

SUMMARY

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Subject matter: Family law as an independent branch of Russian law

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The relevance of the research topic Today, the socio-economic and political conditions for the development of Russian society have undergone a significant change in the fundamental branches of the law of the Russian Federation, including civil and closely related to it - the family. Since March 1, 1996, the current Family Code was enacted, which is the main source of family law, along with the Constitution of the Russian Federation, the Civil Code of the Russian Federation, the Convention on the Rights of the Child, as well as other international legal documents. The development of family law of the Russian Federation has a long history. It allowed him to develop a legislative framework that meets the modern requirements of a democratic society.

Family law as a branch of law regulates a specific type of public relations that originate from the fact of belonging to a family and marriage. In family relationships laid one of the most important aspects of human life. In it, the realization of its main interests, including the family, has an impact on the life of society, since it plays a major role in the upbringing of children, the continuation of the human race, and the development of a person's personality. In this regard, the importance of family relationships for each individual person and society as a whole is ordered not only by customs, religious institutions, norms of morality, but also by the norms of law, which form an independent sphere of legislation - family legislation.

The legal regulation of family relationships is aimed primarily at protecting the interests and rights of family members, forming legal relations between them that are based on feelings of respect and mutual love, responsibility to each other and mutual assistance, and creating conditions in the family that are necessary for raising children . Most family ties are under the intense influence of moral norms and moral ideas. However, the legal nature of the industry itself family law is still the subject of scientific disputes. Therefore, the research undertaken is relevant.

The purpose of the work: comprehensive analysis of family law as an independent branch of Russian law.

Objective: to consider modern scientific approaches to the definition of family law as an independent branch of law; to reveal the features of the relationship that make up the subject of family law; to characterize the method of legal regulation of family relations; analyze the principles, objectives and system of sources of family law; reveal the specifics of the legal nature and system of functions of family law as a branch of law; explore the interaction of family, civil law and the rules of private international law in the regulation of individual issues in the field of family relations; identify the problems of the current family law and suggest ways to improve it.

The theoretical and practical significance of the research consists in the possibility of further use of the research results in the professional activities of legal services. The content of the materials obtained in the course of the research may also be included in the educational course for students in the Jurisprudence course of study.

Results of the study:

1. Only through the synthesis of modern scientific approaches can we formulate the concept of family law - this is an independent branch of law, which is a set of legal rules governing personal and related property relations between citizens arising on the basis of marriage, blood relationship, adoption and other forms of organization children in the family for education.
2. The subject of regulation of family law is the conditions and procedure for entering into marriage, termination of marriage and declaring it invalid, personal non-property and property

relations between family members: spouses, parents and children (adoptive parents and adopted), and in the cases and within the limits provided by family legislation, between other relatives and other persons; as well as the form and order of the device in the family of children left without parental care.

3. The method of family law is a set of methods, means, methods of regulating relations included in the subject of family law. Using appropriate methods of influencing family relationships, family law subordinates them to certain rules in order to strengthen the family and ensures that all members of the family exercise their rights and interests, as well as fulfill their duties.

4. Principles of family law allow to correctly explain the provisions of the current legislation, i.e. family law should be used in full compliance with their regulatory purpose. They are subject to direct application as an analogy of law when a court considers disputes arising from family relations. In the absence of a norm in the family or civil code that directly regulates these relations, and the impossibility of applying the analogy of the law. The principles can be used to determine the essence of family relations, the identification of which is necessary in the case of the subsidiary application of the norms of civil law (Article 4 of the RF IC).

5. The sources of family law of the Russian Federation should be recognized only officially established legal forms, in which the content of the legal rules governing family relations is expressed.

6. The family legislation of the Russian Federation, fulfilling the functions assigned to it by the state and society as a whole, proceeds from the need to strengthen the family, build family relationships based on feelings of mutual love and respect, mutual assistance and responsibility to the family of all its members, the inadmissibility of arbitrary intervention by anyone in family affairs, ensuring the unhindered exercise by family members of their rights, as well as the possibility of judicial protection of these rights.

7. Protection of family rights is a legally enforceable opportunity to use law enforcement measures to restore the violated rights of family relations participants, recognize their rights, suppress actions that violate the rights, and also cause the offender to endure the adverse consequences of their wrongful actions (inaction).

8. Overcoming the negative tendencies in the society has demanded new approaches to the state to solve the many problems of social and family relations. The result of the purposeful efforts of the Russian government was the emergence of a family policy aimed directly at changing and preserving the standard of living of families, increasing their well-being and improving their social well-being.

Recommendations:

1. if necessary, we recommend to provide legal assistance in the field of Russian family law to foreign students of the MIFPI branch VolgGMU;

2. it is necessary to conduct regular individual legal advice to foreign students on the issues of established international agreements or agreements reached on the basis of international principles of reciprocity and courtesy, as well as reservations and statements Russian Federation to international treaties.

3. conducting by the registrar of the seminar foreign and Russian students on various topics of the current family legislation of the Russian Federation.

4. it is recommended to open courses on improving legal literacy in the field of family law of the Russian Federation with foreign students of the MIFPI branch of FSBEI HE "VolgGMU".

5. in order to develop and improve the family legislation of the Russian Federation, the concept of marriage as a union of a man and a woman in order to create a family should be enshrined in the Family Code of the Russian Federation, which will allow to avoid legal conflicts in cases of same-sex marriage and sex change by one spouse.