Parte I
Dottrina

TOMMASO AULETTA, *Prospettive di riforma dell'affidamento condiviso* ..... p. 581

Abstract. *This paper analyses the key elements of some legislative proposals regarding parent-child relationship in the context of a marital breakdown. Such proposals aim to introduce a compulsory family mediation process, and to abolish the right to use the matrimonial home free of charge and the current fault-based effects of the separation. They also envisage that maintenance must be provided directly to the child, with the relevant right ceasing when the child reaches twenty-five years of age. Moreover, they seek to modify the rules relating to shared custody, establishing that its objectives could only be achieved by allowing equivalent cohabitation times between each parent and the child. The author remarks the positive and negative consequences (with the latter being considered as prevailing over the former) of the draft legislation.*

GILDA FERRANDO, *Matrimonio civile e matrimonio sacramento* ..... » 599

Abstract. *In the 1942 Civil Code civil marriage is patterned on canonical marriage. Marriage is the indissoluble union of a man and a woman whose aim is procreation. The text illustrates the steps through which the civil marriage has progressively turned away from the canonical one and tries to draft the new image of civil marriage.*

MASSIMO PARADISO, *I rapporti personali nelle relazioni di coppia dopo la stagione delle riforme* ..... » 613

Abstract. *The paper examines the theme of personal relationships in the light of new regulation for de facto cohabitations and for unions between persons of the same sex. The theme is framed primarily within the principles of subsidiarity and autonomy of family relationships, and brought back to the binomial freedom-responsibility. In particular, we highlight the greater extent of responsibility for married couples – whose essential core is identified in the mutual commitment of fidelity and collaboration – and, on the contrary, the central role that assumes the profile of freedom in de facto couples. As for the "unione civile", we exclude that it may or should be reduced to an imitation of marriage – by imposing duties that the law did not intend to impose, such as fidelity and collaboration – and we highlight that they, if framed in contractual agreements, can perform a useful function in the mutual assistance and company.*

ASCENSIÓN MARTÍN HUERTAS e UBALDO GRECO, *I regimi patrimoniali delle coppie internazionali sposate o registrate in Europa: i regolamenti gemelli* ..... » 631

Abstract. *The Regulations, which respond to three basic problems presented in Private International Law will undoubtedly remove many obstacles which often arise between married couples and those in registered domestic partnerships for the duration of their union, and above all its dissolution, whether that be due to the death of one of the partners or by the couple entering into crisis. The reality of the European judicial life has demonstrated that the existing differences between the distinct member states of the Union cause various damages in an important aspect for couples; the scope of their economic relations, and is the only one regulated which does not consider the application of personal relationships. Undoubtedly, harmonizing this matter will help to achieve greater levels of freedom of movement within the European Union, and have a direct and positive impact on the creation of a European judicial space which would provide legal security and easy judicial access for the citizens of the European Union.*

FRANCESCA PIETRAFESA, *La rinuncia al diritto di reintegrazione della quota di riserva da parte del legittimario minorenne* ..... » 665

Abstract. *The present essays is intended to discuss the renunciation to exercise the reduction action or the restitution claim (as waivers to reinstate the reserved share) in the particular case in which the owner of this reserved share is a minor and where the aim of the parties is the one to ease the circulation of immovable goods that have been donated.*

Parte II
Giurisprudenza

Cass. civ., sez. II, ord. 24 ottobre 2018, n. 26981 (con nota di Raffaele Picaro, *Beni personali dei coniugi ed acquisti per surrogazione. La Suprema Corte al cospetto dell'utilizzo del denaro non tracciato*) ..... » 681

Abstract. *Muovendosi nel solco argomentativo espresso dalle Sezioni Unite nella sentenza n. 22755/2009, la Suprema Corte, con l'ordinanza n. 26981/2018, si cimenta con la questione, sovente ricorrente nella pratica, rappresentata dall'utilizzo del denaro non tracciato, appartenente ad uno solo dei coniugi in regime di comunione legale, al fine di pagare il prezzo di un suo acquisto. In maniera significativa in termini di impatto ermeneutico, i giudici di legittimità non attribuiscono rilevanza alla dichiarazione del coniuge non acquirente circa la natura personale del denaro utilizzato per il pagamento del prezzo dell'acquisto da parte del coniuge acquirente, poiché tale dichiarazione non può ritenersi identificativa di un fatto né può qualificarsi come vincolante per l'interprete.*