

Matrimonial Property: Harmony in Europe?

Chris Clarkson (*Leicester*) and Elizabeth Cooke (*Reading*) have written a short article in the new issue of *Family Law* entitled, “Matrimonial Property: Harmony in Europe?” (Fam. Law 2007, 37(Oct), 920-923.)

Here’s the abstract:

This article assesses the potential impact on the divorce of married couples of the introduction of uniform choice of law and mutual recognition rules throughout the EU in disputes concerning matrimonial property, as envisaged by the EU Green Paper on conflict of laws in matters concerning matrimonial property regimes, including the question of jurisdiction and mutual recognition (COM (2006) 400 final). It considers the advantages and disadvantages of the UK opting into such a proposal.

There is also a short casenote in the same issue by Gillian Douglas, that discusses the Family Division decision in *Re N (Jurisdiction)* [2007] EWHC 1274 on whether the courts in France or in Wales had jurisdiction to hear divorce proceedings between British spouses, where the wife returned to Wales after the marriage broke down, the husband remaining in France, and both filed petitions in their countries of residence. It comments on the test for domicile of choice.

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