

LAW 7158: Transnational Litigation

The course considers litigation procedures in US courts arising from transactions or events involving elements in more than one nation, including establishing jurisdiction to adjudicate, service of process, obtaining evidence abroad, choice of law, protective measures when there are competing proceedings, foreign state immunity, the act of state doctrine, and the recognition and enforcement of judgments. Global trade, foreign investment, the Internet, the breakdown of authoritarian political structures, the emergence of new nations, an increasing frequency of international travel, and the presence of new international actors including individuals, multinational corporations, and non-governmental organizations, have dramatically increased the number of social and economic activities implicating more than one legal order. Because contemporary law practice occurs in a global community, lawyers must be prepared to evaluate meaningfully the relative merits of initiating and pursuing litigation in a variety of systems throughout the world despite the considerable variation in legal systems. This course will introduce students to the more important of these variations, exploring in some detail how these issues play out in a U.S. court.

Credits: 3.0