



Conflicts of Laws in International Divorce: Jurisdiction

JURISDICTIONAL, APPLICABLE LAW AND THE DIVISION OF ASSETS IN MULTIPLE CASES BORDERS

CONFLICTS OF LAWS IN INTERNATIONAL DIVORCE: JURISDICTIONAL COMPETENCE, APPLICABLE LAW, AND ASSET DIVISION ACROSS MULTIPLE BORDERS

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SUMMARY

The phenomenon of globalization and increasing human mobility has resulted in an exponential increase in transnational families, composed of spouses of different nationalities or domiciled in different countries. This scientific article aims to analyze the legal complexities inherent in international divorce, with emphasis on determining jurisdictional competence, choosing the applicable law, and the challenges of dividing assets located in different sovereignties. The methodology adopted consists of a bibliographic and documentary review, based on the Law of Introduction to the Norms of Brazilian Law (LINDB), the 2015 Code of Civil Procedure, and the jurisprudence of the Superior Court of Justice (STJ). The study examines the dichotomy between *lex domicilii* and *lex patriae*, the rules of concurrent and exclusive competence of the Brazilian judiciary, and the institution of the homologation of foreign judgments. The results demonstrate that the lack of global legislative harmonization generates legal uncertainty, requiring legal professionals to conduct a meticulous analysis of the specific case to avoid conflicting (international *lis pendens*) or unenforceable decisions. It is concluded that the protection of assets and family status depend on the correct application of the rules of Private International Law, respecting public order and national sovereignty.

Keywords: Private International Law. Transnational Divorce. International Jurisdiction. Division of Assets. LINDB (Brazilian Law of Introduction to the Norms of Brazilian Law).

ABSTRACT

The phenomenon of globalization and increasing human mobility has resulted in an exponential rise in transnational families, composed of spouses of different nationalities or domiciled in different countries. This scientific article aims to analyze the legal complexities inherent in international divorce, with an emphasis on determining jurisdictional competence, the choice of applicable law, and the challenges of dividing assets located in different sovereignties. The methodology adopted consists of a bibliographic and documentary review, based on the Law of Introduction to the Norms of Brazilian Law (LINDB), the 2015 Code of Civil Procedure, and the jurisprudence of the Superior Court of Justice (STJ). The study examines the dichotomy between *lex domicilii* and *lex patriae*, the rules of concurrent and exclusive competence of the Brazilian judiciary, and the institute of homologation of foreign judgments. The results show that the lack of global legislative harmonization creates legal uncertainty, requiring the legal practitioner to conduct a thorough analysis of the specific case to avoid conflicting decisions (international *lis pendens*) or unenforceable judgments. It is concluded that asset protection and family status depend on the correct application of Private International Law norms, respecting public order and national sovereignty.

Keywords: Private International Law. Transnational Divorce. International Competence. Division of Assets. LINDB.

1. INTRODUCTION

Contemporary society is marked by the fluidity of borders and the ease of movement, which has radically transformed interpersonal relationships and, consequently, the constitution of families. The concept of family, once restricted to local and sedentary nuclei, has expanded to a transnational dimension, where marriages between people of different nationalities or the change of domicile of couples abroad have become commonplace events. However, when affection ceases and the need arises to dissolve the marital bond, these "international families" face a legal labyrinth: which judge is competent to decree the divorce? Which law will govern the division of assets acquired in different countries? These questions do not have simple answers and require the application of complementary law norms, specifically Private International Law.

In the Brazilian legal system, the Law of Introduction to the Norms of Brazilian Law (LINDB) acts as a compass for resolving conflicts of laws in space, determining the connecting factors that will indicate the applicable legislation. In parallel, the 2015 Code of Civil Procedure (CPC) established clear rules on international jurisdiction, defining when Brazil has the power and duty to judge and when it must abstain. The interaction between these internal norms and the...

International treaties, as well as respect for the sovereignty of other States, create a scenario of high technical complexity, where an error in procedural strategy can result in the nullity of acts or the impossibility of executing a judgment.

The relevance of this study is justified by the growing demand in Brazilian courts for solutions that involve elements of foreignness. It is not simply a matter of applying the law, but of understanding how distinct legal systems – often based on opposing traditions, such as *Civil Law* – interact.

Common Law and other legal systems – they either engage in dialogue or clash. Property issues, in particular, are a source of intense litigation, as the location of movable and immovable property can attract rules of exclusive jurisdiction which, if ignored, render the divorce decree ineffective in relation to the division of assets. Lawyers working in this area must possess a cosmopolitan and interdisciplinary perspective.

This article aims to dissect the nuances of international divorce from the perspective of Brazilian law, analyzing everything from the determination of jurisdiction to the recognition of foreign judgments. This paper will address the criteria of domicile as a predominant connecting factor in Brazil, exceptions of public order and fraud against the law, and the specificities of the division of assets located abroad. Through a doctrinal and jurisprudential analysis, it seeks to offer a reliable overview for legal practice, highlighting the importance of conflict prevention and estate and family planning in international contexts.

2. DEVELOPMENT

2.1. *The Transnational Family and the Conflict of Laws in Space*

The phenomenon of the internationalization of private relations has generated what modern doctrine calls "transnational" or "international families," characterized by the presence of connecting elements that link the family entity to more than one state legal system. This link can occur through the diversity of nationalities of the spouses, habitual residence in a country different from that of the marriage ceremony, or the existence of assets dispersed across various jurisdictions. Private International Law (PIL) emerges, in this context, not as a set of substantive rules that resolve the merits of the issue (who is right), but as a system of indicative conflict-of-laws rules that point to which legal system will be competent to govern that specific legal relationship. The absence of a "World Civil Code" obliges each State to create its own PIL rules, which inevitably generates positive (when two countries consider themselves competent) or negative (when neither considers itself competent) conflicts of jurisdiction.

In Brazil, the historical evolution of connecting factors reflects the shift in social and political paradigms. While in the past nationality (*lex patriae*) was the primary connecting factor,



Influenced by the Italian Civil Code of 1865 and the doctrine of Mancini, and aiming to protect the subject wherever they might be, modern Brazilian legislation, consolidated in the LINDB (Decree-Law No. 4,657/1942), adopted domicile (*lex domicilii*) as the predominant criterion. This legislative choice, reaffirmed in Article 7 of the LINDB, seeks to facilitate the integration of the individual into the society in which they actually live, privileging factual reality over the political bond of nationality. For transnational families, this means that, as a rule, the law of the country where the couple established their common residence will govern family law matters, regardless of their passports.

However, the application of domicile law is not without interpretative difficulties, especially in cases of "multiple domicile" or when spouses, after de facto separation, come to reside in different countries. Determining the marital domicile thus becomes the crucial point for defining the law applicable to the property regime and the rights and duties of the spouses. Legal doctrine indicates that, in cases of doubt or change of domicile, one should seek the place where family life effectively developed, the center of gravity of affective and patrimonial relations. This case-by-case analysis is fundamental to avoid the phenomenon of *forum shopping*, where one party seeks to file the action in the country whose law is most favorable to them, distorting the justice of the decision.

The complexity increases when the foreign legal system indicated by the Brazilian conflict-of-laws rule adopts a different criterion, such as nationality. This leads to the problem of "renvoi" or "reversal," which is prohibited in Brazil by Article 16 of the LINDB ("When, under the terms of the preceding articles, foreign law is to be applied, its provisions shall be considered, without regard to any reference it makes to another law"). This means that if the Brazilian rule mandates the application of French law (because the couple lives in France), French substantive law applies, regardless of whether French private international law would mandate the application of Brazilian law. This prohibition of renvoi aims to guarantee legal certainty and procedural efficiency, avoiding an endless cycle of references between... legal systems, allowing divorce to be resolved in an objective manner.

2.2. International Jurisdiction in Brazilian Civil Procedure

International jurisdiction refers to the limits of the Brazilian State's jurisdictional power in disputes connected to other States. The 2015 Code of Civil Procedure (CPC) brought significant advances in this area, establishing in articles 21 to 25 the hypotheses of concurrent and exclusive jurisdiction. In the case of divorce, the general rule is concurrent jurisdiction (Articles 21 and 22), which means that Brazil can judge the case, but does not prevent the same action from proceeding abroad. Brazil declares itself competent when the defendant, regardless of nationality, is domiciled in Brazil; when the obligation must be fulfilled in Brazil; or when the basis of the action is a fact that occurred or an act committed in Brazil.

Specifically for alimony and divorce proceedings, Brazil also has jurisdiction if the creditor is domiciled or resident in the country, or if there is a link to Brazilian nationality.

Concurrent jurisdiction generates the phenomenon of international *lis pendens*. Unlike domestic *lis pendens*, which extinguishes the second proceeding, international *lis pendens* does not induce *lis pendens* in Brazil (Art. 24, CPC). This means that a divorce proceeding can proceed simultaneously in Brazil and Germany, for example. The judicial "race" ends when one of the judgments becomes final. If the foreign judgment becomes final first, it must be ratified by the Superior Court of Justice (STJ) to be effective in Brazil, which may render the Brazilian action moot. Therefore, the lawyer's procedural strategy is crucial: in many cases, it is more advantageous to file the action in Brazil to guarantee the application of local protective norms and speed, without depending on complex letters rogatory.

However, jurisdiction becomes exclusive to the Brazilian judicial authority (Art. 23, CPC) when it comes to real estate located in Brazil and matters of inheritance of assets located in Brazil. In the context of divorce, this is vital: no foreign judge can determine the division or transfer of ownership of real estate located in Brazilian territory. An American divorce decree that determines that the house in Rio de Janeiro belongs to the wife will not be ratified by the STJ in this part, as it violates national sovereignty. For real estate in Brazil, the division must be carried out by a Brazilian judge, often requiring the filing of a separate action for division after the divorce, if it occurred abroad.

The flexibility of Brazilian jurisdiction is also evident in the possibility of choosing a forum in international contracts, but this freedom is restricted in family law due to the public policy nature of the rules protecting vulnerable parties.

Submission to national jurisdiction also occurs tacitly if the foreign defendant appears and contests the merits without alleging lack of jurisdiction. Therefore, the analysis of competence is the first step in any international lawsuit: before discussing who gets custody or assets, it must be determined whether the Brazilian judge has the authority to rule on the law in that specific case, otherwise the decision may be ineffective beyond the country's borders.

2.3. The Law Applicable to Divorce and the Property Regime

Once the Brazilian judge's jurisdiction is established, the second fundamental question arises: which law should he apply? The Brazilian judge is not obligated to apply only Brazilian law; by virtue of the rules of private international law, he can and should apply foreign law if the Brazilian Law of Introduction to the Norms of Brazilian Law (LINDB) so determines. Article 7 of the LINDB stipulates that "The law of the country in which the person is domiciled determines the rules regarding the beginning and end of legal personality, name, capacity, and family rights." Therefore, for an American couple domiciled in Brazil, the Brazilian judge will apply Brazilian law to decree the divorce. However, if it is a couple domiciled in Japan who files the action in Brazil (because they have assets here, for example), the Brazilian judge must apply Japanese law regarding the requirements and effects of the divorce.



The issue becomes more intricate when it comes to the property regime. Paragraph 4 of Article 7 of the Brazilian Law of Introduction to the Norms of Brazilian Law (LINDB) states that "The property regime, legal or conventional, is governed by the law of the country where the spouses are domiciled, and, if this is different, by the law of the first marital domicile." This rule is fundamental to the immutability of the property regime in Brazilian private international law. If a couple married and established their first domicile in France, under the French legal community property regime, and then moved to Brazil, the property regime will continue to be governed by French law, even after decades of residence in Brazil. The Brazilian judge, when carrying out the division of assets, will have to consult French legislation to determine which assets are community property and which are separate property.

The burden of proving the content and validity of foreign law rests with the party invoking it (Article 376, CPC). In practice, this requires the party to present legal opinions, sworn translations of foreign legislation, and robust documentary evidence. If the judge is not convinced or if the foreign law is impossible to prove, he may apply Brazilian law, but this is an exception. The correct application of the law of the first marital domicile is essential to avoid unjust enrichment, as property regimes vary drastically around the world (e.g., *separation of property* in the USA vs. partial community of property in Brazil). Ignoring this connecting rule can lead to an unfair division of assets that can be appealed.

There is also the possibility of a prenuptial agreement. In an international context, the validity of the agreement also follows the law of the domicile of the spouses at the time of its execution. If the agreement was valid under foreign law, it must be respected in Brazil, provided it does not offend public order.

This generates interesting debates, for example, about agreements that provide for the total waiver of alimony or exorbitant compensation, common in *Common Law countries*, but which may be considered abusive in light of the Brazilian constitutional principles of human dignity and family solidarity.

2.4. The division of assets located in multiple jurisdictions

The division of assets in international divorces is undoubtedly the most litigious and technically challenging aspect. The principle of territoriality of real property laws (*lex rei sitae*) dictates that possession, ownership, and real rights over property are governed by the law of the place where they are located (Article 8, LINDB). This creates a dichotomy: while the property regime (the abstract relationship between spouses) is governed by the law of domicile (personal), the effective transfer of ownership is governed by the law of the location of the property. In the case of movable property (money, stocks, jewelry), the law of the owner's domicile generally applies, but for immovable property, the rule of location is absolute.

When a couple owns properties in multiple countries, the "universal division" carried out by a single judge becomes a legal fiction that is difficult to implement. As mentioned, the Brazilian judge has exclusive jurisdiction to divide properties within Brazil. Conversely, the Brazilian justice system recognizes that it does not have the power to order the transfer of a property located in New York or London. However, the jurisprudence of the Superior Court of Justice (STJ) has admitted this exception, in the name of procedural economy and...



Equity refers to the consideration of the economic value of assets abroad for compensation purposes. A Brazilian judge may not divide the Miami apartment, but may determine that the spouse who retains it compensates the other with a larger share of the assets located in Brazil.

However, this compensation depends on the existence of sufficient assets in Brazil to guarantee balance. If all the assets are located abroad and only the parties are in Brazil, the Brazilian division of assets will be merely declaratory, depending on homologation and execution in each of the countries where the assets are located. This multiplies costs and delays, requiring the hiring of lawyers in several jurisdictions. The Brazilian lawyer must act as a case manager, coordinating the overall strategy to avoid contradictory decisions regarding the same assets.

The concealment of assets abroad is another recurring problem. The use of *offshore companies, trusts*, and front men in tax havens to shield assets from division requires sophisticated mechanisms of international legal cooperation. Brazil is a signatory to several mutual assistance treaties and Hague Conventions that allow for the breaking of confidentiality and the traceability of assets. Reverse piercing of the corporate veil can be applied by a Brazilian judge to reach assets of companies based abroad, provided there is proof that the company is merely an alter ego of the fraudulent spouse, although the execution of this measure in a foreign jurisdiction faces sovereignty barriers.

2.5. CONSENSUAL DIVORCE AND THE EXTRAJUDICIAL ROUTE WITHIN THE SCOPE INTERNATIONAL

Constitutional Amendment No. 66/2010 drastically simplified divorce in Brazil, eliminating the requirement for prior separation periods. This simplification extended to divorces with international elements. Resolution No. 35/2007 of the National Council of Justice (CNJ), updated to allow divorce in a notary's office (extrajudicial) even with assets abroad, provided it is consensual and does not involve minors or incapacitated persons, represented progress. However, the effectiveness of a Brazilian public deed of divorce abroad depends on the legislation of the country where the act is to be enforced. Many countries require a court judgment to register the divorce in their civil registries.

In the case of consensual divorces carried out abroad, the Superior Court of Justice (STJ), through Provision No. 53 of the National Justice Inspectorate, simplified the internalization of these decisions. Foreign judgments of simple consensual divorce (without provisions regarding custody, alimony, or assets) can be registered directly at the Civil Registry Office of Natural Persons in Brazil, dispensing with judicial ratification by the STJ. This has reduced bureaucracy for thousands of Brazilians who divorced abroad and needed to update their marital status in Brazil. Direct registration is a recognition of the validity and effectiveness of foreign acts that do not offend public order.



However, if the foreign consensual divorce agreement concerns real estate in Brazil, child custody, or alimony, ratification by the Superior Court of Justice (STJ) remains indispensable. The ratification procedure aims to verify whether the foreign judgment meets formal requirements (final judgment, jurisdiction of the issuing judge, proper service of process, translation) and whether it violates Brazilian public order. It is a preliminary assessment, meaning the STJ does not re-examine the merits (who was right or wrong), only the form. Consensual agreements facilitate ratification, as they eliminate the discussion about the regularity of service of process, one of the biggest obstacles in litigious proceedings.

Legal counsel plays a vital role in the pre-trial phase of consensual international divorce. Drafting a robust divorce agreement that anticipates the consequences in both jurisdictions (Brazil and the foreign country) can prevent years of litigation. Clauses regarding choice of forum (when permitted), a clear definition of the applicable law for the property regime, and agreements on international child custody (avoiding the application of the Hague Convention on the Civil Aspects of Child Abduction) must be meticulously drafted, considering the enforceability of the agreement across all involved borders.

2.6. The Recognition of Foreign Judgments and the Role of the Superior Court of Justice (STJ)

National sovereignty prevents acts of sovereignty from another State from producing immediate and coercive effects in Brazilian territory. For a foreign judgment to have executive force in Brazil, it must be reviewed by the Superior Court of Justice (STJ), a process called homologation of foreign judgment (HSE). The competence for this, which previously belonged to the Supreme Federal Court (STF), was transferred to the STJ by Constitutional Amendment No. 45/2004, aiming to expedite the process. The procedure is regulated by the STJ's Internal Regulations and the 2015 Code of Civil Procedure (Articles 960 to 965).

The requirements for homologation are strict: the judgment must have been issued by a competent authority; the parties must have been summoned or there must be legal verification of default; the decision must be effective in the country of origin and have become final (no further appeal possible); it must be translated by a sworn translator and authenticated by the Brazilian consulate or apostilled (Hague Apostille Convention). The lack of any of these requirements leads to the rejection of the request. The summons is the most sensitive point: the Superior Court of Justice (STJ) is rigorous in ensuring that the defendant residing in Brazil has been validly notified of the proceedings abroad, preferably via letters rogatory, to guarantee due process and the right to a full defense.

A controversial issue concerns "foreign judgments that violate Brazilian *res judicata*." If there is already a final and unappealable judgment in Brazil on the same case, the subsequent foreign judgment will not be recognized. However, if the proceedings in Brazil are still ongoing, the foreign judgment may be recognized and, once recognized, will replace national jurisdiction, extinguishing the Brazilian proceedings. This demonstrates the aforementioned jurisdictional "race."

Previously, the Superior Court of Justice (STJ) has maintained a stance of respect for foreign jurisdiction, provided it is exercised within the civilized parameters of due process.

Recognition can be partial. The Superior Court of Justice (STJ) may recognize the part of the judgment that decrees the divorce, but deny recognition to the part concerning the division of real estate in Brazil (due to violation of exclusive jurisdiction) or the custody of a minor residing in Brazil (if the decision is contrary to the best interests of the child). This divisibility of the foreign judgment allows for the use of what is compatible with the Brazilian legal system, guaranteeing the alteration of the marital status of the parties without violating national sovereignty in sensitive matters. The lawyer must be careful to request recognition only of the points that are enforceable in Brazil.

2.7. Public Order and Fraud Against the Law in Family Law INTERNATIONAL

The concept of public order functions as a "safety valve" in Private International Law. Provided for in Article 17 of the Brazilian Law of Introduction to the Norms of Brazilian Law (LINDB), it prevents the application of foreign laws, acts, and judgments that offend national sovereignty, public order, and good morals. In family law, public order is frequently invoked to block institutions incompatible with Brazilian constitutional values. For example, a foreign judgment that decrees divorce based on the husband's unilateral repudiation (Islamic talaq), without the wife's right to a defense, will never be recognized in Brazil, as it violates the principle of gender equality and due process of law.

Fraud against the law is another defense mechanism of the legal system. It occurs when parties artificially manipulate connecting factors (change domicile or nationality) with the sole purpose of evading the application of a mandatory law and submitting to a more favorable law. In divorce, this could occur if a couple temporarily moved to a country with more liberal divorce laws or more advantageous property regimes for one of the spouses, only to obtain the judgment and return. Although difficult to prove, fraud against the law, if detected, leads to the disregard of foreign law or the refusal to recognize the judgment.

The interpretation of public policy is dynamic and evolves with society. In the past, divorce itself was considered against public policy in countries with a strong Catholic tradition. Today, Brazilian public policy in family law is based on the dignity of the human person, the comprehensive protection of children and adolescents, and equality between spouses. Foreign judgments that set alimony at ridiculously low amounts, leaving the dependent in poverty, or that deny family contact without just cause, can be rejected for violating these fundamental principles.

The Superior Court of Justice (STJ) acts as a guardian of these values, filtering what can enter the national legal system.

Finally, the application of public order should be exceptional and restrictive. The mere fact that foreign law differs from Brazilian law does not authorize its disregard. International law presupposes tolerance.



With legal diversity, the offense must be serious and intolerable ("shocking") to the average sentiments of Brazilian society and to constitutional principles. The balance between openness to foreign law, necessary in a globalized world, and the preservation of the fundamental values of the Brazilian State, is the great challenge for the jurist who works in international divorce.

3. CONCLUSION

In light of the foregoing, it is clear that international divorce is one of the most intricate matters in contemporary law, requiring careful navigation between different legal systems, international treaties, and domestic public order norms. The dissolution of the marital bond, when it crosses borders, ceases to be a mere procedure for changing marital status and becomes a complex case of conflict of laws, where the definition of jurisdiction and applicable law precedes and conditions any discussion of the merits. The Law of Introduction to the Norms of Brazilian Law (LINDB) and the 2015 Code of Civil Procedure provide the normative framework, but it is in the case law and jurisprudence of the Superior Court of Justice (STJ) that effective solutions are shaped.

The analysis of jurisdictional competence revealed that the rule of concurrent jurisdiction generates an environment of uncertainty and potential international *lis pendens*, requiring proactivity from the parties. The choice of forum (when possible) and the speed in filing the lawsuit can determine the outcome of the case, directly influencing the law that will be applied to the assets and custody of the children. The exclusive jurisdiction of the Brazilian judiciary for real estate located within the national territory reaffirms the principle of sovereignty and territoriality, imposing insurmountable limits on foreign decisions, however just they may seem in their countries of origin.

Regarding applicable law, the predominance of domicile as a connecting factor in Brazilian law reflects a political choice for the social integration of the individual, but creates practical challenges in determining marital domicile in mobile families. The rule of immutability of the property regime, linked to the couple's first domicile, is a guarantee of legal security, protecting spouses from unilateral changes based on opportunistic changes of residence. Ignorance of this rule is a frequent source of unpleasant surprises at the time of division of assets, where assets that were thought to be jointly owned may be considered separate property, or vice versa, depending on the applicable foreign law.

The division of assets across multiple jurisdictions has proven to be the point of greatest friction. The impossibility of a single judge deciding on the ownership of real estate in different countries fragments the divorce process, increasing costs and time. The jurisprudential solution of financial compensation is ingenious, but limited by the existence of liquidity or assets in the country of the forum. International legal cooperation, through letters rogatory and direct assistance, is

An indispensable tool for uncovering hidden assets and ensuring the effectiveness of asset division, combating fraud and asset shielding schemes that exploit borders to undermine the division of property.

The institution of the homologation of foreign judgments has become established as the mechanism for controlling and receiving foreign decisions. The role of the Superior Court of Justice (STJ) is vital in ensuring that, although Brazil is open to international cooperation, decisions that violate fundamental rights guaranteed by the Constitution, such as due process and human dignity, are not admitted. The possibility of partial homologation and simplification for consensual cases demonstrate a system that seeks a balance between state sovereignty and the need to resolve citizens' lives quickly.

It is concluded that a lawyer practicing in International Family Law must possess a solid and generalist training, understanding not only the Brazilian Civil and Procedural Code, but also the mechanisms of Private International Law and the basic concepts of relevant foreign legal systems. Prevention, through well-drafted prenuptial agreements and international estate planning, is the best way to mitigate the risks inherent in transnational families. A cohabitation agreement and the conscious choice of marital property regime, considering the couple's future mobility, should be part of preventive legal counsel.

Ultimately, the goal of law, whether national or international, is social peace and justice. In international divorce, this means ensuring that the termination of a relationship does not result in irreparable financial losses or legal limbo where people are divorced in one country and married in another. Harmonization is achieved through respect for connecting factors and cooperation between jurisdictions.

A thorough study of the topics discussed here – jurisdiction, applicable law, division of assets, and homologation – is essential for the qualification of legal professionals. Globalization is not a reversible process, and multicultural families will continue to grow in number and complexity. The Brazilian legal system, although robust, must be constantly updated and engaged in dialogue with international sources to offer adequate responses to this reality, ensuring that geographical borders do not become barriers to the administration of justice.

It is therefore evident that there is a need for greater dissemination of Private International Law in undergraduate courses and in legal practice. The protection of the weaker party in a marital relationship, the guarantee of alimony, and the fair division of common effort ultimately depend on the correct application of these conflict-of-laws rules. International divorce, with all its nuances, is conclusive proof that law does not exist in isolated islands, but in an ocean of interactions where refined legal technique is the only safe harbor.

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