

**WEST UNIVERSITY OF TIMIȘOARA
LAW**

**THE BALANCING OF PATRIMONIAL RELATIONSHIPS
BETWEEN SPOUSES - PRINCIPLES AND PARTICULAR RULES
OF CIVIL LIABILITY
SUMMARY OF THE HABILITATION THESIS**

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ABSTRACT

1. Scientific, professional and academic achievements

1.1. Professional achievements

Professional recognition in the academic community is due to the impact of research results and professional activity.

Two important awards provide recognition of scientific research: in 2024, the “Octavian Căpățână” Award of the Romanian Review of Private Law, for the work *Delegare și substituie în exercitarea drepturilor și obligațiilor părintești / Delegation and Substitution in the exercise of parental rights and obligations*, Universul juridic Publishing House. The festivity took place in 26.09.2024 at the Faculty of law, Bucharest University.

The rewarded study makes the legitimate question if the parenting capacity can be transferred to others. The answer is affirmative, because the parental rights and duties are transferred to other natural and legal persons, either voluntarily, at the initiative of the parents, or forcibly, through the intervention of the guardianship court, as a result of the behavioural history of the right holders, meaning the parents, who have endangered the upbringing and education of the child.

If the delegation refers to the power of attorney given by the guardianship court or even by the parent - holders to another person, the substitution implies a replacement (standing in the place of another), which is what happens in the case of the blended family, when the third party takes over part of the day –to-day duties of the authority, without being empowered by the person he /she replaces, but chosen by the other parent.

The delegation of parental rights and obligations is, as a rule, statutory, unlike the matter of obligations under common law, where it is conventional. Substitution/ subrogation is the consequence of a factual situation (partial and involuntary transmission of the rights and duties inherent to the quality of a parent), namely by the cohabitation of the former partner, resident parent for the child, with another /spouse, popularly called step-parent.

In 2023 I was rewarded with **George Mil. Demetrescu** price of the Dolj Bar Association, for the publishing activity, in the law field, in the year 2023.

In 2014, the book *Drept civil. Contractele speciale/ ‘Civil law. Special contracts’*, All Beck Publishing House, Bucharest, 2004, coordinated by prof. Ion Dogaru, PhD, which I co-authored, was awarded the Honorary Diploma of the Union of Jurists in Romania.

Experience in scientific research centres. Membership of professional bodies or associations

Since 2008 I have been a member of the Centre for Fundamental Legal Research at the Faculty of Law, University of Craiova, which has carried out its activity under the aegis of the Romanian Academy since 27 February 2007.

I am also member of the Center for Private Law Studies and Research at the Faculty of Law, University of Craiova, established in 2012, <https://drept.ucv.ro/cercetare/centrul-de-studii-si-cercetari-de-drept-privat.html>.

Since 1997 I have been a lawyer in the Bar of Dolj, and since April 2023 I was elected Counselor of the Dolj Bar Association. I also have held the position of lector at Craiova Territorial Center of the National Institute for the Training of Lawyers teaching civil law, and from 2014 I have participated in each session of the commission for elaboration of subjects for admission to the profession of lawyer.

In the period 2015-2018, I was a lecturer at the Romanian Notarial Institute and a member of the Dispute Resolution Commission within the Competition for acquiring the quality of notary trainee, October 24-27, 2016.

Since 2016 I have been an arbitrator at the Arbitration Court of Dolj, acting as scientific secretary.

The professional collaboration with the leading legal professions has been conducted by engaging in initial and lifelong training, as a lecturer of the National Institute for the Training of Lawyers and the Romanian Institute of Notaries Public and by membership in numerous examination commissions.

Membership of the editorial board of journals

I am a member of the editorial board of *Revista română de drept comparat*/Romanian Journal of Comparative Law, published by Universul Juridic Publishing House, Bucharest, *Revista de dreptul familiei*/Family law magazine, and *Revista Română de executare silită*/Romanian enforcement magazine 'published by Universul Juridic Publishing House, Bucharest, all indexed in numerous international databases.

Activity in research projects

The professional activity was reflected in the significant involvement in research projects or projects of research - innovation - development, as manager, member of the research team or beneficiary.

I was also an organizer of national and international conferences with a large number of participants from prestigious Romanian or foreign universities and from the legal professions.

1.2. Academic achievements

Teaching activity

After completing a degree in law in 1997, I have gone through the stages of an academic career, filling, following contests, the positions of junior assistant, assistant professor (2002-2007), and associate professor (since 2007).

The teaching activity mainly focused on Family Law as the discipline of the positions filled through contests. Since 2002 I have taught the Civil Law. Real rights course and later the course of family law, disciplines representing the main direction of development of my academic career.

On a complementary basis, I taught the courses of Professional Statutes in the BA programme, Performance of Obligations and Judicial Organization in MA programmes.

Doctoral and postdoctoral research

Enrolled as a PhD student on 1 November 1998 at the University of Craiova, specializing in Civil Law under the scientific coordination of prof. Ion Dogaru, PhD, I was awarded the degree title of doctor in 2001, following the public defence of the thesis *Transmisiunea și transformarea obligațiilor/‘Transmission and transformation of obligations’*.

Postdoctoral research was conducted in the project *Academic partnership in research - a step towards a postdoctoral school of the future*, contract POSDRU/89/1.5/S/61968, strategic project ID 61968 (2009), co-financed from the European Social Fund through the Sectoral Operational Programme Human Resources Development 2007-2013 and it resulted in the publication of a large number of studies and articles and the participation in national and international conferences.

During the postdoctoral studies I conducted a research internship lasting a month at the University of Bourgogne, Dijon, France, Centre de Recherche et d’Etude en Droit et Sciences Politiques (CREDESPO), from 1 September 2011 to 30 September 2011.

Academic management

The recognition of professional prestige also resides in the activity and positions held in the academic structures. In 2018 I dealt with the Department of International Relations of

the Faculty of Law, later I coordinated the Civil Law Circle, and for a seven-year period I dealt with the preparation of the team that participated in the civil law discipline at the Hexagon of Law Faculties, achieving remarkable results. We have also constantly participated in the teaching camps for students for the mentioned discipline.

Project management

Experience in project management consisted of the quality of the project *Academic partnership in research - a step towards a postdoctoral school of the future*, contract POSDRU/89/1.5/S/61968, strategic project ID 61968 (2009), co-financed from the European Social Fund through the Sectoral Operational Programme Human Resources Development 2007-2013 and Director in the research project "*The legal regime of real estate owned by S.C. SPET SHIPPING S.A.*" based on the research contract no. 8/C/09.03.2006 obtained on a grant basis through competition, beneficiary S.C. SPET SHIPPING S.A. The experience in project management resides in the quality of tutor of practice at the level of the University of Craiova of the project "Internships for a law career", contract POSDRU/161/2.1/G/139733, in the period 2014-2015, the beneficiary being the Romanian Institute of Notaries Public.

Activities in the academic community

I have constantly been involved in complementary teaching and research activities.

I have to highlight the work as a member in the commissions for admission to doctoral studies, commissions for the evaluation of research reports, coordination commissions and, in particular, commissions for the assessment and public defence of PhD theses (participation in the public defence of 10 PhD theses as chairman or expert and membership in more than 8 commissions for the coordination of doctoral students or evaluation of doctoral research reports).

I was also a member of the commissions for filling teaching vacancies in higher legal education at University of Iași, Sibiu, Oradea and University of Craiova.

Internal and international academic activity

The academic activity is reflected in the participation in national or international conferences, seminars and symposia organized by prestigious universities or scientific fora. I presented 27 papers at national and international conferences, most of them being published afterwards.

Of particular relevance are the participations in national or international conferences as moderator and the invitations received in order to present papers or deliver lectures at conferences organized by major professional associations (Lumen Association, International Conference Social Justice and Human Rights in the Era of Globalisation, Between Rhetoric

and Reality, Leuven Belgia, New Bulgarian University, Sofia; Alexandru I. Cuza University from Iași, Babeș-Bolyai University of Cluj; West University of Timișoara; Lucian Blaga University of Sibiu; Valahia University of Târgoviște; University of Craiova; National Institute for the Training of Lawyers; National Union of Notaries Public of Romania, Romanian Institute of Notaries Public).

1.3. Scientific achievements

The research activity is circumscribed to the area of private law, the main concerns falling within the fields of civil law and, in particular, family law. The main research directions have thematically followed family law, but they also had an interdisciplinary character through their connection with the field related to the performance of civil obligations.

The research results have been materialized in more than 60 articles and studies published in IDB indexed journals, scientific journals of recognized authority in the field of legal sciences or in the volumes of national and international conferences, in 27 papers presented at international conferences organized in the country and abroad or at national scientific meetings, most of them published in journals or conference proceedings, and 10 books and treatises published as author or co-author.

The studies and articles have been published in prestigious Romanian journals in the field of legal sciences, such as *Revista română de drept privat*, *Revista de dreptul familiei*, *Curierul Judiciar*, *Revista de Științe Juridice*, in journals indexed in recognized international databases, in journals or volumes published abroad, in volumes published under the aegis of the Romanian Academy. Most of these papers have been published by recognized publishing houses in the field of legal sciences, such as C.H. Beck, Universul Juridic, Wolters Kluwer, Universitaria Craiova.

2. Career Development Project

2.1. Directions in the development of the professional career

The aims and directions for the development of my professional career are: to enhance competences in the field of family law by participating in advanced research programmes through doctoral studies; to enhance abilities for the coordination of scientific research by supervising individual research and team research; to obtain a professor's teaching position;

to better use professional expertise in the field of family law by collaborating with various training entities.

2.2. Directions in the development of the academic career

In the academic career the prevailing development directions will be: the development of coursebooks updated with the current domestic case law and European courts' case law; the expansion and development of teaching competences in areas related to family law; the continuous quality improvement of teaching by enhancing teaching techniques; the involvement in study programmes conducted in foreign languages; the development of the family law component of the doctoral school; the emphasis on internal and international academic activities by a better use of relations with teachers from other universities and the collaboration with partner universities; the initiation and coordination of major interdisciplinary research projects.

2.3. Directions in the development of the scientific career

The future scientific research work will cover, as the main direction of development, the field of family law and AI impact in the private life and family relations.

The future activity carried out within the doctoral school will have a strong research component in the field of family law.

The aims for the development of my scientific career are: to continue and increase the publication of studies and articles containing original and topical approaches in the field of family law; to exploit research results by publishing them in prestigious journals indexed in databases, with an impact factor; to acquire a high level of visibility in the legal doctrine and among legal practitioners.

2.4. Research and teaching directions

The main teaching and research directions, as well as practical applications meant to implement the practical training of students concerning Family Law.

I will follow the research directions and reach their specific objectives by publishing studies and articles on current issues of civil and family cases, by delivering lectures at national and international conferences, by participating in the collective elaboration of treatises in the field of competence, by getting integrated in the national and international

research through collaboration with other researchers in the field, by intensifying research internships at universities abroad.

I intend to integrate my own research in the coordination of research that I will conduct within the doctoral school.