UMKC School of Law Fall Semester 2006

COURSE NAME: Conflict of Laws

COURSE NUMBER: Law 702

PROFESSOR: Allen Rostron

ESSENTIAL PREREQUISITES: None

DESIRABLE PREREQUISITES: None

COURSE BOOKS: We will not use a traditional textbook in this course. We will use Understanding Conflict of Laws, which is essentially a “hornbook” explanation of the subject, and we will supplement that by reading a package of cases that I have selected and edited. They are principally Missouri and Kansas cases.

METHOD OF GRADING & APPRAISAL OF STUDENT FOR GRADE: The grade will be based primarily on a final exam. We will also do some written problems during class, and completion of those problems will count for a tiny fraction of the grading. If you are absent when we do the problems, you can do them later for make-up credit.

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 whose law they will use. Here are just a few exciting examples of “conflicts” issues:

- You live in Kansas, you work in Missouri, you enter into a business agreement with a company that is incorporated in Missouri but has its main office in Kansas, and you make the deal while talking on your cell phone while driving down State Line Road. If the deal goes sour, will your lawsuit 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?
- California’s legislature passes a law allowing same-sex marriages. If two men from Missouri get married while vacationing in Los Angeles, will Missouri treat it as a valid marriage?

This area of law has acquired a very bad reputation over the years. It has been called a “dismal swamp,” a “veritable jungle,” and a “confusing morass.” In this course, we are going to change all that. We are going to drain the swamp, tame the jungle, and do whatever it is you do to a morass.
RELEVANCY OF COURSE FOR CAREER PURPOSES: This course is relevant for any student expecting to deal with clients, transactions, events, or products that cross state or international borders. Lawyers practicing in the Kansas City metropolitan area, which straddles a state border, are particularly likely to encounter conflict of laws issues frequently. We will be focusing heavily on Missouri and Kansas rules and cases in this course.

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 very well for the exam in either state.