

To
Prof. Dr. Sylvi Chernev
Chairman of the Scientific Jury

REVIEW

by Assoc. Dr. Maria Kyoseva
teacher at the Faculty of Law of the PU "Paisiy Hilendarski"
on the basis of order No. LS-180 of September 9, 2022.
of the Rector of BFU

***Subject:** The qualities of the applicant for the appointment of an academic position "Associate Professor" in professional field 3.6. Law (Civil and family law), of Dr. Anna Svobodenova Cholakova, Ch. assistant at the Central University of Burgas Free university.*

Dear Mr. President of the Scientific Jury,

Dear members of the scientific jury,

on the basis of Order No. LS-180 of September 9, 2022
of the Rector of BFU

I received the scientific papers in electronic form - the monographic study "Hereditary transmission", articles, scientific reports, as well as reference-statement, proving the existence of the minimum national requirements for taking the scientific degree position "Associate Professor" and creative resume of the candidate for the academic position "associate professor" - Ch. assistant Dr. Anna Cholakova.

Based on the studied monograph and scientific publications of the candidate, the submitted documents in the open procedure for associate professor, taking into account requirements, I am motivated to present the following opinion:

1. Teaching qualities

Ch. assistant Dr. Anna Cholakova, is a university teacher with 21 years of experience, going through the classic development path from assistant to chief assistant.

The training courses taught by Ch. assistant Dr. Anna Cholakova are in the field of civil law - general part, family and inheritance law, property law and environmental law.

I have personal impressions of Ch. assistant professor Dr. Cholakova from the seminars led by her classes in civil law - general part in my capacity as the holder of this course discipline for the period from 2011 to 2017 in the CUN at BFU. The candidate always has shown significant scientific preparation, perfect organization of the educational process, skills for working with students and presenting the learning material in an accessible form in deciding cases and discussing the case law she knows impeccably.

Dr. Cholakova is an erudite, responsible and thorough academic teacher and scientist.

2. Evaluation of the candidate's scientific results and contributions

Ch. Assistant Professor Dr. Anna Cholakova provided in the competition procedure the monograph "Hereditary Transmission", Sofia, ed. New Star, 2022, ISBN 978-619-198-167-0, 186 pages.

In the competition procedure, 9 articles and scientific reports are presented at conferences published in the legal periodical, including through links in electronic publications.

Definitely in itself the choice of theoretical research with subject scope - hereditary transmission in the context of old and modern normative regulation, substantiates the author's scientific contribution. This is the first scientific monograph research in Bulgaria dedicated to hereditary transmission.

The comparative legal method is one of the main methods of scientific research, beginning with Roman law and continuing through the analysis of civil codifications and legislation of France, Germany, Austria, Russia, Macedonia in the field of hereditary transmission.

The monograph is well structured, starting with the historical and comparative legal review, the factual composition of the hereditary transmission, the subjects in whose legal sphere the legal consequences and the specific legal ones occur consequences. The issue of the volume of legal succession that is being carried out was also discussed in the hereditary transmission. Contributory and of practical importance are also the comparisons with similar legal figures such as the inheritance of the right of substitution, hereditary substitution and the invocation of the next line of succession. From this one benchmarking with similar law institutes the work earns and serves as guideline for the practice in this specific matter of inheritance law, such as it is the hereditary transmission.

The monograph "Hereditary Transmission" and the scientific articles and reports, presented in the procedure for the selection of associate professors meet the legal volume requirements for this type of scientific research, they have the necessary scientific tools and conceptual apparatus, as correctly cited scientific Bulgarian and foreign literature with a precise technical approach.

The author's polemical approach to discussion theoretical issues with expressing a clear reasoned position should be supported.

The monographic research presented by the candidate has a clear practical purpose – contains propositions *de lege ferenda* in the conclusion, which are corrective for the understanding and application of a fundamental institution in inheritance law as it is the hereditary transmission, which is of exceptional practical applicability in the era of pandemics and wars. The proposal to change in is especially valuable the normative framework of the certificate for heirs, to be more detailed, yes gives more information about wills, acceptances and disinheritance, how to provides an opportunity for transmitters to legitimize themselves through it as special indirect heirs of the first testator.

The author demonstrates distinguished affinity and consistency in her scientific works in the field of inheritance and family law. The presented monograph and other studies testify to scientific contributions in the matter of heredity law and are useful for practice.

The scientific monograph and other publications in the scientific periodical will have cognitive importance not only for lawyers - lawyers, magistrates, but also for a wider audience circle of people who encounter in their daily life the hereditary transmission and that will help them find answers and resolve disputes. Scientific achievements and propositions *de lege ferenda* may be a key to understanding this important establishment of inheritance law.

Based on the above, I undoubtedly come to the conclusion that Ch. Assistant Dr. Anna Cholakova has a scientific qualification and has achieved scientific results with contribution to legal theory in order to hold the academic position of "Associate Professor".

3. Critical evaluations, remarks and recommendations

The monograph would have benefited if the chapter devoted to comparative law analysis should be smaller or reduced to separate paragraphs. In quantitative relations, this chapter has the largest volume, which in a certain sense weighs for the unbiased reader. Undoubtedly, this has its information-cognitive value character and is useful, but the subject of scientific research is not comparative law review of legacy transmission. Outside the meta-legal context of the time, we live in, there is a preference for exploring the civil legislation of Russia and Russian scientific bibliography, which is not necessarily with negative assessment, but it is advisable to seek balance.

On a legal-technical level, I do not find it necessary as a subheading of §.2 in chapter Two "Prerequisites for Hereditary Transmission" to be placed in parentheses "the actual composition which gives rise to the hereditary transmission". The title should have been one of the two, since they are a verbal expression of a legal phenomenon. It is recommended to deepen the research also regarding the volume of the legal succession that takes place in the case of hereditary transmission.

The suggestions made do not affect the scientific qualities and contributions that have the presented monograph on the legal theory in the field of inheritance law "Hereditary Transmission" and Dr. Anna Cholakova's Law Journal Publications, but are intended to suggest ideas on which the author can think possibly in subsequent editions.

4. Conclusion

Based on the above, I confidently state that the scientific and teaching qualities of the candidate Ch. assistant Dr. Anna Cholakova are in charge of the legal requirements and entitle her to occupy the academic position "Associate Professor" in a professional field 3.6. Law (Civil and Family Law) at Burgas Free University and I suggest the Scientific Jury take the corresponding positive decision.

With respect,

(Assoc. Dr. Maria Kyoseva)