

Student's name

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Course

Date

Law Conflicts and Issues Connected with Them

A conflict of laws is related to the issues that occur across different legal jurisdictions and among people, companies, and other legal entities. In addition, a conflict of laws typically affects such fields as international law and state law (Rheinstein, Hay, & Drobnić 2018).

When a conflict of laws occurs, there are three main principles to take into account. When a legal problem touches upon different countries, it is significant to define under which jurisdiction the issue lies. Then, it is vital to decide which law is going to be applied when working on the problem in question. Finally, the enforcement of the judgment should be addressed as well.

Let us take a closer look at the subject in question by providing an example. A common one is a divorce case, especially when the place of marriage is different from the place where it has been filed or when the residences of the people involved do not match. In this case, the situation becomes much more complicated. The judge will have to decide under which jurisdiction the divorce is going to be filed, how the property is going to be divided, how much time will it take to make it final, and so on. A judge might need to call witnesses, especially when a property agreement has been signed. Apart from that, the judge will also have to establish that none of the spouses is or has been under oppression or influence of the other. All in all, such a simple case as getting a divorce may take months or even years in case a conflict of laws occurs.

Even though only a few rules that regulate international laws exist, there are certain principles that should be taken into consideration. For example, countries should extend different privileges and courtesies to each other. For commercial transactions, it is typical to give more emphasis to the “closest

connection” to a legal system. When a case occurs in the area of inheritance or family law, nationality will be considered first. Also, the rules and principles of conflict law has demonstrated a lot of flexibility when it comes to issues involving contracts (i.e. commercial transactions). Such a tendency will most likely continue in the near future.

Taking everything into consideration, there are many different aspects to take into account when it comes to the conflict of laws, which is one of the reasons why these cases are some of the most difficult ones in terms of resolving them. Besides, it takes more time to work through them, as there are usually lots of materials to familiarize oneself with, as well as lots of very specific details to take into consideration.

Work Cited

Rheinstein, Max, et al. “Conflict of Laws.” *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., 12 Apr. 2018, www.britannica.com/topic/conflict-of-laws.