

Course Title 科目名	Conflict of Laws B 抵触法B			Instructor 担当者	TADA, Nozomi 多田 望		
Semester 学期	SPRING 2025	Course Level 履修年次	N/A	Credits 単位	2	hrs/wks 時間数/週	2
【Course Objectives: 授業の到達目標】							
Based on the premise that the laws of family relations, such as marriage and inheritance, and property relations, such as contracts and torts, differ from country to country, the students will learn which country's laws govern international private relationships and in which country the issues can be litigated. At the same time, the concepts and features of the law will be dealt with, with the aim of becoming familiar with the law.							
【Course Summary: 授業の概要】							
Conflict of law or Private International Law is to resolve problems arising from our private relationships across borders. It mainly aims to determine the law applicable to the relationships, such as marriage, divorce, contracts and to determine the jurisdiction to adjudicate them. As a rule, the class will follow these steps: 1. Presentation of the legal situation, for example, marital age, child status, divorce procedure, heirs and inheritance, validity of contracts, punitive damages, product liability, in the students' country and in Japan. 2. Discussion on the difference 3. Resolution from the perspective of conflict of laws of the students' country and of Japan 4. Conclusive discussion							
【Study Required outside Class (Preparation etc): 事前・事後学習】							
To research the situation in your country's laws on website pages in English and to answer preliminary quizzes on Moodle about it.							
【Class Outline: 授業計画(各回の授業内容)】							
Session 1	Introduction – What is Conflict of Laws?						
Session 2	Marriage: At what age can you get married in your country?						
Session 3	Child: Distinction between legitimate and illegitimate child?						
Session 4	Divorce: In court or by contract?						
Session 5	Name of a Person: Foreigners cannot have a Japanese "family name" ?!						
Session 6	Succession and Will: Who can be the heir in your country?						
Session 7	Public Policy etc.: What are the basic or fundamental principles of law in your country?						
Session 8	Contracts: Party autonomy, law of the place most closely connected to the contract						
Session 9	Real Property: Law of the place where the subject property is situated						
Session 10	Torts: law of the place where the result of the wrongful act occurred, etc.						
Session 11	Jurisdiction (1): Basic Concepts and Jurisdictional Grounds						
Session 12	Jurisdiction (2): Special Circumstances						
Session 13	Recognition and Enforcement of Foreign Judgments						
Session 14	Final Class						
【Textbooks, Course Materials: 教科書、参考書等】							
No textbook. Course materials: Japanese Law Translation [https://www.japaneselawtranslation.go.jp/] Act on General Rules for Application of Laws [https://www.japaneselawtranslation.go.jp/ja/laws/view/3783] Civil Code [https://www.japaneselawtranslation.go.jp/ja/laws/view/4314;4275] Code of Civil Procedure [https://www.japaneselawtranslation.go.jp/ja/laws/view/4421] Kazuaki Nishioka & Yuko Nishitani, Japanese Private International Law (Hart Publishing, 2021)							
【Grading Criteria: 成績評価の方法】							
Preliminary study of your country's laws [20%]; Participation in Class Discussion [30%]; Final Paper [50%]							
【Note: 履修上の注意】							