Initial Syllabus and Advance Assignment

Advance Assignment: For Wednesday, January 21, read the information on pages 1-3 below and be prepared to discuss the materials assigned for Unit 1 and the first two cases and notes in Unit 2 (up to, but not including Levy on page 9 of this supplement). Remaining assignments will be by the Unit numbers in the Supplemental Materials.

Required Course Materials


(2) Supplemental Material. I have developed some supplemental material for the course, which you should purchase from the SBA Bookstore. I will also post these supplemental materials on TWEN (see below), in the event you would like to download them to your computer.

(3) TWEN. I will be setting up an electronic course web site on TWEN (“The West Education Network”) to facilitate communication outside of class. All students in the course must sign on to the website and provide an e-mail address. To access TWEN, you will need a Westlaw password. You can sign on by going to lawschool.westlaw.com, and clicking on TWEN courses, then click on Add/Drop Courses and you should see all Hamline courses that have a TWEN page.

Office Hours and E-Mail

My office hours are posted on my office door, and I will normally be in my office at those times. If I am not, and no note is posted on my door, please try again in five to ten minutes. I am frequently in my office during other hours and, except for the hour preceding one of my classes, you are welcome to stop by during those times as well. My office telephone number is 651-523-2910. You can also reach me by E-Mail at: Jpielemeier@gw.hamline.edu

Goals and Objectives

The initial portion of this course will entail coverage of the major choice of law approaches used today by courts in the United States. It will also occasionally touch upon approaches used by other countries. (In most of the world, the subject matter of this course is known as “private international law.”) Choice of law issues arise most typically in the litigation of civil cases
involving parties and/or facts in different states or countries. An understanding of the subject matter can also be useful in planning transactions with a view towards more certainty on the applicable law should a dispute arise.

After this initial coverage, we will turn to constitutional limitations that can be applicable in the choice of law context (Chapter 3) and some brief coverage on the relationship between personal jurisdiction and choice of law (Chapter 4). We will then move to chapter 6 for coverage of the law applicable to recognition of judgments from other jurisdictions.

Finally, we will touch on special problems that can arise in cases in federal court (portions of Chapter 5) and choice of law issues relating to American Indian tribal courts (supplemental materials). To the extent time permits, we will finish with some coverage of the application of federal law by American courts to events that take place beyond the boundaries of the United States (Chapter 7), Conflicts and the Internet (Chapter 8) and some special problems that can arise in the context of divorce, child custody, and support (Chapter 6.D.).

CLASS ATTENDANCE, GRADING AND CLASS PARTICIPATION POLICY

You are expected to be prepared for discussion of the materials assigned for each day. If you are called upon and are not well-prepared, this will result in a waste of your classmates' time as well as your own. Thus, if for any legitimate reason, you are not well-prepared, please let me know before class begins, and you will not be called upon during that class period.

As the Academic Rules and Attendance Policy provide, regular and punctual class attendance and preparation are required. As a general rule, I consider absences in excess of five 50 minute classes per semester to be excessive. Since this class will meet two days a week for 75 minutes each, I will consider absences in excess of three classes to be excessive. If the permitted number of absences is exceeded, opportunities to pursue “make-up work,” as opposed to being withdrawn from the course, will not be granted absent a strong justification for the excessive absence, such as incapacitating illness or injury, death in the family, childbirth, or analogous circumstances. Such make-up work, if permitted, will ordinarily be in the form of a required short written paper.

At my discretion, lateness to class may be deemed an absence. Please be on time (subject to snow emergencies) and remain in the classroom during the entire class period unless illness requires that you leave.

The primary basis for your grade in the course will be a three hour examination.

The right is reserved to reduce a student's final grade by one grade increment (e.g., a B- to a C+) for recurrent apparent lack of preparation for classroom recitation and discussion. If on any given day, you are not prepared for class, please let me know beforehand so that I will not call on you.
Finally, grades may be adjusted upwards for significant contributions to classroom discussion and/or significant contributions to any discussion taking place on TWEN. Significant contributions to classroom discussion entail contributions beyond mere apparent good preparation. To warrant consideration for upwards adjustment, such contributions must reflect significant thought about the assigned materials. Extensive contributions are not the equivalent of significant contributions (and can on occasion be the opposite). No upwards adjustment will be more than one grade increment (e.g., a B to a B+).

**Technology Policy**

You may use laptop computers or other electronic devices in class to take notes and access course related materials. You should not use your laptop or electronic devices for other purposes. In addition to the usual courtesies due to your classmates, refrain from text-messaging and email, using cell phones, pagers, or any other communication device. Refrain also from displaying wallpaper, screen savers, or other material on your computer screen that can reasonably be expected to distract your classmates.