

Parte I
Dottrina

- GASPARE LISELLA, La legittimazione all'impugnazione del matrimonio della persona anziana incapace....» 3
- Abstract. Identifying the grounds for contesting a marriage contracted by an old and incapacitated person is problematic, especially since the answers given - in relation to the various cases - in both jurisprudence and doctrine are not without their inconveniences. Hence the attempt to reinterpret the provisions on the contestability of the marriage de quo, in order to implement, in each hypothesis of matrimonial incapacity, perhaps in a mediated way, the only interest that is normatively protected, that of the incapacitated person.*
- ROBERTO SENIGAGLIA, L'adeguamento dell'ordinamento civile ai principi della Convenzione di Istanbul sulla violenza domestica e di genere a opera della Riforma Cartabia.....» 13
- Abstract. After having analyzed several legal meanings of the discipline on domestic and gender-based violence, the paper focuses on the rights which have been breached by violent conduct, as well as on the guarantees provided especially by the Istanbul Convention. The legal framework of positive and negative international obligations is followed by an analysis of the new rules set out by the Cartabia Reform in order to adapt the civil law system to the principles of the Istanbul Convention.*
- ALESSANDRO BERNES, Assegnazione della casa familiare, autonomia privata e prioritaria considerazione degli interessi della prole» 35
- Abstract. The article critically analyses the judicial practice according to which the assignment of the family home follows almost automatically the parent who will live with the children. This recurrent outcome may also lead to unfair solutions for the children themselves, without considering the juridical complexity of family relations. However, the growing importance of private autonomy in the family crisis might bring different arrangements for the assignment of the family home, especially under the recent Cartabia reform, offering adequate implementation of the best interest of the child.*
- GABRIELE ERAMO PUOTI, La regolamentazione delle coppie conviventi tra interventi normativi e soluzioni giurisprudenziali.....» 59
- Abstract. The analysis of the discipline regarding the regulation of family-type social formations traditionally represents a useful tool for assessing the state of relations between the demands of the community and the different legal traditions.*
- This contribution aims to define the operational scope of the current legislation on cohabiting couples in the Italian, French, and German legal systems, also emphasizing the main jurisprudential orientations and the solutions suggested by the doctrine.*
- LORENZO DANI, Lo statuto e la destinazione dei gameti tra interessi personali e patrimoniali.....» 85
- Abstract. The essay aims to identify a legal status for human gametes, considering the possibilities offered today by biotechnologies, which allow for the long-term preservation of human biological material and the extraction of genetic data from it. Starting from a critique of theories that relate to the right of property over detached parts of the body, it proposes an interpretation that values the identity and existential nature of the interests characterizing the relationship between the person and their gametes. From here, moving through their connection to the right to control their destination, the essay analyzes some recent cases in the field of inheritance law, also emphasizing the role of the private autonomy of the disposer. Finally, the essay considers the possibilities and risks of artificial gametogenesis.*

Parte II
Giurisprudenza

PIERANTONIO MIGLIORE, *Trust inter vivos* con effetti *post mortem* e tecniche di tutela dei legittimari lesi (nota a Cass. civ., sez. II, ord. 17 febbraio 2023, n. 5073)» 109

Abstract. The Court of Cassation addresses for the first time the relationship between trust, in the particular form of the discretionary trust, and reduction action. The ordinance, relating to the exclusion of the legitimator from the category of beneficiaries of the trust, in rejecting the ground of appeal centered on the nullity (or non-recognizability) of the trust, adopts a solution consistent with the qualification of the inter vivos trust with post-mortem effects in term of indirect generosity. Furthermore, the legitimacy judges, although not called upon to rule on the identification of the legitimate liability of the reduction action, identify operational solutions in line with the legal configuration and the effects of the particular type of trust.