

Summer Course on Cross-Border Civil Litigation

Trier, 24-28 June 2019

**UP
GRADE**
YOUR LEGAL
EXPERTISE



Speakers

Geert Van Calster, Solicitor, Member of the Belgian Bar; Full Professor and Head of the Institute of Private International Law, KU Leuven

Angelika Fuchs, Head of Section 'European Private Law', Academy of European Law (ERA), Trier

Sarah Garvey, Counsel, Allen & Overy, London

Brian Hutchinson, Arbitrator, Mediator, Barrister, GBH Dispute Resolution Consultancy; Associate Professor, Sutherland School of Law, University College Dublin

Jens Kleinschmidt, Professor of Private Law, Private International Law and Comparative Law, University of Trier

Xandra Kramer, Professor of Private Law at the Erasmus University Rotterdam; Professor of Private International Law at Utrecht University; Deputy Judge at the District Court of Rotterdam

Stefanie Spancken, Associate, Freshfields Bruckhaus Deringer, Düsseldorf

Maarja Torga, Consultant, Supreme Court of Estonia, Tartu

Key topics

- Which court has jurisdiction?
- Service of documents and taking of evidence
- Cross-border enforcement of judgments
- Specific procedures that help to obtain a judgment abroad faster and more easily
- Civil litigation after Brexit
- Freezing monies in bank accounts abroad
- International contracts and torts
- Mediation, alternative and online dispute resolution

Language
English

Event number
119B03

Organiser
Dr Angelika Fuchs, ERA



With the support of the Erasmus+ programme of the European Union

Summer Course on Cross-Border Civil Litigation

Monday, 24 June 2019

11:00 Arrival and registration of participants
Coffee, tea and sandwiches

11:45 **Welcome and introduction**
Angelika Fuchs

I. VISIT TO THE COURT OF JUSTICE OF THE EU

12:15 Departure from ERA to the CJEU

13:40 Arrival and registration at the CJEU

14:00 Visit of the CJEU – Possibility to attend a hearing (tbc)

16:00 Return to Trier or free evening in Luxembourg

17:15 Arrival and free evening in Trier

Tuesday, 25 June 2019

II. CROSS-BORDER LITIGATION: BRUSSELS Ia AND BEYOND

Speaker: *Angelika Fuchs*

09:15 **Jurisdiction in civil and commercial matters**

10:30 Coffee break

Speaker: *Maarja Torga*

11:00 **Prorogation and *lis pendens***

11:45 **How to enforce a judgment abroad**
Brussels Ia and the European Enforcement Order

13:00 Lunch

14:00 **WORKSHOP (with coffee & tea)**
Cross-border civil litigation in judicial practice

15:45 Results of the workshop and discussion

17:00 End of the second day

19:00 Course dinner at the restaurant “Das Weinhaus” (Brückenstr. 7)

Wednesday, 26 June 2019

III. HOW TO OBTAIN A JUDGMENT ABROAD FASTER AND MORE EASILY

Speaker: *Xandra Kramer*

09:15 **European Payment Order & Small Claims Procedure**

10:45 Coffee break

11:00 **WORKSHOP**
Cross-border debt recovery: which path to take?

12:15 Results of the workshop and discussion

13:00 Lunch

14:00 **How to apply those instruments in practice?**

15:00 Coffee break

Objective

This course will provide you with hands-on experience on cross-border civil litigation cases and the recent jurisprudence of the European Court of Justice. All relevant EU instruments in this field will be presented and analysed, by way of both lectures and case studies. You will benefit from daily workshops where active participation is encouraged.

Who should attend?

The course is aimed at legal practitioners seeking a thorough introduction to the various instruments in EU civil law and the different methods of cross-border debt recovery within the EU and beyond.

You will learn...

- ...which court is competent to hear your case
- ...how to serve a judicial document
- ...how to take evidence abroad
- ...to advise on how to enforce a judgment abroad
- ...to apply the recent CJEU case law in the field
- ...which way to choose to recover money owed to your client
- ...to provide guidance on how to efficiently freeze monies in foreign bank accounts
- ...about civil litigation post-Brexit
- ...how to best apply the Rome I & Rome II Regulations
- ...what is the added value of ADR & mediation

Visit to the European Court of Justice

Participants will also have the opportunity to visit the Court of Justice of the European Union in Luxembourg.

Your contact persons



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Location

ERA Conference Centre
Metzer Allee 4
D-54295 Trier

IV. SERVICE OF DOCUMENTS & TAKING OF EVIDENCE

Speaker: *Stefanie Spancken*

15:30 **Cross-border service of documents & taking of evidence**

17:00 End of the third day

17:30 Guided city tour of Trier

Thursday, 27 June 2019

V. FREEZING BANK ACCOUNTS ACROSS EUROPE

Speaker: *Sarah Garvey*

09:15 **The European Account Preservation Order (EAPO): scope, procedure and enforcement**

10:15 Coffee break

VI. CIVIL LITIGATION AFTER BREXIT

10:30 **Brexit dialogue: is it still attractive to choose English law and jurisdiction clauses after Brexit?**
Sarah Garvey and Geert Van Calster

VII. INTERNATIONAL CONTRACTS AND TORTS

Speaker: *Geert Van Calster*

11:30 **Governing law in international contracts: theory and practice**

13:00 Lunch

Speaker: *Jens Kleinschmidt*

14:00 **Cross-border tort litigation**

14:45 **WORKSHOP (with coffee & tea)**
Which law applies to international contracts and torts?

16:00 Results of the workshop and discussion

17:30 End of the fourth day

18:15 Tour of the vineyards, wine-tasting and dinner

Friday, 28 June 2019

VIII. MEDIATION, ADR & ODR

Speaker: *Brian Hutchinson*

09:15 **The mediation landscape in the EU: legal framework, concepts and practice of mediation, ADR & ODR**

10:30 **Solving consumer disputes on the Internet**

11:00 Coffee break

11:15 **Mediation in transnational business disputes: experiences**

13:00 Lunch and end of course

Social programme

After a day's intensive training, enjoy our varied social programme:

The course dinner with fellow participants from various countries



A tour of the historic city of Trier, the oldest in Germany, known for its well-preserved Roman and medieval buildings



A wine-tasting in the Moselle vineyards followed by a traditional dinner in a winery



CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to 26 CPD hours.

e-Learning

In addition to seminars and workshops, the Academy of European Law also offers a wide range of e-learning courses and e-presentations on the most varied legal areas:

www.era.int/elearning

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