CONFLICT OF LAWS

Law 7140/17860

Professor Hogue

Fall 2010

Ver. 11012010

OFFICE HOURS: Office hours may be arranged by appointment. Contact me by e-mail at lhogue@gsu.edu (preferred method) or by phone at 404-413-9176. My office is Room 454 in the Urban Life Center Building where the College of Law is located.

CASEBOOK: David P. Currie, Herma Hill Kay, Larry Kramer, and Kermit Roosevelt, CONFLICT OF LAWS, 8th ed. (West, 2010) (All page references are to the Casebook unless otherwise indicated.)

I have compiled a companion set of readings and questions to be used in conjunction with the Casebook. It is referred to in the reading assignments as Companion. Please check the course web page for the latest version. It will be updated as the semester progresses. Students are expected to read all assignments prior to the class for which they are assigned.

EVALUATION: Grades are based on two advanced-level writing assignments to be completed approximately mid-term in the course and a shorter final evaluation project to be completed during finals. The writing assignments are a motion on choice of law and a response to the motion. The motion will be limited to 10 pages and the response will be limited to 10 pages. The final evaluation (which is intended to allow students to improve their performance in response to the critiques of the motion and response) will be brief, perhaps no more than 5 pages. All writing assignments are take-home assignments.

CLASS ATTENDANCE: Roll is taken at each class. Students are responsible for signing the roll. (Students bear the burden on this. The roll is conclusive and irrefutable as to whether you were present for class or not. You snooze; you lose.)

CLASSES: Mondays and Wednesdays from 1:15 P.M. – 2:30 P.M. in Room 659.

LAPTOP COMPUTER POLICY: Students are not to use laptops for anything other than note taking or other work directly related to what is happening in class at that time. The only exception is brief answers to occasional emails that need immediate attention. Students who use their laptops for purposes other than class in excess of these limitations should indicate on the roll that they are absent from class. Failure to do so is an Honor Code violation.
Tentative Reading Assignments

Traditional Conflicts Approaches to Torts, Contracts, Wills, Property, etc.

August 16 and 18 Class Does Not Meet


3. August 30 pp. 48-70

4. September 1 pp. 70-84 and in Companion, UNIT 2-- THE PUBLIC POLICY EXCEPTION

5. September 6 LABOR DAY HOLIDAY

6. September 8 pp. 84-90 and in Companion, UNIT 3 WALTON HANDOUT and O.C.G.A. § 9-11-43, and pp. 91-116

7. September 13 pp. 117-153

8. September 15 pp. 153-188

9. September 20 pp. 189-224

10. September 22 pp. 224-256

11. September 27 pp. 256-293 and in Companion, UNIT 4--COMPLEX LITIGATION

12. September 29 pp. 293-311

13. October 4 pp. 312-352

14. October 6 pp. 352-373

15. October 11 pp. 376-377 (Introductory Note) and pp. 449-472

16. October 13 pp. 473-492

17. October 18 pp. 493-510; PROJECTS DISTRIBUTED*
19. October 20 WORK ON PROJECT (Research and draft Brief in Support of Motion as assigned). Class does not meet.

20. October 25 WORK ON PROJECT Exchange Brief in Support with opposing counsel by close of business today. E-mail your brief as an attachment in a PDF and in Word and email a copy to me. (Research and draft Brief in Opposition to Motion as assigned). Class does not meet.

21. October 27 WORK ON PROJECT (Research and draft Brief in Opposition to Motion as assigned). Class does not meet.

22. November 1 pp. 510-528

23. November 3 PROJECT DUE; read pp. 529-565

24. November 8 pp. DISCUSS PROJECT

25. November 10 pp. 566-613

26. November 15 pp. 613-682

27. November 17 pp. 796-866

November 22-26 THANKSGIVING WEEK

28. November 29 (Last day of fall classes) pp. 866-909

*GENERAL INSTRUCTIONS FOR THE CONFLICTS PROBLEMS

The problems are not about briefing formalities. Omit the following elements that are customarily included in a Brief--a Table of Contents, Authorities, Statement of Jurisdiction, Statement of Facts and Summary of Argument. Rely on the facts as stated in the problem as the Statement of Facts. Make each of your arguments a topic sentence of your first paragraph in which you make that argument. The objective of the Problem is to allow you to develop your argument.

Follow Blue Book citation formats. Again, this is not an exercise in Blue Book and will not be evaluated as an RWA Brief would. Be consistent in your citation format, however.

You will need to research the law you intend to apply and argue. Answers are not in your book. The Problem is designed to test your understanding of choice of law—how to identify issues in a factual scenario, find and apply the appropriate law, advocate and argue on behalf of your client, and respond to the Brief of opposing counsel.