Content

There are currently around 16 million international couples in the EU. Inevitably when such families break up, family members often end up living in different countries, a situation that is fraught with difficulties from a family law point of view. These difficulties include, for example, knowing which courts have jurisdiction to hear a divorce application and which law is applicable to such a divorce and the issue of enforcement of maintenance obligations abroad.

The objectives of this workshop are:

- to provide expert training on Regulation Brussels II bis, Regulation Rome III and the Maintenance Regulation and their interaction with other EU instruments in the area of civil justice
- to raise awareness of the interrelationship between EU, international and domestic legislation on cross-border divorce and maintenance cases
- to reinforce knowledge of the preliminary ruling procedure through practical exercises
- to provide participants with a practical introduction to e-justice tools
- to promote contacts between national judges from different member states and provide participants with valuable networking opportunities.

The workshop is designed to be practice-oriented and focused on peer and expert training. Access to an introductory e-learning course will be made available to participants before the workshop allowing them to contribute actively during the training sessions. IT-supported training will be provided allowing participating judges to get to know the existing online tools and make better use of the information available on the e-learning course. Participating judges will deal with concrete situations and be faced with real questions by means of case studies.

Trainers

Maria Giuliana Civinini, President of Chamber, Tribunal of Livorno; Judicial Trainer (to be confirmed)

Martina Erb-Klünemann, Judge, District Court of Hamm; Liaison Judge, European Judicial Network, International Hague Network of Judges (to be confirmed)


Monika Jagielska, Associate Professor, Department of Private and Private International Law, Faculty of Law and Administration, University of Silesia, Katowice

Irēna Kucina, Lecturer, University of Latvia, Judicial Trainer, Latvian Judicial Training Centre, Riga

Geoffrey Shannon, Solicitor and Senior Lecturer on Family and Child Law, Law Society of Ireland, Dublin

Kassiani Christodoulou, Course Director, European Private Law Section, Academy of European Law, Trier (workshop organiser)

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CROSS-BORDER DIVORCE AND MAINTENANCE: JURISDICTION AND APPLICABLE LAW

Brussels, 26-28 September 2012
Judicial Training Institute (IFJ)
Avenue Louise 54, Brussels

Workshop organisers:
Academy of European Law (ERA) on behalf of the European Commission (Contracting Authority) with the support of the Belgian Judicial Training Institute (IFJ)

Language: English

Event number: 112DV101
Wednesday, 26 September 2012

08:45  Arrival and registration of participants
I.  Cross-border divorce: jurisdiction and procedure
09:15  Opening session
Kassiani Christodoulou
09:45  Setting the scene: framework and key elements of cross-border cooperation in family matters
Geoffrey Shannon
10:30  Coffee break
11:00  Cross-border divorce in the EU: jurisdiction, recognition and lis pendens
Martina Erb-Klünemann
13:00  Lunch break
14:30  Interaction of Regulation Brussels II bis with other EU legal instruments and mechanisms:
- legal aid
- service of documents
- preliminary ruling procedure
- alternative dispute resolution
Geoffrey Shannon
15:30  Coffee break
16:00  Exercise I: Case studies on cross-border divorce
Martina Erb-Klünemann
18:00  End of the first workshop day
19:30  Dinner

Thursday, 27 September 2012

II.  Cross-border divorce: applicable law
09:00  Cross-border divorce in the EU: applicable law
Maria Giuliana Civinini
10:30  Coffee break
11:00  The application of foreign law in a cross-border divorce case
Monika Jagielska
12:00  Lunch break
13:30  Exercise II: Case studies on the identification and application of foreign law in a divorce case
Maria Giuliana Civinini
Monika Jagielska
15:30  Coffee break
III.  Cross-border maintenance
16:00  Jurisdiction and applicable law in cross-border maintenance cases
Juliane Hirsch
18:00  End of the second workshop day
19:30  Dinner

Friday, 28 September 2012

09:00  Cooperation between Central Authorities and access to justice in cross-border maintenance cases
Juliane Hirsch
10:00  Exercise III: Case-study on a cross-border maintenance case
Juliane Hirsch
Iréna Kucina
12:00  Coffee break
IV.  EU initiatives on property regimes
12:30  The proposed legislation on property effects of marriage and registered partnership
Iréna Kucina
13:00  Closing session
Kassiani Christodoulou
13:30  Lunch and end of the workshop