COURSE NAME: Conflict of Laws

COURSE NUMBER: Law 8702

PROFESSOR: Allen Rostron

ESSENTIAL PREREQUISITES: None

DESIRABLE PREREQUISITES: None. Some of the material in this course is closely related to issues covered in the Civil Procedure II course, but it doesn’t matter if you take Civil Procedure II before Conflicts or not. Students in the past have said they liked taking Conflict of Laws at the same time as Civil Procedure II, because each course reinforced their understanding of the other. And on the other hand, if you take Civil Procedure II first, that is fine too, and Conflicts will give you a little refresher on some of what you learned in Civil Procedure II.

COURSE BOOKS: We will not have a traditional textbook. We will use Understanding Conflict of Laws, which is a LexisNexis “hornbook” explanation of the subject, and we will supplement that by reading a package of cases that I have selected and edited.

METHOD OF GRADING & APPRAISAL OF STUDENT FOR GRADE: The grade will be based on a final exam, which will have some multiple choice questions and several short essay questions. There might be some other little assignments or quizzes of some sort during the semester, but they would count for only a small portion of the grade, if there are any at all.

DESCRIPTION OF COURSE: Conflict of laws provides solutions to dilemmas posed by the fact that different political entities (like Missouri and Kansas, or the United States and France) have different legal systems. If a legal dispute touches more than one state or nation in some way, conflict of laws determines which courts can decide the matter and what law they will use. Here are a few examples of conflicts issues:

- You live in Kansas and work in Missouri, and you enter into a business deal with a company that is incorporated in Missouri but has its main office in Kansas. If the deal goes sour, will the dispute be governed by Missouri or Kansas contract law?

- An airliner carrying Canadian, Chinese, and American passengers takes off from Seattle, bound for China, and collides with a Russian jet in the air over Japan. Where can lawsuits be brought, and which nation’s tort law applies?

- Some countries and states permit same-sex marriages. If two men get married in one of those places and then move to Missouri, will Missouri treat it as a valid marriage?

RELEVANCY OF COURSE FOR CAREER PURPOSES: This course is relevant for those expecting to deal with clients, transactions, events, or items that cross state or international borders. Lawyers in the Kansas City area, which straddles a state border, are likely to encounter conflict issues frequently. We will focus heavily on Missouri and Kansas rules and cases.

RELEVANCY OF COURSE FOR BAR EXAM PREPARATION: Conflict of laws is one of the subjects tested on the essay portion of the Missouri and Kansas bar exams. This course will be heavily oriented toward Missouri and Kansas law, so it should prepare you well for the exam in either state.