

New Articles on Private International Law From Professor Ronald Brand

Professor Ronald A. Brand of the University of Pittsburgh School of Law has posted three new articles with private international law content:

Online Dispute Resolution

This chapter was prepared from a presentation given by the author at the 2019 Summer School in Transnational Commercial Law & Technology, jointly sponsored by the University of Verona School of Law and the Center for International Legal Education (CILE) of the University of Pittsburgh School of Law. The paper reviews the domestic and international progress of online dispute resolution with a particular focus on the negotiations that led to the 2017 UNCITRAL Technical Notes on Online Dispute Resolution

Of Magnets and Centrifuges: The US and EU Federal Systems and Private International Law

This chapter is part of a tribute to Professor Alberta Sbragia upon her retirement at the University of Pittsburgh, and considers federal systems in the United States and the European Union as viewed through the lens of private international law. While some may be hesitant to refer to the European Union as a “federal” system, when viewed in the context of private international law, the author presents the EU system is both more centralized and more predictably developed than is its counterpart in the United States. By tracing his personal experience over 25 years at the Hague Conference on Private International Law, the author reviews the developments which have led to centralization of private international law within the European Union, considers how the federal system in each of the United States and the European Union has influenced this area of the law, and draws conclusions about how each has used its own federal approach in this area of the law to influence global development of the law.

Jurisdiction and Judgments Recognition at the Hague Conference: Choices Made, Treaties Completed, and the Path Ahead

This article will be published as part of a special issue of the Netherlands International Law Review dedicated to the 2019 HCCH Judgments Convention. The article begins with the context in which a Hague Convention on Jurisdiction and the Recognition and Enforcement of Foreign Judgments was first proposed in 1992. It then traces the history of the Hague negotiations, both from within those negotiations and in regard to important developments outside the negotiations, through the completion of the 2005 Convention on Choice of Court Agreements and the 2019 Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters. The article ends with comments on whether it is advisable to now resume discussion of a separate convention on direct jurisdiction.