

FACULTY OF LAW, UNIVERSITY OF VICTORIA
2023-24 COURSE REGISTRATION – PRELIMINARY COURSE INFORMATION SUMMARY¹

COURSE	LAW 363 Conflict of Laws (Private International Law)
UNIT VALUE	1.5 Units (3 hours of instruction per week)
INSTRUCTOR	Robert Howell
TERM OFFERED	Spring 2024
CLASS TIMES	See Schedule
PREREQUISITES/COREQUISITES	None

COURSE OBJECTIVES/ BRIEF COURSE DESCRIPTION

(a) Objective

To familiarize students with the principles and concepts of private international law – especially the key areas of jurisdiction; recognition and enforcement of extra-territorial judgments; and choice of law theories. Additionally to familiarize students with the implications of globalization and technological developments, such as the Internet with respect to private international law.

(b) Course Description

This course considers the relationship of legal systems in private international and interprovincial disputes. Specific areas for consideration include determination of whether a court has jurisdiction in such disputes and whether it should exercise its jurisdiction to hear the case, what substantive legal rules should be used to resolve such disputes, and when/how recognition and enforcement of foreign judgments and arbitral awards may be effected. Reference is made to international agreements that deal with aspects of private international litigation and the relationship between conflict of laws principles and Canadian constitutional law. A review of the theoretical basis for conflict of laws principles as well as the policy decisions inherent in conflict of laws reasoning are encouraged.

EXPECTED EVALUATION METHODOLOGY

(a) Teaching Methodology

Lectures, discussion and analysis.

(b) Evaluation

1. Optional mid-term written examination to count 40% of the final mark if it increases that mark.
2. Final written examination.
3. Both mid-term and final examinations are in-person OPEN book, using Exam4 software. There may, however, be no access to electronic sources.

(c) No Possibility of Undertaking a Major Writing Paper

There is **NO** possibility of a candidate completing a major writing requirement in this course. However, a candidate who successfully completes the course may be permitted to complete separately in a subsequent term, a Law 399 Supervised Writing and Research paper on a private international law topic. This possibility would need to be discussed with Professor Howell.

ACADEMIC INTEGRITY

Attention is drawn to the University's *Policy on Academic Integrity* at:
https://www.uvic.ca/calendar/undergrad/index.php#/policy/Sk_0xsM_V

June 2023

¹ The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, law.studentservices@uvic.ca.