

FRAMEWORK PROGRAMME OF EARLY STAGE RESEARCHER TRAINING¹

1. BASIC DATA

Mentor's name and surname	Suzana Kraljić	Mentor's register number at ARIS (SICRIS) :	15692
Mentor's e-mail:	suzana.kraljic@um.si	Mentor's tel. no.:	040850717
Research programme (RP) leader's name and surname:	Vesna Rijavec	RP leader's register number at ARIS (SICRIS) :	13039
Title of research programme:	Civil Commercial Law	RP's Register number at ARIS (SICRIS) :	P5-0039
Research organisation (RO) of University of Maribor, where training shall be conducted:	Faculty of Law	RO Register number at ARIS (SICRIS) :	0552-0592
Research field according to ARIS classification :	5.05 Law	Research field according to EURAXESS classification	Judicial Sciences

2. DEFINITION OF RESEARCH PROBLEM AND GOALS OF DOCTORAL RESEARCH²

Starting point of research task of the early stage researcher and its position in the research programme, where the mentor is included, work hypothesis, research goals and foreseen result with emphasis on an original contribution to science:

The early-stage researcher will be trained at the Chair of Civil, Private International and Comparative Law. The supervisor, Full Professor Dr. Suzana Kraljić, is a member of the research programme "Civil Commercial Law", which encompasses the fields of family law, inheritance law, and civil procedural law. These legal areas will also constitute the central and normative framework of the early-stage researcher's work.

The research conducted by the early-stage researcher will focus on a contemporary topic that raises numerous questions at the national, cross-border, and international levels. The proposed title of the research project is "Notarial Deeds in Family and Inheritance Matters as an Instrument of Dejudicialisation: Between Party Autonomy, Public Interest, and Cross-border Recognition." The

¹ Term early stage researcher (ESR) is written in male form and used as neutral for women and men.

² Research and study programme of training have to harmonise with contents of the research programme, where the mentor is a member.

proposed research hypothesis is as follows: “Notarial deeds can contribute to the dejudicialisation of dispute resolution in family and inheritance matters; however, this requires clearly defined normative frameworks based on ensuring a balance between party autonomy, the protection of the public interest, and legal certainty in cross-border relationships.”

The subject matter of the research will cover the *de lege lata* legal regulation in Slovenia and in selected European Union Member States where dejudicialisation in the fields of family law (e.g. divorce before a notary in Slovenia, Romania, and Spain) and inheritance law (e.g. succession proceedings conducted by notaries, such as in Croatia) is already established. A critical assessment of domestic and selected foreign legal systems, as well as EU law (e.g. Brussels IIb Regulation, the Succession Regulation), together with the case law of the Court of Justice of the European Union and the European Court of Human Rights, will enable a comprehensive analysis of the existing Slovenian legal framework under the Family Code and the Inheritance Act. Drawing on examples of good practice, the research will also propose constructive recommendations for the further development, improvement, and potential harmonisation of the Slovenian legal order.

The proposed research topic is systemically relevant, as Slovenian courts and courts in other jurisdictions are increasingly burdened by excessive caseloads. Research into dejudicialisation, particularly within the framework of the notarial system and through enforceable notarial deeds, is therefore essential for assessing possibilities for relieving courts while simultaneously strengthening party autonomy. Matters in the fields of family and inheritance law carry specific connotations: (i) they involve particularly sensitive issues, as they combine and intertwine strong personal interests of active participants (e.g. parties to proceedings) and passive participants (e.g. minors, persons under guardianship), reflected in concerns such as respect for privacy, protection of the right to family life, personal data protection, protection of property and business interests, and autonomy; (ii) they entail a strong public interest (e.g. agreements between spouses, protection of the weaker party, (in)admissible contracts); and (iii) they frequently involve cross-border elements. Slovenia has in recent years experienced significant immigration flows, bringing with them a diversity of legal systems as well as cultural, religious, and linguistic diversity, together with related legal challenges. The early-stage researcher will therefore be required to integrate international aspects arising in cross-border legal relationships into their research.

The early-stage researcher will participate in research activities carried out within the Chair of Civil, Private International and Comparative Law, the Institute of Civil, Comparative and Private International Law, and the programme group “Civil Commercial Law”. Early-stage research will also be involved in national and European research projects addressing topics related to their research field (e.g., on 1 February 2026, the Faculty of Law, University of Maribor, began coordinating the international EU Justice Project “Fair and Innovative Cross-border Recovery with Out-of-court Enforcement Titles – FAIR-IN-DEBT,” which directly addresses the proposed research area of early-stage researcher). Due to the comparative-law dimension, which will form a key component of the research, the early-stage researcher will also undertake training abroad to acquire additional expertise (e.g. mobility under the Erasmus+ programme; the Faculty of Law, University of Maribor, also regularly enables early-stage researchers to undertake training at renowned Max Planck Institutes).

Presentation of the research content: The proposed research will examine the issue and significance of notarial deeds and dejudicialisation in the fields of family and inheritance law. Notarial deeds represent an instrument of preventive legal certainty, enabling autonomous regulation of legal relationships and the reduction of disputes, particularly where they substitute judicial decision-making. However, differences exist among EU Member States regarding the regulation of notariats, family law, and inheritance law, which creates legal uncertainty and undermines transparency in legal transactions. Consequently, the role of notarial deeds in family and inheritance matters remains normatively underdeveloped and continues to raise unresolved practical questions. A significant role in this regard is played by fundamental principles such as the limits of party autonomy, the protection of weaker parties, and the safeguarding of the public interest. As noted, the relevance of the research topic is further enhanced by the cross-border element, particularly the recognition of foreign notarial deeds.

The importance of the research task is reflected in several dimensions. From a normative perspective, it will contribute to clarifying and better understanding the limits of permissible and appropriate dejudicialisation in family and inheritance matters. Particular attention must be paid to the boundaries of legal admissibility, which should not jeopardise constitutional guarantees, the public interest, or the legal certainty of participants, especially those in vulnerable positions, such as children, for whom the principle of the best interests of the child must always be paramount. From a broader perspective, the research project and doctoral dissertation will also address and analyse the *de lege ferenda*

debate concerning the transformation of the roles of courts and notaries in family and inheritance matters, and thus the evolving concept of “adjudication” in contemporary legal systems. Furthermore, the rapid development of reproductive medicine has opened up additional modern legal and ethical questions. These include unresolved dilemmas and controversies concerning legal certainty in connection with contracts encountered by notaries primarily abroad, particularly those governing the handling of stored embryos. Such contracts raise complex issues in both family and inheritance law, specifically regarding the relationship between party autonomy, the protection of dignity and the rights of the future child, and the safeguarding of the public interest. Through the analysis of such contracts, the research will explore the extent to which notarial deeds can contribute to legal certainty in their recognition, particularly given the strong presence of international and cross-border elements in these relationships.

Accordingly, from the research of the early-stage researcher is expected to contribute significantly to legal certainty by providing a systematic analysis of the role of notarial deeds as an instrument of dejudicialisation in family and inheritance matters, as well as a critical evaluation of the legal frameworks of Slovenia, selected EU Member States, and EU law with regard to approaches to the recognition and effects of notarial deeds in cross-border cases (what is also main question of the EU project in which the early-stage researcher will be included). The aim of the research is to ensure that its findings can be utilised in *de lege ferenda* legislative reforms (e.g., of the Family Code, the Inheritance Act, the Notaries Act, the Non-Contentious Civil Procedure Act, etc.). The conclusions will also contribute to the development of modern notarial and judicial practice aligned with other legal systems. Given that the cross-border dimension is one of the key aspects of the research, its contribution will extend beyond the Slovenian legal framework, as the results will also be applicable to the interpretation and application of rules on the recognition of notarial deeds in cross-border cases. Particular emphasis will be placed on developing criteria for assessing the admissibility of dejudicialisation from the perspective of protecting vulnerable participants and safeguarding public policy. Finally, special attention will be also devoted to the role of artificial intelligence in such legal relationships, as both our professional activities (i.e. the work of courts and notaries) and private lives are increasingly influenced by artificial intelligence.

3. STUDY PROGRAMME

Foreseen study programme, to which early stage researcher shall be enrolled in academic year 2026/2027:

Doctoral Study Programme (Third Cycle) in Law

4. DESCRIPTION OF WORK AND TASKS

The early-stage researcher will be integrated into the research programme **P5-0039** and, consequently, into research activities and projects (e.g., European project **FAIR-IN-DEBT (leader Vesna Rijavec)**) related to and arising from the problem area outlined above. The early-stage researcher will be encouraged and supported in the preparation of a doctoral dissertation in the field of family and inheritance law, as well as in the preparation of scientific contributions for Slovenian and international legal journals, which also form part of the requirements of doctoral studies. In addition, the researcher will be encouraged to participate in training activities abroad aimed at acquiring new knowledge and further developing existing competences. The early-stage researcher will also be enabled to participate in national and international conferences, as well as doctoral schools, where

they will be able to broaden and deepen their knowledge and research in line with the objectives and needs of the research project and doctoral studies.

In the first year, the early-stage researcher will complete study obligations in the courses “Legal Methodology” and “Law, Ethics and Legislative Drafting”, which provide the foundation for the application of legal research methods. The researcher will also complete the requirements of the courses “Individual Research Work I and II” (IRW I and II). Within IRW I, the early-stage researcher will prepare a seminar paper in agreement with the supervisor, with a particular emphasis on research methodology and familiarisation with fundamental methodological approaches. IRW I is intended to enable the independent identification and recognition of relevant legal research methods through self-directed study of key theoretical debates presented in lectures. The early-stage researcher will focus their research on the area defined by the research hypothesis, which links family law, inheritance law, notarial law, and private international law, with an added focus on cross-border recognition. Within IRW II, the early-stage researcher will be actively involved in projects and research related to the hypothesis. The guidance and supervision of the mentor will be of central importance, ensuring that the researcher is directed in accordance with the mentor’s academic expertise, experience, and knowledge. The early-stage researcher will gain a more detailed understanding of the structure and preparation of a doctoral dissertation, examine relevant scientific literature as well as domestic case law and the case law of the Court of Justice of the European Union and the European Court of Human Rights, and prepare a first working draft of the doctoral dissertation outline. The early-stage researcher will defend IRW II before a commission (the so-called first doctoral seminar). In addition, within the course “Transferable Skills I”, the researcher will participate in workshops related to their research work (e.g. workshops on citation tools, tools for searching scientific sources, limits of the permissible use of artificial intelligence, etc.).

In the second year, the early-stage researcher will complete study obligations in two elective courses that substantively support their research hypothesis (anticipated courses include “International Protection of Children’s Rights” and “Judicial Cooperation in Civil Matters”). Within IRW III, the early-stage researcher will commence work on the doctoral dissertation, with an emphasis on research methodology and the implementation of doctrinal and empirical research. Under the supervision of the mentor, the researcher will select and systematise relevant materials related to the doctoral dissertation topic. Within IRW IV, the early-stage researcher will continue their research work, with a particular focus on the legal systems of selected countries and relevant international-law aspects. The findings will be presented in IRW IV and defended before a commission as part of the second doctoral seminar. The early-stage researcher will continue their research activities by conducting the methodological work necessary for the research project and shaping the final concept of the doctoral dissertation. They will also undertake further training in legal research and fulfil the requirements of “Transferable Skills II” and the “Research Seminar”. The early-stage researcher will be encouraged to participate in doctoral schools, international conferences, and other forms of advanced training. Under the supervision and guidance of the mentor, the researcher will publish research findings in scientific monographs and peer-reviewed academic journals.

In the third year, the early-stage researcher will complete IRW V and IRW VI, within which he they publish the results of their scientific research related to the doctoral dissertation, in accordance with the criteria of the University of Maribor concerning the required

scientific activity for the award of a doctoral degree. Research work on the dissertation will continue, with a particular focus on comparative-law analysis and the identification of strengths and weaknesses of the Slovenian legal system in relation to the research hypothesis. The researcher will also complete an elective course, anticipated to be “Notarial Law”, which will provide in-depth insight into a legal field of key relevance to the doctoral dissertation.

In the fourth year, the early-stage researcher will continue with research activities and complete IRW VII, in which the research findings will already be clearly articulated. In the eighth semester, the completion, submission, and defence of the doctoral dissertation is planned.

5. REQUESTED LEVEL OF EDUCATION

Master of Laws

6. REQUESTED FIELD OF EDUCATION

Law

7. KLASIUS SRV

Seventh level: Second-cycle higher education and similar education/Second-cycle higher degree and similar degree

8. KLASIUS P

Klasius P-16: 421

9. REQUESTED KNOWLEDGE

Master of Laws with a particular focus on family and inheritance law

10. REQUESTED SPECIAL REQUIREMENTS

English language proficiency at B2 level; knowledge of additional languages is considered an advantage

11. REQUESTED LANGUAGES

English language proficiency at B2 level; knowledge of additional languages is considered an advantage

12. REQUESTED WORK EXPERIENCE

No prior work experience is required

13. FORESEEN POSTDOCTORAL TRAINING

To be determined by the faculty at a later stage

Mentor's signature:

Suzana
Kraljić

Digitalno podpisal
Suzana Kraljić
Datum: 2026.02.06
11:21:03 +01'00'

Research programme leader's signature:

Vesna Rijavec

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Name and surname of Dean or
authorised person³:

Prof. dr. Tomaž Keresteš

Signature of dean or authorised person:

TOMAŽ
KERESTEŠ

Digitally signed by TOMAŽ KERESTEŠ
DN: C=SI, S=Slovenija, O=UM +
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Reason: I am approving this document
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Date: 2026-02-06 21:31:41

Place and date:

Maribor

5. 02. 2026

Stamp:

³ The training program is signed by the dean of the member where the ESR's employment and training will take place.