

Paternal responsibility in the Albanian judicial practice

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Abstract

The purpose of this paper is to identify and analyze the problems that arise during the exercise of parental responsibility, seen in an interpretation of the legal norms that regulate this institute and local case law.

The paper aims to be mainly practical based on the legal practice of the Court of the Tirana Judicial District during the periods 2016-2019. In addition to parental responsibility, this paper also briefly addresses the problems of children's movement abroad, as a new issue for the courts of our country.

Parental responsibility is one of the institutes of family law, which is directly related to the highest interest of the child and as such it has a wide scope and appears several times in the Family Code. Parenting, like any other legal relationship, creates rights and obligations for the parties. Although the main principle of law in any relationship that is created between the subjects of law is the principle of equality of the parties, in this relationship (parenting) we notice that the highest interest of one party prevails, that of children.

Keywords: family code, parental responsibility, court, movement of children abroad, institute.

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Academic Journal of Business, Administration, Law and Social Sciences ISSN 2410-3918 (print)

ISSN 2410-8693 (online)

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