



Legal Advice to International Couples in Europe

Presentation by the Group on Empowering European Families

Trier, 30 November – 1 December 2017



Speakers

Tim Amos, QC Barrister, Collaborative Lawyer and Resolution Mediator, Chambers of Lewis Marks QC, Temple, London

Elena Bargelli, Professor of Private Law, University of Pisa

Anne Barlow, Professor of Family Law and Policy, Associate Dean Research and Knowledge Transfer, University of Exeter

Katharina Boele-Woelki, President of Bucerius Law School, Hamburg; Chair of the Commission on European Family Law (CEFL)

Margareta Brattström, Professor of Private Law, especially Family Law, University of Uppsala

Robert Bray, Former Head of Unit, Secretariat of the Committee on Legal Affairs, European Parliament, Brussels/Strasbourg

Josep Ferrer i Riba, Professor of Civil Law, University Pompeu Fabra, Barcelona

Magdalena Haddas, Professor of Law, University of Silesia, Katowice

Dieter Martiny, Professor emeritus, European University Viadrina, Frankfurt/Oder; Affiliate at the Max Planck Institute for Comparative and International Private Law, Hamburg

Matthias Neumayr, Judge at the Supreme Court of Austria, Vienna; Professor of Law, University of Salzburg

Eve Pötter, Legal Advisor at the Estonian Chamber of Notaries

Wendy Schrama, Professor of Family Law, University of Utrecht

François Trémosa, Civil law notary, Toulouse; Chair of succession law working group of CNUC

Alain Laurent Verbeke, Professor of Law, University of Leuven, Harvard Law School, Tilburg Law School, and UCP Lisbon

Christiane Wendehorst, Professor of Law, University of Vienna; President of the European Law Institute (ELI), Vienna

Michael Wilderspin, Legal Service, European Commission, Brussels (tbc)

Key topics

- Choice of law for European couples under EU legal instruments (in force or upcoming)
- Agreements concerning matrimonial/partnership property in cross-border settings
- Allocation of the family home and household objects
- Agreements concerning maintenance and pension rights after divorce
- Cohabitation agreements

Language

English

Event number

117DP98

Organisers

The Secretariat of the European Law Institute (ELI) in cooperation with ERA (Dr Angelika Fuchs)



Co-funded by the Justice Programme of the European Union

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

Legal Advice to International Couples in Europe

Thursday, 30 November 2017

08:30 Arrival and registration of participants

09:00 **Welcome**
Angelika Fuchs, ERA

I. INTRODUCTION

09:05 **International couples in the EU: existing legal instruments and remaining problems**
Christiane Wendehorst

09:45 **The idea of model contracts and general approach of the EEF templates**
Wendy Schrama

10:30 Coffee break

II. MARRIAGES AND REGISTERED PARTNERSHIPS

11:00 **Choice of law and choice of court**
Dieter Martiny

11:45 **Matrimonial/partnership property and family home**
Josep Ferrer i Riba

12:30 Lunch break

14:00 **Maintenance and pension rights**
Elena Bargelli

14:45 **Case workshop: how to use the checklists for legal advisors**
Tim Amos and François Trémosa

15:40 Coffee break

16:00 **Panel discussion: party autonomy and protection of the weaker party**
Katharina Boele-Woelki (Chair)
Tim Amos
Margareta Brattström
Josep Ferrer i Riba
François Trémosa

17:00 End of first seminar day

19:30 Conference dinner at the "Park Plaza Grill" restaurant (Nikolaus-Koch-Platz 1)

Objective

The project "Empowering European Families – towards more party autonomy in European family and succession law", which is co-funded under the Justice Programme of the European Union, has been designed to support professionals who are giving legal advice to international couples. This is done by way of information sheets, templates for model agreements, checklists, and explanatory notes, all of which may facilitate the provision of sound legal advice in what often looks like an impenetrable jungle of different legal instruments at European and national level.

Who should attend?

Lawyers and notaries practising in the field of family and succession law; staff of EU institutions and permanent representations; ministry officials; family law judges; academics working in the field of international and cross-border family law.

You will learn...

- which questions to ask and which issues to bear in mind when advising international couples
- options concerning the law applicable to important economic consequences of a couple relationship
- what are core issues spouses/partners may wish to agree upon irrespective of the applicable law
- how to set up a cohabitation agreement in cross-border settings

Joint dinner

After a day's intensive exchange, enjoy our joint dinner on 30 November at the "Park Plaza Grill" restaurant in the city centre.



Friday, 1 December 2017

III. INFORMAL RELATIONSHIPS

- 09:00 **Informal relationships in the EU: comparative overview**
Matthias Neumayr
- 09:45 **Informal relationships: issues at stake, choice of law and choice of court**
Anne Barlow
- 10:30 Coffee break
- 11:00 **Property relations, unjust enrichment and relationship-generated disadvantages**
Alain Laurent Verbeke
- 11:45 **Panel discussion: awareness raising and encouraging use of party autonomy**
Dieter Martiny (Chair)
Robert Bray
Magdalena Habdas
Eve Pötter
Michael Wilderspin (tbc)
- 12:45 **Closing remarks**
Wendy Schrama and Christiane Wendehorst
- 13:00 End of the conference

Programme may be subject to amendment.

Your contact persons



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Dr Angelika Fuchs
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Travel

Shuttle services from the airports of Luxembourg (30 minutes) and Frankfurt Hahn (50 minutes) to the ERA Conference Centre can be booked at special rates at:
era@finkelgruens-taxi.de

ERA seminars // Save the date

Workshop for Legal Practitioners: Better Applying the EU Regulations on Family and Succession Law – Introductory Level
Prague, 12-13 December 2017
Event number: 117DT40

Workshop for Legal Practitioners: Better Applying the EU Regulations on Family and Succession Law – Advanced Level
Trier, 1-2 February 2018
Event number: 118DT04

Law and Practice of Surrogacy
Cambridge, 25-26 June 2018
Event number: 118D100

Annual Conference on European Family Law 2018
Trier, 25-26 October 2018
Event number: 118R15

Registration

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Trier, 30 November - 1 December 2017 / Event Number: 117DP98



Registration

E-mail:
secretariat@europeanlawinstitute.eu

Website:
http://www.europeanlawinstitute.eu/

Postal address:
European Law Institute
Schottenring 16
1010 Wien (Austria)

Location of the conference

ERA Conference Centre,
Metzer Allee 4, Trier

Language

English

Contact Person

Tomasz Dudek
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Accommodation at special rates



Vienna House Easy Trier,
from € 95
www.viennahouse.com
+49 (0)651-9377-0



Villa Hügel Trier, from € 102
www.hotel-villa-huegel.de
+49 (0)651-93710-0



Park Plaza Trier, from € 110
www.parkplaza-trier.de
+49 (0)651-9993-0

Contact the hotel directly to make your reservation.

I would like to register for the ELI event mentioned above.

Please update my address (see below) My address (above) is correct Please delete my address

PLEASE USE BLOCK CAPITALS:

Title	<input type="checkbox"/> Ms	<input type="checkbox"/> Mr	Other	<input type="text"/>
First Name	<input type="text"/>			
Surname	<input type="text"/>			
Organisation	<input type="text"/>			
Department	<input type="text"/>	Tel.	<input type="text"/>	
E-Mail	<input type="text"/>			
Street	<input type="text"/>			
Postcode/City	<input type="text"/>	Country	<input type="text"/>	

Seminar language: English

Evening programme: I shall attend the function on 30 November (at no extra charge).

Registration fee: € 75

Method of payment



Credit card number:

Cardholder name:

Expiry:

PayPal

Cheque: Cheque number

Bank transfer

I will transfer the registration fee to ELI's account at ING Belgium SA/NV :
IBAN: BE92 3630 9072 2423 – BIC: BBRUBEBB

Important! Please state your name and the event number on the bank transfer.

I confirm my registration and accept the general terms and conditions:

Place, Date

Signature