

**Parte I**  
**Dottrina**

- AURELIO GENTILI, L'argomentazione nel diritto di famiglia.....» 3  
*Argumentation has an important role in all areas of Law. In family Law such a role is even greater: argumentation becomes an informal supplementary source, useful to completing and sometimes correcting the legal text. The essay offers various examples of the role of argumentation in the main problems of family Law.*
- GASPARE LISELLA, Enti non lucrativi e accettazione beneficiata dell'eredità.....» 13  
*A clarification contained in a recent decision of the Italian Supreme Court, concerning the acceptance of an inheritance by a minor not followed by the drawing up of an inventory, provides an opportunity to revisit an issue that has long been the subject of sustained doctrinal debate, namely whether non-profit entities may acquire the status of heirs even with liability ultra vires hereditatis. In light of the constitutional doubts raised by authoritative scholarship with regard to Article 473 of the Italian Civil Code, critical observations are directed both at the view that identifies in the requirement of acceptance with the benefit of inventory an unavoidable necessity to ensure intra vires liability, and at the opposing position which seeks to overcome that premise by distinguishing between voluntary acquisition of the inheritance (necessarily subject to acceptance with the benefit of inventory) and acquisition without acceptance (entailing ultra vires liability). On these premises, an alternative interpretation of the statutory provision is proposed, construing the requirement not as rendering a pure and simple acceptance null and void, but rather as establishing a mere standard of proper administration.*
- FRANCESCO ROSSI, Rapporto di convivenza e attività di impresa.....» 27  
*The essay, after briefly outlining the justification behind the rules introduced by Article 230-bis of the Civil Code, addresses the most significant issues currently confronting interpreters regarding the family business and the protection of work performed by the entrepreneur's cohabitant, particularly in light of Constitutional Court judgment No. 148 of 25 July 2024.*
- MARIA NOVELLA BUGETTI, Il caregiver nel prisma delle relazioni familiari.....» 41  
*The A. examines the legal status of the family caregiver within the framework of private and family law, highlighting the persistent gap between social recognition and juridical invisibility. While welfare legislation increasingly acknowledges the central role of informal family care, civil law continues to struggle to conceptualize care as a legally relevant activity. The analysis explores the ambiguous boundaries between spontaneity, moral duty, and legal obligation in family-based assistance, with particular attention to intergenerational asymmetries. The paper critically assesses the limits of traditional legal instruments, such as maintenance obligations and marital duties of assistance, in addressing material and existential needs. It further investigates the caregiver's marginal position in healthcare decision-making and data access. Finally, the contribution discusses private-law tools for compensating or remunerating care work, including trusts and succession planning, and argues for the need to develop a coherent legal framework that recognizes care as a relational, socially valuable, and legally significant activity.*
- DILETTA GIUNCHEDI, Il divieto dei patti successori tra ordinamento italiano e diritto dell'Unione europea: continuità, fratture e tensioni sistematiche.....» 65  
*The paper analyzes the prohibition of succession agreements in Italian law (art. 458 c.c.) in light of EU Regulation No. 650/2012, highlighting systematic tensions between national tradition and European*

*discipline. After examining the domestic prohibition and its main derogations (family pact, succession trust), the focus shifts to Article 25 of the Regulation and the European qualification of succession agreements. Particular attention is devoted to the problematic relationship between the family pact and the Regulation's scope, as well as to corporate consolidation clauses. The analysis concludes with a critical reflection on the relationship between private autonomy, preservation of family wealth, and succession models, suggesting a rethinking of forced heirship in the era of transnational mobility.*

## **Parte II**

### **Giurisprudenza**

CLAUDIA IRTI, La libertà di autodeterminazione del beneficiario di amministrazione di sostegno, tra forma e sostanza (Cass. civ., sez. I, ord. 20 marzo 2024, n. 7414 e Cass. civ., sez. I, ord. 27 maggio 2024, n. 14689) .....» 77

*This contribution arises from the reading of two recent Supreme Court judgments dealing with the legal institute of “Amministrazione di sostegno” ADM), which clearly highlight what the actual scope of freedom, or rather self-determination, of persons with disabilities is – or should be – with regard to the adoption of supportive measures, both in terms of the an and the quomodo of such measures.*

GIANCARLO TANTILLO, Debiti ereditati, pesi ereditari, debiti dell'eredità, degli eredi e dell'erede: una classificazione sistematica delle passività successorie (Trib. Ragusa, sez. civ., decr. 29 settembre 2025, n. 16293 e Cass. civ., sez. II, 24 ottobre 2024, n. 27626) .....» 99

*Two distinct judicial decisions - namely, Decree no. 16293 of 29 September 2025 of the Ragusa Court and Judgment no. 27626 of 24 October 2024 of the Court of Cassation- concerning expenses chargeable to an estate accepted with the benefit of inventory, provided the starting point for a reflection on the systematic framework and legal regulation of hereditary debts. An in-depth analysis of the subject has in fact revealed the lack of a comprehensive and structured account of succession liabilities, as the legal literature offers only sporadic remarks on the issue or brief references to isolated judicial rulings. This study therefore aims to classify hereditary debts into a plurality of categories, each shaped according to its specific characteristics and governing legal regime, while collecting and systematizing a significant body of case law together with the principal doctrinal reflections on the matter.*