

New publication: Silvia Marino, I rapporti patrimoniali della famiglia nella cooperazione giudiziaria civile dell'Unione europea

Silvia Marino has just published her new book on cross-border family patrimonial relationships. Here's an abstract prepared by the author in English:

This study tackles the PIL-related aspects of the cross-border family's patrimonial relationships. The main focus is on the coordination and the coherence of the different International and European sources of law, taking as cornerstones the two recent EU Regulations on the matrimonial property regimes and the patrimonial effects of registered partnerships. The other fields dealt with are international successions and maintenance, as part of the global patrimonial organization of the family. Due to the high number of International and European measures within this fields, the volume offers an accurate evaluation of the final coherence of the legislation, with particular regard within the EU.

The book starts with an historical introduction and a first analysis of the definitions (with particular regard to the current notion of *family*). Then, it tackles all the classical topics of PIL, under the light of the coherence of the patrimonial organization within the family. The first chapter analyses the coordination of International, European and National sources, as a necessary step to determine the applicable normative measure. Then, the study presents an examination of the convergences and divergences of the regulations in the different sources of law. The first parameter is the role of party autonomy, both within the determination of international jurisdiction and the conflict of laws. Indeed, all the measures examined leave a margin of freedom of choice in favour of the parties, which should stem into coherent outputs. The second parameter is the determination of the international jurisdiction, followed by the connecting factors, and the impact of their application to the coherence of the property regime's regulation. The third parameter is the (scarce) legislation on the general

issues of PIL, as rules on the correct functioning and application of the conflict of law rules. Finally, the last part is devoted to the different models of transnational circulation of judicial decisions, authentic instruments and Court settlements, which might have evidentiary and even enforceable effects within EU Member States. The number of acts that can freely circulate within the EU risks creating difficulties at the enforcement stage. The conclusions offer some few further ideas on the future developments of an EU Area of Freedom, Security and Justice.