Das Wiener Rathaus ist seit seiner Fertigstellung 1883 Sitz der Stadt- und Landesregierung. Die Kellergewölbe plante Architekt Friedrich Schmidt jedoch als Stätte für „Speis und Trank“. 1899 wurde der Rathauskeller vom damaligen Wiener Bürgermeister Dr. Karl Lueger mit einem Hoch auf „Seine K.u.K. Apostolische Majestät, Kaiser Franz Josef I.“ feierlich eröffnet und gilt bis heute auch als Ort des guten Geschmacks“.

Anmeldung im Voraus ist unbedingt erforderlich! Begrenzte Teilnehmerzahl!

Kleidung: formell

Öffentliche Verkehrsmittel:

U2 Rathaus, Straßenbahn D,1,2:
Rathausplatz/Burgtheater



Friday, September 19, 2008

Banquet at the “Wiener Rathauskeller”
19.30 hrs, Rathausplatz 1, 1010 Vienna
Background: traditional Viennese music

Since its completion in 1883, Vienna's Rathaus (City Hall) has been the headquarter of the city and provincial government. Architect Friedrich Schmidt designed the basement vault as a place for “food and drink”. In 1899, the Rathauskeller was inaugurated by Dr. Karl Lueger, Mayor of Vienna at that time, with a toast to “His Imperial and Royal Apostolic Majesty, Emperor Franz Josef I”, and it is still regarded as a place of “good taste”.

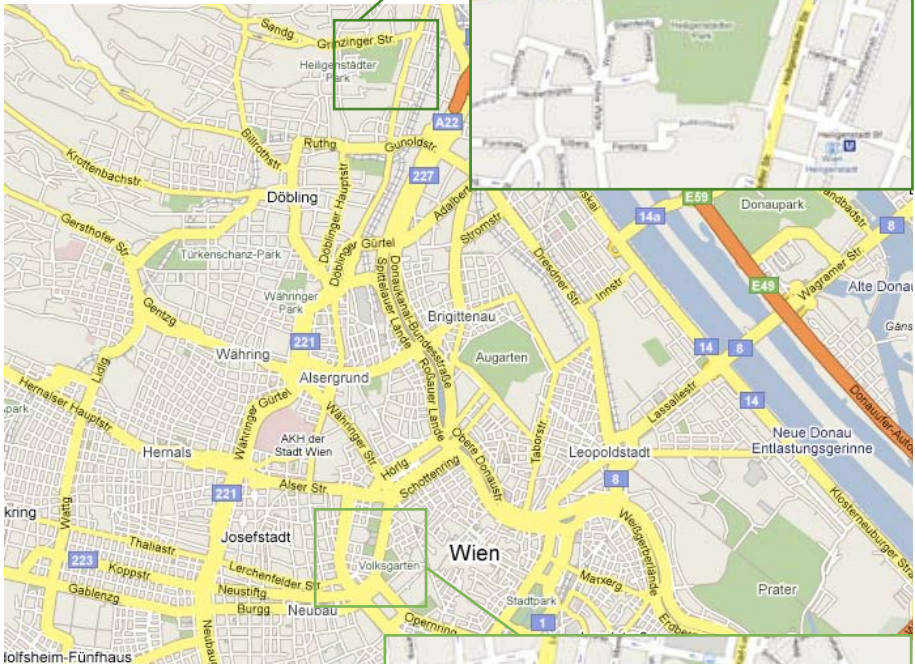
Please note that **registration in advance** is mandatory! Limited attendance!

Dress Code: formal

Public Transport: U2 Rathaus, Tram D,1,2: Rathausplatz/Burgtheater

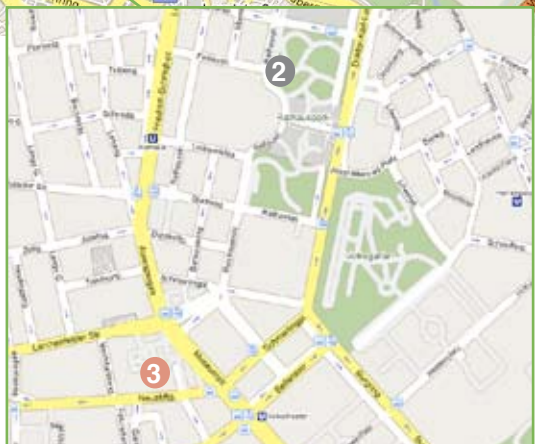


- 1 Wine Tavern "Welser"
Probusgasse 12, 1190 Vienna



- 2 "Wiener Rathauskeller"
Rathausplatz 1, 1010 Vienna

- 3 Ministry of Justice
Museumstraße 7, 1070 Vienna





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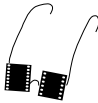
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Publisher: o. Univ. Prof. Dr. Bea Verschraegen, LL.M., E.M.M.
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Layout & Graphics: Tanja Jenni

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2008