

Objective

The purpose of this course is to introduce lawyers to practical aspects of cross-border litigation.

Key topics

- Challenges for cross-border litigation
- Specific procedures that help to obtain a judgment abroad faster and more easily
- Alternative / Online Dispute Resolution
- e-Justice
- Law applicable to contracts and torts

EU legislation and recent case law of the European Court of Justice will be presented. Participants will be able to deepen their knowledge through case-studies and workshops.

Who should attend?

Practitioners of law seeking an introduction to European private law.

E-learning

Test your knowledge, brush up on the basics and get a first taste of the summer course with a preparatory e-learning module.

To find out more, go to www.era.int/elearning.

Visit to the European Court of Justice

Participants in this summer course will also have the opportunity to visit the European Court of Justice in Luxembourg. The number of places is limited by the Court for practical reasons to 35.

Social programme

After a day's intensive training, enjoy our varied social programme: the course dinner with fellow participants, wine-tasting in the Mosel vineyards and a tour of the historic city of Trier.

Travel to Trier: the most convenient way to fly is via Luxembourg or Frankfurt Hahn.
Luxembourg to ERA by shuttle: 30 minutes
Frankfurt Hahn to ERA by shuttle: 50 minutes
www.taxi-franken.de/era

Speakers

Mr John Ahern, Adjunct Lecturer in Law, School of Law, Trinity College, Dublin

Ms Raquel Ferreira Correia, Counsellor, Portuguese Permanent Representation to the EU, Brussels

Dr Angelika Fuchs, Head of Section European Private Law, Academy of European Law, Trier

Mr Jens Haubold, Partner, Thümmel, Schütze & Partner, Stuttgart

Professor Jan von Hein, University of Trier

Dr Julia Hörnle, Senior Lecturer in Internet Law, Queen Mary School of Law, University of London

Mr Brian Hutchinson, Mediator, GBH Dispute Resolution Consultancy; Senior Lecturer, University College Dublin

Professor Xandra E Kramer, Chair of European Civil Procedure, Erasmus University Rotterdam

Dr Bartosz Sujecki, Attorney at Law, Arnold + Siedsma, Amsterdam

**PROFESSIONAL
TRAINING (CPD)**
see www.era.int

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SUMMER COURSE ON CROSS-BORDER CIVIL LITIGATION IN EUROPE

Trier, 14-17 June 2011
ERA Conference Centre
Metzer Allee 4, Trier, Germany

Organiser:
Dr Angelika Fuchs

Language:
English

Event number:
111B03



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Tuesday, 14 June 2011

09:00 Arrival and registration of participants

09:30 **Welcome**
Angelika Fuchs

I. General rules on cross-border litigation: recent developments and case-law

09:45 **International jurisdiction in civil and commercial matters**

- general provisions
- contracts and torts
- consumer and insurance issues

Angelika Fuchs

10:30 **Prorogation and *lis pendens***

- jurisdiction agreements
- breach of jurisdiction agreements
- torpedo actions

Bartosz Sujecki

11:00 Coffee break

11:30 **Service of documents & taking of evidence abroad**
Bartosz Sujecki

12:30 Lunch

14:00 **Cross-border enforcement of judgments**

- *exequatur* procedure
- European Enforcement Order

Jens Haubold

15:00 **Workshop: cross-border litigation**
Jens Haubold

17:00 End of the first day

19:30 Welcome dinner

Wednesday, 15 June 2011

II. Visit to the European Court of Justice

07:15 Bus departure to Luxembourg

08:20 Arrival and registration at the ECJ

08:45 **Briefing on a pending case**

09:30 **Hearing of a pending case**

11:30 **Presentation of the ECJ**

12:30 Return to Trier

13:30 Lunch

III. Specific procedures that help to obtain a judgment abroad faster and more easily

15:00 **European Payment Order & Small Claims Procedure**

- scope / interplay of the Regulations
- conduct of the procedure
- enforceability and effects

Xandra Kramer

16:00 **Workshop: how to apply these instruments in practice?**

- e-Justice Portal
- European Judicial Atlas

Xandra Kramer

17:00 End of the second day

18:00 Guided city tour of Trier

Each session includes time for questions and discussion. In the afternoon, coffee & tea will be served during the workshop.

Programme may be subject to amendment.
For programme updates:
www.era.int

Thursday, 16 June 2011

IV. Conflict of Laws

09:30 **Which law applies to transnational contracts?**

- party autonomy
- different types of contract
- mandatory rules and *ordre public*

Raquel Ferreira Correia

11:00 Coffee break

11:30 **Financial instruments** (including assignment, subrogation and set-off)
Jan von Hein

12:30 Lunch

14:00 **Which law applies to cross-border torts?**
John Ahern

15:30 **Workshop: Brussels I, Rome I & Rome II in judicial practice**
John Ahern

17:30 End of the third day

18:00 Wine tasting and dinner

Friday, 17 June 2011

V. Alternative Dispute Resolution (ADR)

09:30 **Mediation in transnational business disputes: experiences**
Brian Hutchinson

11:00 Coffee break

11:30 **Online Dispute Resolution (ODR)**

- bringing parties to ADR / ODR
- e-commerce and evidence
- due process and enforcement

Julia Hörnle

13:00 Lunch and end of the course