

Conflict of Laws

Law 960

Prof. Aman McLeod

Tuesday and Thursday 12:30-1:20pm

Room 108

Contacting the Professor: My e-mail is aman@uidaho.edu. This is the best way to reach me if you have questions that you don't wish to post on the course website. Please contact me if you want to schedule a meeting with me in person.

Office: 210A

Course Description: This course focuses on the principles for deciding which law applies to incidents and transactions crossing state lines and of the constitutional limitations on a state's rights to impose its own law in suits arising out of such incidents and transactions; enforcement of foreign judgments, the jurisdiction of courts, and the special jurisdictional problems in domestic relations cases.

Required Text: Herma Hill Kay et al., Conflict of Laws: Cases, Comments, Questions, 9th ed. (2013)

Quizzes, Exams and Grading:

- Course Grade: Your grade will be determined by your performance on 3 of 4 quizzes and on the final exam. The quizzes will be worth 30% of the course grade, while the final exam will be worth 70%.
- Quizzes: There shall be a quiz given during the final 30 minutes of class on the dates given on the syllabus. Each quiz will consist of 15 true/false questions, and each question shall be worth 1% of your course grade. Each quiz will be non-cumulative, and will only cover material assigned since the previous quiz. In order for grading to remain anonymous, students will be required to use numbers identify themselves on their quizzes.
- Final Exam: The final exam will require you to write answers to two questions regarding conflicts law. You will be required to refer to a documentary supplement that will be provided, which will include case law and statutes applicable to each question.
- Use of notes, books, computers or any other reference material is prohibited during all quizzes.
- No Credit will be given or class participation, nor will students be allowed to do additional assignments not listed on the syllabus in order to improve their final grades.

Reading Assignments:

Please do the reading assigned for each week before the first class meeting of that week (except for the first week, of course). Please catch up with the first week's readings as soon as possible. The readings are intended to provide a detailed discussion of the law of remedies, and of cases that illustrate the application of that law.

Course Website:

This course will have an accompanying website on the West Education Network. The course syllabus, and other resources and links will be posted to this site, and e-mailed to the entire class. In addition, there will be a forum created for questions on the course website. Feel free to post any questions that you might have about the course materials to this site, and I will answer them. I will check the forum periodically.

Case Briefing

In most classes, as described in the syllabus, a special case will be discussed in class that illustrates an important concept that will be covered in class that day. All students should come to class with the case briefed and ready to present the case to the class. The presentation should include the basic facts of the case and the court's holding. The presentation will be oral only; there is no need to prepare written materials or PowerPoint. The professor will call on a randomly selected student in each class to present the assigned case. If the called upon student is not prepared, she/he will have the opportunity to brief the case in the next class, and the professor will call upon another student. If a student fails to brief a case twice, she/he will suffer a 10 point penalty (out of possible 100 points) in calculating her/his final course score. Students may be called upon more than once in a semester. Cases and the dates that they are to be discussed will appear in bold below.

Attendance:

ABA rules specify that students should not miss more than 20% of the class meetings. It is a good practice for students who anticipate missing two or more consecutive classes to inform the affected faculty members. Students may also contact the Academic Support Director (885-6211 or lawsupport@uidaho.edu), who can notify affected faculty members. Quizzes and the final exam may only be made-up in the event of a verifiable medical or personal emergency (i.e. death in the family, serious illness, etc.) Students should be prepared to present evidence of this emergency to the professor.

Policy for Disabled Students:

Reasonable accommodations are available for students who have documented temporary or permanent disabilities. Students should meet with Disability Support Services (DSS) by the end of the first week of class to assess if any accommodations are needed for courses and/or examinations. All accommodation requests are then submitted by DSS to Dean Dodge for final approval. DSS serves as the sole evaluator of medical documentation and determines reasonable accommodations on a per semester basis. The College of Law does not have the authority to evaluate or grant disability accommodations without DSS first submitting a recommendation. You may contact DSS by:

- Visiting the Idaho Commons Building, Room 306
- Calling 208-885-6307
- Emailing dss@uidaho.edu

It is ultimately the student's responsibility to seek a disability accommodation, and until an accommodation is approved by DSS and Dean Dodge, no student will be entitled to receive any accommodations. To learn more about DSS, visit its website at

<http://www.uidaho.edu/studentaffairs/taap/dss>. Please review the College of Law Catalog and Student Handbook for more information on the disability accommodation process.

Changes to the Syllabus:

The instructor reserves the right to make changes to the syllabus during the semester. Students will be notified of all changes in a timely manner.

Class Rescheduling:

The professor might need to cancel or reschedule classes during the semester to accommodate professional commitments. Students will receive notice of these changes as soon as practicable.

Week One: August 27 & 29

Introduction to the course & The Traditional Approach to Choice of Law

Casebook: pp.1-43

8/29-Milliken v. Pratt

Week Two: September 3 & 5

More on Traditional Approaches to Choice of Law and Modern Approaches

Casebook: pp. 43-126

9/3-Loucks v. Standard Oil Co. of NY

9/5-Prichard v. Norton

Week Three: September 10 & 12

Modern Approaches to Choice of Law

Casebook: pp. 135-223

9/10-Schultz v. Boy Scouts of America

9/12-Lillianthal v. Kaufman

Week Four: September 17 & 19

Modern Approaches to Choice of Law

Casebook: pp. 223-342

9/17-Phillips v. General Motors Corp.

9/19-Jepson v. General Casualty Co. of Wisconsin

Week Five: September 24 & 26

The Constitution and Choice of Law

Casebook: pp. 343-407

9/24- Home Ins. Co. v. Dick

9/26-Pacific Employers Ins. Co. v. Industrial Acc. Comm'n.

Week Six: October 1 & 3

Jurisdiction of Courts

Casebook: pp. 411-518

10/1 – World-Wide Volkswagen Corp. v. Woodson

10/3 – Burnham v. Superior Court of California

Week Seven: October 8 & 10

Recognition of Judgments

Casebook: pp. 519-551

10/8-Fautleroy v. Lum

10/10- Quiz One

Week Eight: October 15 & 17

Recognition of Judgments

Casebook: pp.551-617

10/15 – Clarke v. Clarke

10/17- Matsushita election Industrial co. Epstein

Week Nine: October 22 & 24

Divorce

Casebook: pp.619-689

10/22-Estin v. Estin

10/24-Sherrer v. Sherrer

Week Ten: October 29 & 31

Child Custody

Casebook: pp. 689-777

10/29-Welch-Doden v. Roberts

10/31-Abbott v. Abbott

Week Eleven: November 5 & 7

Conflicts Between State and Federal Law

Casebook: pp. 779-830

11/5- Erie R.R. Co. v. Tompkins

11/7- Hanna v. Plumer

Week Twelve: November 12 & 14

Conflicts Between Federal and State Law

Casebook: pp. 830-906

11/12- Klaxton Co. v. Stentor Elec. Mfg. Co.

11/14-Clearfield Trust Co. v. United States

Week Thirteen: November 19 & 21

International Conflicts

Casebook: pp. 907-984

11/19-United States v. Yunis

11/21-United States v. Verdugo-Urquidez

Week Fourteen: December 3 & 5

International Conflicts

Casebook: pp. 984-1032

12/3 – Hilton v. Guyot

12/5- Quiz Two

Final Exam : December 11
(1pm-4pm)