

International Families – Money, Children, and Long Term Planning

May 25 and 26, 2012

Venue: American Bar Association 740 15th Street NW Washington, DC 20009

THURSDAY PROGRAMMING ***Optional Pre-Conference Business***

- 9:30- 12:30pm** Joint meeting of the Global Justice Initiative's Mediation Work Group and the ABA Section of International Law Mediation Task Force (MEMBERS ONLY)
- 2:00 – 5:00pm** Joint meeting of the ABA Section of International Law Family Law Committee, Private Clients Committee, and ABA Family Law Section International Law Committee (OPEN TO ALL)

FRIDAY PROGRAMMING

- 08:30 - 09:00** **Registration and Check-In**
- 09:00 - 09:10** **Welcome and Introductions**
- 09:15 - 10:30** **Program 1A: Child Support**
Speakers will present information on how to get a foreign child support order, how to enforce child support orders abroad, how to enforce a foreign child support order in the United States, conflicts of laws in selecting a jurisdiction in which to seek support and the pending implementation of the 2007 Hague Treaty on Family Maintenance. Speakers will examine where similar actions in the United States are supported or slowed down.
- Program Producer:** Ms. Rhiannon Lewis (U.K.)
Speakers: Mr. Gary Caswell (U.S.), Ms. Hannah Roots (Canada), Ms. Margaret Campbell Haynes (U.S.), Mr. Philippe Lortie (the Hague)
- 9:15 - 10:30** **Program 1B: International Family Formation**
Speakers will discuss current immigration and nationality law issues affecting international adoption, surrogacy, Assisted Reproductive Technology and same-sex marriage as well as more conventional international families
- Program Producer:** Mr. John Crouch (U.S.)
Speakers: Ms. Lisa Vogel (U.S.), Professor Marianne Blair (U.S.)
- 10:30 - 10:45** **Break: Refreshments and networking**

10:45 - 12:00

Program 2A: Limitations on Planning of Structures Issues

This program will explore trustee and lawyer liability for setting up structures which help (even inadvertently) a client evade the tax laws of his/her country of residence, and how the courts in other countries are helping the country of residence enforce its tax laws. Many trustees and tax practitioners are concerned, particularly after the UBS scandal, about setting up offshore structures for nationals of other countries and they no longer wish to turn a blind eye to those countries' tax laws. Many foreign nationals come from countries where it is practically a way of life to have unreported offshore income and assets, but their countries of residence are suddenly beefing up their enforcement activities. Under what circumstances should a trustee or tax practitioner seriously consider turning away a client, and do those circumstances vary depending upon the client's country of residence?

Program Producer: Dr. Markus Zwicky (Switzerland)

Speakers: Dr. Markus Zwicky (Switzerland), Mr. Joseph Field (Hong Kong), Mr. William Rohrer (U.S.), Mr. Max Riederer von Paar (U.S./Liechtenstein)

10:45 - 12:00

Program 2B: International Child Relocation, the Washington Declaration:

This program will provide a comparison of the various ways that different countries handle child custody matters, including international child relocation, and information about various attempts to create uniformity.

Program Producer: Ms. Lise Lafrenière Henrie (Canada)

Speakers: Ms. Nancy Zalusky Berg (U.S.); Ms. Anne-Marie Hutchinson (U.K.); Madam Justice Robyn Diamond (Canada)

12:15 - 1:30pm

Lunch at Bank of America Building

Speaker: Ms. Julia Alanen, Esquire, of the Global Justice Initiative

1:35 - 3:05pm

Program 3A: Prenuptial Agreements

Speakers will present information on entering into a prenuptial agreement, religious prenuptial agreements, and difficult conflicts of laws issues related to the enforcement of such agreements in different jurisdictions.

Program Producer: Mr. Jeremy Morley (U.S.)

Speakers: Mr. Jeremy Morley (U.S.), Ms. Marguerite Smith (U.S.), Ms. Eliza Hebditch (U.K.), Mr. Alexandre Boiche (France)

1:35 - 3:05pm

Program 3B: Islamic Family Law

Speakers will address the issues in Islamic Family Law that should be known to all family lawyers who may have a case where one or both spouses come from a jurisdiction that abides by Islamic law. Topics covered include the US jurisprudential history of recognizing Islamic marriage and marital dissolution (talaq and mahr) procedure; current appellate trends, litigation strategy, custody under Sharia law and reciprocal recognition of custody orders. (This CLE will also be hosted as a teleconference)

Program Producer: Mr. Jonathan Booker (U.S.)

Speakers: Mr. Bradley Lechman-Su (U.S.), Mr. Abed Awad (U.S.)

3:05 - 3:15

Break: Refreshments and networking



3:15 – 4:55pm

Offshore Assets

Expert speakers will discuss what to do for a client who owns foreign assets, or one who believes the other spouse or heirs have foreign assets. What if money has been hidden in offshore jurisdictions or placed in trusts or foundations abroad? Speakers will provide suggestions on finding these assets, how to bring them into a divorce action or estate dispute either in the United States or in countries with forced heirship and what may need to be done abroad. This program will explore how to pierce offshore asset protection trusts to repatriate and divide marital assets that have been transferred to avoid jurisdiction of the forum court. This program will explore how to divide major marital assets located in multiple foreign jurisdictions under varied applicable laws and tax regimes and formulate an integrated, cohesive agreement acceptable in the forum court.

Program Producer: Dr. Markus Zwicky (Switzerland)

Speakers: Dr. Markus Zwicky (Switzerland); Ms. Eliza Hebditch (U.K.); Dr. Thomas Rohner (Switzerland); Ms. Paola Fudakowska (U.K.); Mr. Max Riederer von Paar, (U.S./Liechtenstein)

5:30 - 8:30pm

Ticketed Event: Reception at the Canadian Embassy

Sponsored by Dawson Cornwell the Family Law Firm

SATURDAY PROGRAMMING

8:30 – 9:00

Registration and Check In

9:15 – 10:30

Recognition of Foreign Court Orders and Conflicts of Laws

This program will explore how to apply Brussels II, the 1980 Hague Convention, the 1996 Hague Convention and/or conflict of laws between the Hague conventions and Brussels II regulation in recognizing foreign court orders with regards to custody, visitation and relocation orders. It will also provide a comparison of the conflicts of laws rules that many countries apply in divorce cases; and a consideration of the ways that courts resolve conflicts between jurisdictions (e.g. stays; forum non conveniens; international treaties).

Program Producer: Ms. Jessica Sandberg (Sweden)

Speakers: Ms. Caroline Langley (U.S.); Ms. Jessica Sandberg (Sweden); Mr. Jeremy Morley (U.S.); Mr. David Starks (U.S.); Ms. Anne-Marie Hutchinson (U.K.); Dr. Markus Zwicky (Switzerland)

10:30 – 10:45

Break: Reception and Networking

10:45 – 12:00

International Couples in Transit

This program will answer questions, such as when married couples move from one country to another, how are their tax rights affected? How is property deemed to be held for tax (and other legal) purposes if the former jurisdiction was a community property or civil law jurisdiction and the new jurisdiction is a common law jurisdiction, or vice versa?

Program Producer: Dr. Markus Zwicky (Switzerland)

Speakers: Dr. Markus Zwicky (Switzerland); Ms. Leigh-Alexandra Basha (U.S.); Ms. Madeleine Loughrey-Grant (U.K.)

12:30 – 2:30pm

Ticketed Event: Reception at Old Ebbitt Grill